Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/25/2004
Whitemans Cottage , Sincox Lane, Shipley, West Sussex, RH13 8PT

DESCRIPTION:
Demolition of existing dwelling and construction of a replacement dwelling and a car port.

RELEVANT PLANNING POLICIES
The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (2015):
Policy 24 - Strategic Policy: Environmental Protection
Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
Policy 26 - Strategic Policy: Countryside Protection
Policy 28 - Replacement Dwellings and House Extensions in the Countryside
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 40 - Sustainable Transport
Policy 41 - Parking

Shipley Parish Neighbourhood Plan (SPNP) 2019 - 2031:
Policy Ship HD1 – New Housing Development
Policy Ship HD3 - High Quality 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old, the most important policies for the determination of this application must be considered as to whether they are 'out of date' (NPPF paragraph 11d).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 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.

Horsham District Local Plan (2023-40) (Regulation 19):
Policy 7: Appropriate Energy Use
Policy 8: Sustainable Design and Construction

Policy 9: Water Neutrality
Policy 11: Environmental Protection
Policy 13: The Natural Environment and Landscape Character
Policy 14: Countryside Protection
Policy 17: Green Infrastructure and Biodiversity
Policy 19: Development Quality
Policy 20: Development Principles
Policy 25: Parking
Policy 45: Replacement Dwellings and House Extensions in the Countryside

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 – Drainage: More Information. HDC Drainage need More Information to determine that the site drainage meets the requirements of the NPPF and PPG, National standards for sustainable drainage systems (June 2025), and the Horsham District Planning Framework (2015) – Policy 35 and Policy 38.

OUTSIDE AGENCIES
NatureSpace: Certificate acquired, conditions and informatives recommended.

WSCC Highways: No Objection: -

The proposal to demolish the existing dwelling, 'Whiteman's' and replace it with a new dwelling and car port has been considered by WSCC as the County Highways Authority (CHA). No objection is raised.

Access to the house will be taken from Sincox Lane a 'C' classified rural road within WSCC public highway. The road has no footways and has a maximum width of 3.6m. Entrance to 'Whiteman's' is provided by an access track. This track is classified as a 'T' class road known as 'Sincox to Whiteman's', forms part of the PROW network and provides good visibility onto Sincox Lane. No changes are proposed to this access track.

Construction access should be considered by the applicant, and WSCC ask the applicant to consider the routing of large HGVS/deliveries to the site. WSCC has reviewed and the lane and it is noticed the lane is quite restricted in width to the north with limited passing places. Whilst this would be wide enough for a HGV to use for access, WSCC consider the route from the B2139 should be the preferred construction access route used by larger vehicles as this provides the most direct access and would provide more natural places for passing should two vehicles or other road users such as pedestrians, cyclist or equestrians meet each other. The applicant should not be accepting deliveries which are over this width as this could cause damage to the lane.

In line with WSCC car and cycle parking standards for residential developments also provide appropriate car parking and cycle storage in line with WSCC car and cycle parking standards. These state that car parking should be provided in the region of 3 spaces for a 4 plus bedroom house, and that cycle parking should be provided for at least 2 spaces, and these are usually accommodated for in garages or sheds in gardens.

In summary, no objection is raised subject to a construction management statement being submitted.

Representations:
None received

Parish Comments:
At the meeting of Shipley PC held on 13th January 2026, Members voted to support the application

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
This application is for Demolition of existing dwelling and construction of a replacement dwelling and a car port at Whitemans Cottage, Sincox Lane, Shipley. Whitemans is a detached property set away from Sincox Lane, accessed via gated driveway. The property is a two-story dwelling set on generous grounds with outbuildings / stabling positioned east south east. A large pond is positioned to the north west of the property.

Principle of Development:

Policy 28 of the HDPF states that outside built-up area boundaries, replacement dwellings will be supported where the development can be accommodated appropriately within the curtilage of the existing dwelling. In addition, replacement dwellings will only be supported on a one for one basis, and if it can be demonstrated that the building is not derelict. Replacement dwellings should not be disproportionate to the size of the existing dwelling.

Policy Ship HD1 supports new housing in Shipley, Coolham, Dragons Green and Brooks Green where proposals represent infill or redevelopment within existing built form, avoid extending settlements onto greenfield land, provide affordable housing, reflect the scale and density of surrounding development, and demonstrate a positive response to the Shipley Parish Design Guidance.

Whilst Whitemans Cottage is in disrepair it is not considered that the site is in abandonment and. The proposal is considered to amount to the replacement of an existing dwellinghouse on a one for one basis, and there is no in principal conflict with the above policy.

Design and Appearance:

Policy 32 and 33 of the HDPF seeks to ensure that development promotes a high standard and quality of design in order to enhance and protect locally distinctive characters. The policies also seek to ensure that the scale, massing and appearance of development relates sympathetically with the built surround-ings, landscape, open spaces and routes within and adjoining the site, including any impact on the sky-line and important views.

