Horsham District Council

# DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/26/1283
Brookside Barns, Dagbrook Lane, Henfield, West Sussex, BN5 9SH

DESCRIPTION:

Demolition of existing building and erection of 1no detached dwelling and associated works.

RELEVANT PLANNING HISTORY:

| | | |
|---|---|---|
| DC/21/2040 | Erection of 3 x new build dwellings (alternative to Prior Approval ref: DC/20/1881 for Change of Use of Agricultural Buildings to form 4 dwellinghouses). | Application Refused on 01.11.2021 |
| HRA/22/0010 | Application under Regulation 77 of the Conservation of Habitats and Species Regulations 2017 in respect of Prior Approval consent DC/20/1881. | Application Refused on 28.04.2022 |
| DC/22/1036 | Prior Notification for Change of Use of Agricultural Building to residential (Use Class C3) to form 3no dwellinghouses. | Prior Approval Required and PERMITTED on 22.07.2022 |
| DC/22/1038 | Prior Notification for Change of Use of Agricultural Building to residential (Use Class C3) to form 1no dwellinghouse. | Prior Approval Required and PERMITTED on 22.07.2022 |
| DISC/22/0253 | Approval of details reserved by conditions 3 and 4 to approved application DC/21/0993 | Application Permitted on 15.11.2022 |
| DC/22/1673 | Erection of an 'American barn' for equestrian use | Application Permitted on 12.10.2023 |
| DC/24/0863 | Demolition of 2no Agricultural Buildings and Erection of 2no dwellinghouses. | Application Refused on 06.08.2024 |
| HRA/24/0016 | Application under Regulation 77 of the Conservation of Habitats and Species Regulations 2017 relating to Prior Approval consent DC/25/1147. | Application Permitted on 21.04.2026 |
| DISC/24/0230 | Application for Approval of Details Reserved by Condition 1(a), (b) and (c) and Condition 2 of approved application DC/22/1036 | Application Permitted on 06.11.2024 |
| DC/24/1558 | Demolition of 2no. Agricultural Buildings and erection of 2no. dwellings. | Application Permitted on 15.07.2026 |
| DC/25/1147 | Prior Notification for Change of Use of an Agricultural Building to 3no dwellinghouses (C3 Use Class). | Prior Approval Required and PERMITTED on 02.09.2025 |

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|---|---|---|
| DC/25/0788 | Prior Notification for Change of Use of Agricultural Building to 1no. dwellinghouse. | Application Permitted on 04.07.2025 |
| DISC/25/0272 | Approval of details reserved by condition 1 to approved application DC/25/0788. | Application Permitted on 29.10.2025 |

DESCRIPTION OF THE SITE

The application site is located in the rural countryside outside of any defined built up area boundary. The site is accessed via a private lane from the A2037.

The application site relates to an open sided 'dutch' barn to the near west of Owl Lodge within Brookside Farm, found towards the westernmost extent of Dagbrook Lane. The existing barn comprises of a steel frame supporting two rounded corrugated metal roofs with a 'lean-to' element to its western extent.

DESCRIPTION OF THE APPLICATION

The application seeks to demolish the existing agricultural barn and to erect one detached dwellinghouse with four bedrooms. The proposed materials would be brick and timber cladding for the external walls, clay tiles for the roof and aluminium window frames.

RELEVANT PLANNING POLICIES

**The National Planning Policy Framework (NPPF)**

**Horsham District Planning Framework (2015)**:
Policy 1 - Strategic Policy: Sustainable Development
Policy 2 - Strategic Policy: Strategic Development
Policy 3 - Strategic Policy: Development Hierarchy
Policy 4 - Strategic Policy: Settlement Expansion
Policy 15 - Strategic Policy: Housing Provision
Policy 24 - Strategic Policy: Environmental Protection
Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
Policy 26 - Strategic Policy: Countryside Protection
Policy 31 - Green Infrastructure and Biodiversity
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
Policy 35 - Strategic Policy: Climate Change
Policy 36 - Strategic Policy: Appropriate Energy Use
Policy 37 - Sustainable Construction
Policy 38 - Strategic Policy: Flooding
Policy 39 - Strategic Policy: Infrastructure Provision
Policy 40 - Sustainable Transport
Policy 41 - Parking

