



DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/26/1069

Linden Homes Development Site Kings Barn Lane Steyning West Sussex

DESCRIPTION:

Non Material Amendment to previously approved application DC/26/0325 (Removal of conditions 19 (water efficiency measures) and 21 (water neutrality strategy) and variation of trigger of Condition 14 (traffic noise mitigation) of planning approval DC/21/2233 (Outline application for up to 265 dwellings, demolition of No. 37 Kings Barn Lane to provide new pedestrian/cycle/emergency link, provision of vehicular access from the A283 Steyning by-pass. All matters reserved except for vehicular access from A283)) to update phasing plan and associated conditions.

DETAILED DESCRIPTION:

This application seeks approval for amendment to Condition 3 (Phasing plan) of previously approved application DC/26/0325.

The amendment sought is to facilitate demolition of the existing property at No. 37 Kings Barn Lane within an earlier phase to deliver water to the site and consequently facility implementation of the residential units.

As such, Condition 3 is to be amended to reference the new phasing plan and Conditions 8, 10, 12, 13, 14, 17, 23, 24, 30, 37, 38, and 43 are requested to reference the updated Phasing Plan (BR31285-JNP-XX-XX-DR-C-2007 P03 REV Phasing Plan).

Context

A prior Non-Material Amendment under reference DC/25/0739 introduced a phasing plan to the original Outline Permission (DC/21/2233). This was approved on 3rd June 2025 and included an additional phase to deliver the access as the first phase before the housing on the main site. Under that approved phasing plan, demolition of the existing property at 37 Kings Barn Lane was defined as part of Phase 3 of the development. In line with a newly proposed phasing plan, this application seeks to allow demolition of 37 Kings Barn Lane and delivery of water supply infrastructure in the location of the demolished building as part of Phase 2 of the development.

Rationale

The proposed amendments to the phasing have been necessitated by both Southern Water's asset requirements and physical site constraints. Southern Water have informally advised they are unlikely to support the installation of a bulk meter in front of an existing property prior to demolition. This is primarily because the proposed location would not represent the final adoptable position of the asset and may be subject to disturbance, damage, or the need for diversion as part of the demolition and redevelopment works. As such, it would not meet their criteria for a compliant, permanent installation. From a practical and technical perspective, there is also insufficient space within the current site arrangement to facilitate a compliant connection to a bulk meter ahead of demolition.

Even if installation of the bulk meter were approved in principle without the demolition of 37 Kings Barn Lane, it would not be possible to proceed with a connection at this stage. The installation and connection would therefore need to be deferred until after demolition, when sufficient space is available

to ensure a compliant and adoptable arrangement. This would lead to a costly delay in the delivery of the housing in phase 2.

Enabling the demolition of 37 Kings Barn Lane prior to Phase 3 would therefore enable the delivery of Phase 2 in a way that is technically feasible and acceptable to Southern Water.

RELEVANT PLANNING HISTORY:

DC/21/2233	Outline application for up to 265 dwellings, demolition of No. 37 Kings Barn Lane to provide new pedestrian/cycle/emergency link, provision of vehicular access from the A283 Steyning by-pass, provision of public open space, community orchard, sustainable drainage and other ancillary and enabling works. All matters reserved except for vehicular access from A283.	Permitted 29/11/2024
DC/25/0739	Non-Material Amendment to application DC/21/2233 (Outline for up to 265 dwellings, demolition of No. 37 Kings Barn Lane, and provision of vehicular access from the A283 Steyning by-pass), to allow delivery of approved access roundabout off the Steyning Bypass (A283) as first phase of the development in line with Condition 10 of the Outline Planning Permission.	Permitted 03-06-2025
DC/25/1138	Approval of Reserved Matters following the Outline Planning Permission (reference DC/21/2233) relating to the Appearance, Landscaping, Layout and Scale for 265no. dwellings, demolition of No. 37 Kings Barn Lane to provide new pedestrian/cycle/emergency link, provision of vehicular access from the A283 Steyning by-pass, provision of public open space, community orchard, sustainable drainage and other ancillary and enabling works.	Permitted 19-12-2025
DC/26/0325	Removal of conditions 19 (water efficiency measures) and 21 (water neutrality strategy) and variation of trigger of Condition 14 (traffic noise mitigation) of planning approval DC/21/2233 (Outline application for up to 265 dwellings, demolition of No. 37 Kings Barn Lane to provide new pedestrian/cycle/emergency link, provision of vehicular access from the A283 Steyning by-pass. All matters reserved except for vehicular access from A283).	Permitted 20/05/2026
DC/26/0493	Non Material Amendment to previously approved application DC/25/1138 (Approval of Reserved Matters following the Outline Planning Permission (reference DC/21/2233) relating to the Appearance, Landscaping, Layout and Scale for 265no. dwellings, demolition of No. 37 Kings Barn Lane to provide new pedestrian/cycle/emergency link, provision of vehicular access from the A283 Steyning by-pass, provision of public open space, community orchard, sustainable drainage and other ancillary and enabling works.) Regarding repositioning of dwellinghouse plots and eastern and western substations.	Permitted 15/04/2026