Policy Ship HD3 sets out that developments within Shipley Parish should respond positively to local design characteristics and should be of sizing and scaling that respects the character of the locality, using materials that are typical to the area. The Parish Design Statement also informs on the typical styling cues and elements found throughout the parish.

The proposal sees the demolition of the existing dwelling (approx. 92m^2) of an atypical design and replaced by a larger dwelling house (approx. 151m^2). This increase in scale, which also includes an increase in height, is not considered disproportionate to the plot size or the pattern of surrounding sporadic development.

The proposed design would be inoffensive and not dissimilar to the existing dwelling on the site. The proposal is to have a stone finish to the principal elevation with the side and rear elevations to be painted masonry render. It is considered these are appropriate material choices though will be conditioned to ensure an appropriate choice of colour is optioned, to protect the neighbouring amenity since colour choice and exact materials are yet to be confirmed.

A carport / garage is also to be erected north of the proposed dwelling, located nearby to the existing driveway entrance. It is considered that this suitably located and designed.

It is therefore considered that the visual impact of the proposal is acceptable and would accord with the above policies.

Residential Amenity:

Policy 33 of the HDPF states that permission will be granted for development that does not cause unacceptable harm to the amenity of the occupiers/users of nearby properties and land.

Given the seclusion of the proposal, it is not expected for there to be any issues regarding impact on the residential amenity. A balcony is proposed that will give look out to the south, east and west of the cartilage / garden. It is not considered that this would breach any neighbouring properties privacy and as such is considered acceptable.

Highways Impacts:

Policy 40 of HDPF promote development that provides safe and adequate access, suitable for all users. Policy 40 focuses on supporting development of a sustainable and integrated transport system that sup-ports sustainable transport travel to access jobs, homes, and services. It encourages development that aligns with existing transport infrastructure, reduces carbon emissions, and looks to reduce travel distances and conflicts. Development will be supported where public transport access is improved, routes for cyclists and pedestrians are well implemented and ensures safe highways use for all transport modes.

Policy 41 seeks to find the right balance between ensuring that adequate parking is provided and that it is suitably located and does not conflict with other uses. It should be of good urban design and be appropriate to ensure highway safety. Development which involves the loss of existing parking spaces will only be allowed if suitable alternative provision has been Secured elsewhere the need for the development overrides the loss of parking and where necessary measures are in place to mitigate against the impact.

The development would make use of existing access arrangements and, given it's a replacement dwelling, would not be expected to result in an increase demand for travel to or from the site, with the highway impacts of the proposal considered acceptable.

It is noted that the LHA has made recommendations in respect of the routing of traffic associated with the development phase of the proposal. It is not considered necessary (or readily enforceable) to seek such details as part of an application of this scale, and the applicant is instead advised of the preferred routing by way of an informative. It is noted that there is sufficient room on the site for parking and manoeuvring of vehicles off the highway.

Ecology:

Policy 31 of the HDPF promotes development that protects and enhances green infrastructure and biodiversity. It supports projects that maintain ecological networks, create new habitats, and improve existing biodiversity. Loss of green infrastructure must be mitigated or compensated, and protected trees must be replaced if felled. The policy prioritizes safeguarding designated nature sites and habitats, and requires rigorous assessment and mitigation for developments impacting sensitive areas like the Arun Valley SPA and the Mens SAC.

The application site contains a large pond and is within the Red Newt Impact Zone which forms the most suitable habitat, with a high risk of great crested newts. The applicants informed the LPA that a survey was carried out at the pond located 100m from Whitemans which confirmed Greater Crested newts were found there. In view of its proximity, the applicants decided to acquire a license directly from NatureSpace. A certificate was then acquired by the applicants and was submitted to the LPA. NatureSpace recommended further conditions and informatives be attached to the application to secure the certificates usages.

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.

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:

- Water consumption limited to 110litres per person per day
- Requirement to provide full fibre broadband site connectivity
- Refuse and recycling storage
- Cycle parking facilities

- EV charging points

These measures would be secured through condition and would ensure the development suitably reduces 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.

In this case the development is exempt and qualifies as self-build under Regulation 4 of the Biodiversity Gain Requirements (Exemptions) Regulations 2024

Conclusions:

It is considered that the proposed development accords with the development plan policies and is recommended for approval.

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 (Slab Level) Condition**: No development above ground floor slab level of any part of the development hereby permitted shall take place until a schedule of materials and finishes and colours to be used for external walls, windows and roofs of the approved building(s) has been submitted to and approved by the Local Planning Authority in writing and all materials used in the construction of the development hereby permitted shall conform to those approved.

Reason: As this matter is fundamental to enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with Policy 33 of the Horsham District Planning Framework (2015).