**Henfield Neighbourhood Plan**

**Horsham District Local Plan (2023-40) (Regulation 19)**:
Strategic Policy 1: Sustainable Development
Strategic Policy 2: Development Hierarchy
Strategic Policy 3: Settlement Expansion
Strategic Policy 6: Climate Change
Strategic Policy 7: Appropriate Energy Use

Strategic Policy 8: Sustainable Design and Construction
Strategic Policy 9: Water Neutrality
Strategic Policy 10: Flooding
Strategic Policy 11: Environmental Protection
Strategic Policy 13: The Natural Environment and Landscape Character
Strategic Policy 14: Countryside Protection
Strategic Policy 17: Green Infrastructure and Biodiversity
Strategic Policy 19: Development Quality
Strategic Policy 20: Development Principles
Strategic Policy 24: Sustainable Transport
Policy 25: Parking
Strategic Policy 37: Housing Provision
Strategic Policy 38: Meeting Local Housing Needs
Policy 40: Improving Housing Standards in the District

**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:

**Ecology:** No Objection subject to conditions

The applicant has submitted a Preliminary Ecological Appraisal & Roost Assessment (Arbtech Consulting Ltd., May 2026). The site has no suitable roosting features and there is a recommendation to support a Precautionary Method Statement for reptiles, common amphibians and mobile protected and Priority species (including Hedgehog, which is a threatened and Priority species) in Sections 7.3, 8.3 and 13.3 of the Preliminary Ecological Appraisal & Roost Assessment (Arbtech Consulting Ltd., May 2026).

**WSCC Highways**: Advice

The site is located on Dagbrook Lane, an unadopted road – as such, these comments should be considered as advice only.

The proposals are an alternative to Prior Approval DC/25/0788 (Prior Notification for Change of Use of Agricultural Building to 1no. dwellinghouse), of which the LHA was also a consultee for, raising no highway safety or capacity concerns.

The WSCC Car Parking Demand Calculator indicated that a property of this size in this location would require three car parking spaces. There appears to be space within the site to accommodate this and for on-site turning.

**Natural England:** Standing advice

**Southern Water:** Comment

The proposed means of foul/surface water drainage would need to be submitted to the local authority. Request for demolition information. Any new connections would require a legal agreement in connection with Southern Water.

**Environmental health:** Comment
Insufficient information has been submitted in regards to potential land contamination such that a condition would need to be attached requiring a Preliminary contamination report.

PUBLIC CONSULTATIONS:

Representations:

No letters of representation have been received.

Parish Comments:

**Parish Council**: No objection all agreed

Member Comments:

None received

HUMAN RIGHTS AND EQUALITY:

The application has been considered having regard to Article 1 of the First Protocol of the Human Rights Act 1998, which sets out a person's rights to the peaceful enjoyment of property and Article 8 of the same Act, which sets out their rights in respect to private and family life and for the home. Officers consider that the proposal would not be contrary to the provisions of the above Articles.

The application has also been considered in accordance with Horsham District Council's public sector equality duty, which seeks to prevent unlawful discrimination, to promote equality of opportunity and to foster good relations between people in a diverse community, in accordance with Section 149 of the Equality Act 2010. In this case, the proposal is not anticipated to have any potential impact from an equality perspective.

PLANNING ASSESSMENT

**Principle of Development**:

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

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

Policy 26 of the HDPF addresses countryside protection and establishes that outside of defined built-up area boundaries, the rural character and undeveloped nature of the countryside will be protected

against inappropriate development. Any proposal must be essential to its countryside location and, in addition, meet one or more additional criteria. Those additional criteria defined by HDPF Policy 26 are that development supports the needs of agriculture or forestry, enables the extraction of minerals or the disposal of waste, provides for quiet informal recreational use or enable the sustainable development of rural areas.