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 9 - Employment Development

Policy 15 – Housing Provision

Policy 16 – Meeting Local Housing Needs

Policy 24 - Strategic Policy: Environmental Protection

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

Policy 26 - Strategic Policy: Countryside Protection

Policy 30 – Protected Landscapes

Policy 31 – Green Infrastructure and Biodiversity

Policy 32 - Strategic Policy: The Quality of New Development

Policy 33 - Development Principles

Policy 34 - Cultural and Heritage Assets
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
Policy 42 - Strategic Policy: Inclusive Communities
Policy 43 – Community Facilities, Leisure and Recreation

Steyning Neighbourhood Development Plan (2019-2031)

SNDP1: Green Infrastructure & Biodiversity
SNDP2: Responsible Environmental Design
SNDP3: Contribution to Character
SNDP4: Improving Our Facilities
SNDP5: Local Green Space

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 12: Air Quality
Strategic Policy 13: The Natural Environment and Landscape Character
Strategic Policy 14: Countryside Protection
Strategic Policy 16: Protected Landscapes
Strategic Policy 17: Green Infrastructure and Biodiversity
Strategic Policy 19: Development Quality
Strategic Policy 20: Development Principles
Policy 21: Heritage Assets and Managing Change within the Historic Environment
Strategic Policy 23: Infrastructure Provision
Strategic Policy 24: Sustainable Transport
Policy 25: Parking
Strategic Policy 27: Inclusive Communities, Health and Wellbeing
Policy 28: Community Facilities, Leisure and Recreation
Strategic Policy 37: Housing Provision
Strategic Policy 38: Meeting Local Housing Needs
Policy 39: Affordable Housing
Policy 40: Improving Housing Standards in the District
Strategic Policy HA17: Steyning

West Sussex Joint Minerals Local Plan (2018)

Policy M9 - Safeguarding Minerals

West Sussex Waste Local Plan (2014)

South Downs Local Plan (Adopted 2 July 2019 (2014-33))

Strategic Policy SD4: Landscape Character
Strategic Policy SD6: Safeguarding Views
Strategic Policy SD8: Dark Night Skies

Supplementary Planning Guidance:

HDC Planning Obligations and Affordable Housing Supplementary Planning Document (2017)

HDC Community Infrastructure Levy (CIL) Charging Schedule (2017)
WSCC Supplementary Planning Guidance (September 2020) - revised county parking standards and transport contributions methodology

Other Guidance:

HDC Sports, Open Space and Recreation Assessment (2014)
HDC Open Space, Sport & Recreation Review (2021)
HDC Steyning Character Assessment (2019)
Air Quality and Emissions Mitigation Guidance for Sussex (2020)
HDC Planning Advice Note: Biodiversity and Green infrastructure (2022)
HDC Planning Advice Note: Shaping Development in Horsham District (2025)
Steyning Conservation Area Appraisal and Management Plan (HDC, Jan 2018)
The South Downs Partnership Management Plan 2026-31
The South Downs National Park: View Characterisation and Analysis (LUC, November 2015)

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: None received

Parish Comments: None received

Representations: Local Ward Member Cllr Finnegan: *Neither the Town Council or I which to make representation on this application as along as we are assured that the demolition will be conducted entirely via the Vistry/site side and not via KBL. I appreciate, unlike the Highways works, the demolition works would have to conform to the CEMP (particularly in relation to the hours of operation).*

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

The main consideration of this application is whether the proposed alterations can be considered as non-material amendments to the approved scheme in accordance with Section 96A of the Town and Country Planning Act 1990 (as inserted by S190 of the Planning Act 2008). The discretion rests with the Council to decide to whether the revisions would constitute a non-material amendment to a planning permission, which would not take it outside the scope of the original permission.

The current wording of Condition 3 of DC/26/0325 requires the development be built out in accordance with the approved phasing plan. It is necessary to substitute that plan with the proposed revised plan for the developer to implement the revised phasing.

In the context of the overall approved development of 265 units across a new housing estate, the adjusted phasing has no material change to the overall implementation of the wider phasing scheme; demolition of 37 Kings Barn Lane already has full planning approval under Outline (DC/26/0325) and reserved matters (DC/25/1138) permissions and can be completed earlier without consequence to the wider proposed phasing.

There is no material impact to conclusions previously drawn at Reserved Matters on other environmental matters, such as heritage, drainage, ecology and lighting, traffic and local highway network capacity, and neighbour amenity (as demolition would be carried out in accordance with the previously approved Construction Environmental Management Plan under application reference DISC/25/0384, including agreed access arrangements).