5 **Pre-Occupation Condition**: Prior to the first occupation of any part of the development 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

- Details of all proposed trees and planting, including schedules specifying species, planting size, densities and plant numbers and tree pit details
- A written outline soft specification, including ground preparation, cultivation and other operations associated with plant and grass establishment
- 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 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).

6 **Pre-Occupation Condition**: No dwelling shall be first 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).

7 **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 side or rear garden for that dwelling. 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).

8 **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).

9 **Regulatory Condition**: No development hereby permitted shall take place except in accordance with the terms and conditions of the Council's Organisational Licence (WML-OR177, or a 'Further Licence') and with the proposals detailed on plan "Whitemans Cottage: Impact plan for great crested newt District Licensing (Version 1)" dated 8th April 2026 [received 21st April 2026] (and with "NatureSpace pond impacts avoidance measures for 'unimpacted' waterbodies" (November 2025)).

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-OR177, or a 'Further Licence'), section 15 of the National Planning Policy Framework, Circular 06/2005 and the Natural Environment and Rural Communities Act 2006.

10 **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).

11 **Post-Occupation Condition:** Upon the occupation of the building hereby permitted the existing building, as indicated on the approved plans, shall cease to be used for any purpose whatsoever and within a period of 3 months thereafter the existing building shall be demolished (including the removal of foundations). All materials arising from such demolition removed from the site.

Reason: The retention of existing buildings together with the new buildings would result in the proliferation of buildings on the site, detracting from the character of the area which would be contrary to Policy 33 of the Horsham District Planning Framework (2015).

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

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

Under Regulations 4, 5, 7 & 8 of the Biodiversity Gain Requirements (Exemptions) Regulations 2024 the statutory biodiversity gain condition required by Schedule 7A to the Town and Country Planning Act 1990 (as amended) does not apply in relation to planning permission for development which:

1. does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and
impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (a hedgerow habitat or watercourse habitat identified for the purposes of the biodiversity metric);

2. is the subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015;

3. is undertaken solely or mainly for the purpose of fulfilling, in whole or in part, the biodiversity gain planning condition which applies in relation to another development (In determining whether a development is undertaken solely or mainly for this purpose, no account is to be taken of any facility for the public to access or to use the site for educational or recreational purposes, if that access or use is permitted without the payment of a fee);

4. consists of no more than 9 dwellings, is carried out on a site which has an area no larger than 0.5 hectares, and consists exclusively of dwellings which are self-build or custom housebuilding ("Self-build or custom housebuilding" has the same meaning as in section 1(A1) of the Self-build and Custom Housebuilding Act 2015 (as amended)).

In addition, the Biodiversity Gain Plan Condition does not apply to applications for major development made before 12 February 2024, or non-major development made before 2 April 2024.

Based on the information submitted in the planning application documents, the Planning Authority considers that this permission is exempt from biodiversity net gain, and as such does not require approval of a biodiversity gain plan before development is begun.

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
It is essential to note that any works or activities whatsoever undertaken on site (including ground investigations, site preparatory works or ground clearance) prior to receipt of the written authorisation from the planning authority which permits the development to proceed under the District Licence (WML-OR177, or a 'Further Licence') are not licensed under the great crested newt District Licence. Any such works or activities have no legal protection under the great crested newt District Licence and if offences against great crested newt are thereby committed then criminal investigation and prosecution by the police may follow.

NOTE TO APPLICANT
The applicant is advised that construction traffic, and primarily large HGVs / deliveries, should access the site from the B2139, as this route provides the most direct access and allows for more passing places should two vehicles or other road users such as pedestrians, cyclist or equestrians meet each other. No traffic relating to demolition / construction works should entail deliveries / collections which are of an excessive width, as this could cause damage to the lane.

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/25/2004
(The approved plans will form Condition 1 on the Decision Notice of all Permitted applications)

Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Supporting Docs	NATURESPACEPARTNERSHIP NatureSpace Great Crested Newt District Licensing Scheme Certificate	NSP1266H	14.04.2026
Design & Access Statement	Planning	NONE	04.12.2025

Supporting Statement	Climate Change and Sustainability Checklist	NONE	04.12.2025
Elevation & Floor plan	Existing	25/06/1	04.12.2025
Location plan		26/06/SP 124	29.04.2026
Elevation & Floor plan	Proposed	25/06/2	04.12.2025
Elevation & Floor plan	Proposed car port	25/06/3	04.12.2025
Block plan		25/06/SP	04.12.2025
Plans	Whitemans Cottage: Impact plan for great crested newt District Licensing (Version 1)" dated 8th April 2026		21.04.2026
Supporting Statement	NatureSpace pond impacts avoidance measures		21.04.2026

DELEGATED

Case Officer sign/initial J Burrowes Date: 01/05/2026

Authorising Officer sign/initial Guy Everest Date: 01.05.2026