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

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

The proposal follows a recent Prior Approval consent under DC/25/0788 for the conversion of the building to 1no. dwellinghouse. The application is made in the alternative to this application. The prior approval does represent a viable fallback for development, as the pre-commencement conditions have been discharged under DISC/25/0272. Consequently, there are no barriers to the extant prior approval consent being carried out. This represents a viable fallback to the current application proposal.

The presence of a viable fallback position for the change of use to 1no. dwellinghouse is a significant material consideration and establishes the principle of housing on this site. The proposed development would be sufficiently contained within the existing site boundaries, and would not be significantly larger in scale when compared with the Prior Approval consent. It is therefore considered that a refusal of the current application would not prevent residential development being delivered on the site. It is therefore considered that the principle of the development on the site for 1no dwellinghouse has been established.

In considering all relevant material considerations, it is therefore considered that the principle of development is acceptable in this instance.

**Design and Appearance**:

Policies 25, 32, and 33 of the HDPF promote development that protects, conserves and enhances the landscape and townscape character from inappropriate development. Proposals should take into account townscape characteristics, with development seeking to provide an attractive, functional and accessible environment that complements the locally distinctive character of the district. Buildings should contribute to a sense of place, and should be of a scale, massing, and appearance that is of a high standard or design and layout which relates sympathetically to the landscape and built surroundings.

The proposal would be much larger than the dwellings to the east, however the roof form and materials would appear to reflect the built features of the larger local dwellings, with some of the dwellings and ancillary outbuildings having a distinctly barn-like appearance. The proposed dwelling would be larger than some of the immediate neighbouring dwellings to the east, but is not disproportionate when compared to the fallback position for a dwelling. Furthermore, the existing barn is of a considerable size such that the proposal would not be considered as a disproportionate increase over the original site circumstance. For these reasons, it is considered that the proposal would reflect the character and appearance of similar development within the immediate locality which largely has a converted barn appearance and would relate sympathetically to the built surroundings.

The proposed development is considered to reflect the character and appearance of the immediate surroundings and has a form and appearance that would relate sympathetically to the surrounding built development. The proposal is therefore considered to accord with the above policies.

**Residential Amenity**:

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

It is recognised that a residential use of the site has been considered acceptable under the Prior Approval consent reference DC/25/0788. Whilst the proposed development would introduce additional openings when compared with the previous consent, it is not considered that the proposal would result in a greater degree of overlooking or loss of privacy when considered against the fallback position. Sufficient space would be retained between the proposal and neighbouring properties, and the proposal would not give rise to unacceptable amenity impacts.

There are therefore no objections to the application in light of policies 32 and 33 of the HDPF.

**Highways Impacts**

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

The submitted plans demonstrate three parking spaces which would meet the anticipated demand for a four bedroom dwelling, and sufficient turning space through hardstanding for on-site turning has been demonstrated. WSCC Highways have been consulted during the application and have no objection to the development in light of highways safety or access concerns. Overall, the development is in accordance with Policies 40 and 41 of the HDPF.

**Ecology**:

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

Circular 06/2005 identifies that the presence of protected species is a material consideration when considering a development proposal that, if carried out, would be likely to result in harm to the species or its habitat. Therefore, it is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed application, is established before planning permission is granted. Information on biodiversity impacts and opportunities should inform all stages of development, and an ecological survey is usually necessary where the type and location of development are such that the impact on biodiversity may be significant and existing information is lacking or inadequate.