There are no planning constraints in the existing permission that would restrict the demolition of 37 Kings Barn Lane at an earlier phase, however under the current phasing plan, it would result in a significant financial burden to the applicant in terms of the CIL liability with payments for phase 3 being brought forward to phase 2. This would be disproportionate and significantly affect the cashflow and viability of the delivery and would undermine the principle of the agreed phasing of CIL secured under the current permission. This amendment is therefore considered non-material to the planning permission but would have significant benefits to the delivery of the scheme.

Overall Conclusion

In conclusion, this application seeks to a pragmatic alteration to the phasing to enable timely delivery of the scheme in line with requirements from both Southern Water and a practical delivery perspective. The proposed amendments to the phasing of Outline Planning Permission under reference DC/26/0325 and consequent condition suite, is considered non-material under Section 96A of the Town and Country Planning Act 1990.

Recommendation: Application Permitted

NOTE TO APPLICANT

This decision notice approves the following amended wording to the conditions imposed on planning permission DC/26/0325 listed below:

3 - Regulatory Condition (Reserved Matters):

(a) The submission of reserved matters applications pursuant to this outline approval shall demonstrate substantial compliance with the following Parameter, Phasing, and Open Space Strategy plans submitted as part of the Outline approval to fix the development principles:

Drawing P20-2253_13 Rev C: Land Use Parameters

Drawing P20-2253_14 Rev D: Building Heights Parameters

Drawing P20-2253_15 Rev E: Green and Blue Infrastructure Parameters

Drawing BR31285-JNP-XX-XX-DR-C-2007 P03 Phasing Plan

Drawing P20-2253_010 REV G Plan 2 - Open Space Strategy

(b) The submission of reserved matters applications pursuant to the outline approval shall demonstrate substantial compliance with the Design and Access Statement and Outline Design Code P20-2253 REV C submitted as part of the Outline approval to fix the development principles.

Reason: To enable the Local Planning Authority to control the development in detail to ensure Reserved Matters compliance with development principles fixed at outline and to comply with Section 92 of the Town and Country Planning Act 1990.

8 - Regulatory Condition: The existing and proposed finished floor levels and external ground levels of the development hereby permitted in phases 2 - 4 inclusive (as shown on BR31285-JNP-XX-XX-DR-C-2007 P03 Phasing Plan) shall be completed in accordance with the details approved under planning decision notice DISC/26/0049.

Reason: As this matter is fundamental to control the development in detail in the interests of amenity and visual impact and setting of the South Downs National Park in accordance with Policies 25, 30, 33 of the Horsham District Planning Framework (2015) and Policy 2 of the Steyning Neighbourhood Development Plan (2022).

10 - Pre-commencement Condition: No development hereby permitted in phases 2 - 4 inclusive (as shown on BR31285-JNP-XX-XX-DR-C-2007 P03 Phasing Plan) shall commence until the construction of the access roundabout serving the development has been constructed for its operational use in

accordance with the details shown on drawings T17583.017 REV D and T17583.019 (the latter showing a controlled pedestrian and cyclist toucan crossing on Steyning By-Pass) or as subsequently approved under the relevant Section 38/278 Agreement.

Reason: In the interests of road safety and in accordance with Policy 40 of the Horsham District Planning Framework (2015).

12 - Regulatory Condition: The means of foul water sewerage disposal of the development hereby permitted in phases 2 - 4 inclusive (as shown on BR31285-JNP-XX-XX-DR-C-2007 P03 Phasing Plan) shall be undertaken in accordance with the details approved under planning decision notice DISC/26/0049 and no occupation of any dwelling shall take place until the approved works required to facilitate that dwelling have been completed. The foul drainage system shall be retained as approved thereafter.

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).

13 - Regulatory Condition: No development hereby permitted in phases 2 - 4 inclusive (as shown on BR31285-JNP-XX-XX-DR-C-2007 P03 Phasing Plan) shall be undertaken in accordance with the details approved under planning decision notice DISC/26/0139. The scheme shall subsequently be carried out in accordance with the approved details.

Reason: To ensure that the construction of the site does not result in any flooding both on and off site and that all Surface water Drainage features are adequately protected and to comply with Policy 38 of the Horsham District Planning Framework (2015).