The applicant has submitted a Preliminary Ecological Appraisal & Roost Assessment (Arbtech Consulting Ltd., May 2026). Following consultation with the Council's Ecologist, there is sufficient ecological information available for determination. This provides certainty of the likely impacts on designated sites, protected and priority species and habitats, and this confirms that with appropriate mitigation measures secured, the development can be made acceptable. It is recommended that the mitigation and enhancement measures as contained within the Preliminary Ecological Appraisal be secured by condition.

**Contamination**:

There is potential for contamination within the application site given its previous use. Environmental health have commented that they would require full Preliminary Contamination Risk Assessment prior to the works taking place. Subject to this condition being agreed there are no objections to the application in light of Policy 33 of the HDPF.

**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.

Should the proposed development be approved, the following measures to build resilience to climate change and reduce carbon emissions would be secured by condition:

- Water consumption limited to 110litres per person per day
- Requirement to provide full fibre broadband site connectivity
- Dedicated refuse and recycling storage capacity
- Electric vehicle charging points

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

**Biodiversity Net Gain (BNG):**

Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) mandates that every development must achieve at least a 10% Biodiversity Net Gain (BNG (unless the development qualifies as exempt under the Biodiversity Gain Requirements (Exemptions) Regulations 2024) and that every planning permission granted for the development of land in England shall be deemed to have been granted subject to the condition that development must not be begun unless a Biodiversity Gain Plan has been submitted to the planning authority and the planning authority has approved the Plan.

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

The red line boundary is below 0.2 hectares such that the development would be exempt from Biodiversity Net Gain requirements.

**Conclusions**:

The application site benefits from an extant Prior Approval (DC/25/0788) for the change of use of the existing building to 1no. dwellinghouse. This extant permission is considered to represent a realistic fallback which establishes the principle of residential development on site. The proposed development would improve the quality of accommodation and would offer improvements in design and sustainability. The proposal is considered to relate sympathetically to the character and built form of the wider surroundings.

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

COMMUNITY INFRASTRUCTURE LEVY (CIL)

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

**It is considered that this development constitutes CIL liable development.**

| Use Description | Proposed | Existing | Net Gain |
|---|---|---|---|
| District wide zone 1 | 245 | 231 | -14 |

**Total Gain** **-14**

**Total Demolition**

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

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

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

**Recommendation: Application Permitted**

Conditions:

2 **Standard Time Condition**: The development hereby permitted shall begin before the expiration of three years from the date of this permission.

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

3 **Pre-Commencement Condition**: No development shall take place, including any works of demolition, until the following construction site set-up details have been submitted to, and approved in writing by, the Local Planning Authority.

(a) the location for the loading and unloading of plant and materials, site offices, and storage of plant and materials (including any stripped topsoil)
(b) the provision of wheel washing facilities (if necessary) and dust suppression facilities

The approved details 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 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 **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 and extant structures shall each 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.

b) A site investigation scheme, based on (a) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site. The site investigation shall be designed and implemented in accordance with BS10175:2026 Investigation of potentially contaminated sites – Code of practice.

c) The site investigation results and the detailed risk assessment (b) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

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).

6 **Pre-Occupation Condition**: No part of the development hereby permitted shall be occupied until a Biodiversity Enhancement Strategy for Protected and Priority species has been submitted to and approved in writing by the local planning authority. The content of the Biodiversity Enhancement Strategy shall include the following:

(a) Purpose and conservation objectives for the proposed enhancement measures;
(b) Detailed designs to achieve stated objectives;
(c) Locations of proposed enhancement measures by appropriate maps and plans;
(d) Persons responsible for implementing the enhancement measures;
(e) Details of initial aftercare and long-term maintenance (where relevant).

The works shall be implemented in accordance with the approved details and shall be retained in that manner thereafter.

Reason: As these matters are fundamental to safeguard the ecology and biodiversity of the area in accordance with Policy 31 of the Horsham District Planning Framework (2015), and to enhance Protected and Priority Species/habitats and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority Habitats & Species).

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

(a) Details of all existing trees and planting to be removed and retained
(b) Details of all proposed trees and planting, including schedules specifying species, planting size, densities and plant numbers and tree pit details
(c) Details of all hard surfacing materials and finishes
(d) Details of all boundary treatments
(e) Details of all external lighting
(f) Details of the ecological buffer zone and its long term management.

The approved landscaping scheme shall be fully implemented in accordance with the approved details within the first planting season following the first occupation of any part of the development. Unless otherwise agreed as part of the approved landscaping, no trees or hedges on the site (other than those within private gardens) shall be wilfully damaged or uprooted, felled/removed, topped or lopped without the previous written consent of the Local Planning Authority until 30 years after completion of the development. Any proposed or retained planting outside of private gardens, which dies, is removed, or becomes seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

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

8 **Pre-Occupation Condition**: No part of the development hereby permitted shall be occupied until the car parking spaces necessary to serve it have been constructed and made available for use in accordance with approved plan reference 2605BR_001. The car parking spaces permitted shall thereafter be retained as such for their designated use.

Reason: To provide car-parking space for the use in accordance with Policy 40 of the Horsham District Planning Framework (2015).

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

Reason: To ensure that there is adequate provision for the parking of cycles in accordance with Policy 40 of the Horsham District Planning Framework (2015).

10 **Pre-Occupation Condition**: No part of the development hereby permitted shall be occupied until provision for the storage of refuse and recycling has been made for that dwelling in accordance with the approved plans under 2605BR_001. 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).

11 **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 a minimum 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).

12 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until the lighting design strategy for biodiversity in accordance with Guidance Note 08/23 (Institute of Lighting Professionals) shall be submitted to and approved in writing by the local planning authority. The strategy shall:

-identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
-show how and where external lighting will be installed so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (as amended).

13 **Pre-Occupation Condition:** The development hereby permitted shall not be occupied/brought into use until there has been submitted to the Local Planning Authority verification that the

remediation scheme required and approved under the provisions of condition 5 has been implemented fully in accordance with the approved details (unless varied with the written agreement of the Local Planning Authority in advance of implementation). Thereafter the scheme shall be monitored and maintained in accordance with the scheme approved under condition 5 unless otherwise agreed in writing by 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).

14 **Regulatory Condition**: The development hereby permitted shall be undertaken in strict accordance with the ecological mitigation and enhancement measures, including the Precautionary method statement set out in the Preliminary Ecological Appraisal & Roost Assessment (Arbtech Consulting Ltd., May 2026).

Reason: As these matters are fundamental to safeguard the ecology and biodiversity of the area in accordance with Policy 31 of the Horsham District Planning Framework (2015), and to enhance Protected and Priority Species/habitats and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority Habitats & Species).

15 **Regulatory Condition**: The dwelling(s) 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 and to ensure the development is water neutral to avoid an adverse impact on the Arun Valley SACSPA and Ramsar sites in accordance with Policies 31 and 37 of the Horsham District Planning Framework (2015), the National Planning Policy Framework (2026), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority Habitats & Species).

**16 Regulatory Condition:** The materials and finishes of all new external walls, windows and roofs of the development hereby permitted shall match in appearance those indicated on plan 2605BR_200.

Reason: In the interests of visual amenity and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

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

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

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.

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.

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**Plans list for: DC/26/1283**
Schedule of plans/documents **approved**:

| Plan Type | Description | Drawing Number | Received Date |
|---|---|---|---|
| Location & Block plan | Existing Site Plans | 2605BR_000 | 10.08.2026 |
| Block plan | Proposed Block Plan | 2605BR_001 | 10.08.2026 |
| Elevation & Floor plan | Existing Dutch Barn | 2605BR_100 | 10.08.2026 |
| Elevation & Floor plan | Proposed New Dwelling | 2605BR_200 | 10.08.2026 |

**DELEGATED**

Case Officer sign/initial Hannah Darley Date: 21 October 2026

Authorising Officer sign/initial Tamara Dale Date: 21.10.2026