14 - Pre-commencement (slab-level) Condition: Prior to the commencement above ground floor slab level of the development hereby permitted in phases 2 - 4 inclusive (as shown on BR31285-JNP-XX-XX-DR-C-2007 P03 Phasing Plan), a scheme for protecting the proposed development from road traffic noise shall have been submitted to, and approved in writing by, the Local Planning Authority. The proposed scheme shall achieve the following noise levels: i. Internal day time (0700 - 2300) noise levels shall not exceed 35dB LAeq, 16hr for habitable rooms (bedrooms and living rooms with windows open) ii. Internal night time (2300 - 0700) noise levels shall not exceed 30dB LAeq with individual noise events not exceeding 45dB LMax (bedrooms and living rooms with windows open). iii. Garden/external amenity spaces should not exceed 55 dB LAeq, 16hr.

Reason: To preserve the amenity of the future residents of the development in accordance with Policy 33 of the Horsham District Planning Framework (2015).

17 - Pre-commencement (slab level) Condition: No development above ground floor slab level shall commence until a plan showing all areas where advance planting is to be delivered at the various stages of the project, including enabling works stage for any structural planting along buffer zones (including southern boundary and key mitigation and integration measures) that are to be retained / enhanced and then those that can progress alongside with the phasing on drawing BR31285-JNP-XX-XX-DR-C-2007 P03 Phasing Plan, has been submitted to and approved by the Local Planning Authority. The advance planting so agreed shall thereafter be carried out in accordance with the approved details.

Reason: To ensure a satisfactory development that is sympathetic to the landscape and character of the surroundings and setting of the South Downs National Park, and in the interests of visual amenity in accordance with Policies 30 and 33 of the Horsham District Planning Framework (2015) and Policies 1 and 2 of the Steyning Neighbourhood Development Plan (2022).

23 - Pre-Occupation Condition: The development hereby permitted in phases 2 - 4 inclusive (as shown on BR31285-JNP-XX-XX-DR-C-2007 P03 Phasing Plan) shall not be occupied until there has been submitted to the Local Planning Authority verification that the contamination remediation scheme required and approved under the provisions of condition 4 above 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 4 above, 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).

24 - Pre-Occupation Condition: Prior to first use of the development hereby permitted in phases 2 - 4 inclusive (as shown on BR31285-JNP-XX-XX-DR-C-2007 P03 Phasing Plan), a detailed verification report, (appended with substantiating evidence demonstrating the approved construction details and specifications have been implemented in accordance with the surface water drainage scheme approved under the provisions of condition 5 above), must be submitted to and approved (in writing) by the Local Planning Authority. The verification report shall include a full set of "as built" drawings plus photographs of excavations (including soil profiles/horizons), any installation of any surface water drainage structures and control mechanisms.

Reason: To ensure a SuDS drainage system has been provided to an acceptable standard to the reduce risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance in accordance Policies 35 and 38 of the Horsham District Planning Framework (2015) and Policy 2 of the Steyning Neighbourhood Development Plan (2022).

30 - Pre-Occupation Condition: The delivery of the hard and soft landscaping will be in accordance with the phases shown on drawing BR31285-JNP-XX-XX-DR-C-2007 P03 Phasing Plan. No part of phases 2 - 4 inclusive of the development hereby permitted shall be 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 for that phase. The details shall include plans and measures addressing the following:

- i. Details of all existing trees and planting to be retained;
- ii. Details of all proposed trees and planting, including schedules specifying species, planting size, densities and plant numbers and tree pit details; and to adhere to the following specifications to tree sizes at key corridors/important links and to reinforce street hierarchy: CA1 Principal street with 30-35cm girth CA3 tree lined streets with 20- 25cm girth
- iii. Details of all hard surfacing materials and finishes;
- iv. Details of all boundary treatments;
- v. Details of all external lighting;
- vi. Ecological enhancement measures set out in the Tyler Grange Ecological Assessment (12345_R05a_RB_HM) dated 24 September 2021.

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 relevant phase. Notwithstanding this requirement, unless otherwise agreed in writing with the Local Planning Authority, no more than 75% of the dwellings shall be occupied until the Local Equipped Area of Play and the Open Amenity Space (as defined in the Section 106 Agreement) are ready for use.

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 character of the surroundings and setting of the South Downs National Park, and in the interests of visual amenity in accordance with Policies 30 and 33 of the Horsham District Planning Framework (2015) and Policies 1 and 2 of the Steyning Neighbourhood Development Plan (2022).

37 - Pre-Occupation Condition: No dwelling within Phases 3 and 4 of the development as shown on drawing BR31285-JNP-XX-XX-DR-C-2007 P03 Phasing Plan shall be first occupied until the works to provide only emergency, foot and cycle access onto Kings Barn Lane have been provided in accordance with the approved drawing T17583.018 REV A. The works shall be retained thereafter for these access purposes only, subject to complying with health and safety in terms of traffic management

whilst part of the construction site as detailed in the agreed Construction Environmental Management Plan approved under condition 7 above.

Reason: To provides safe and suitable access in accordance with Policy 40 of the Horsham District Planning Framework (2015).

38 - Prior to Occupation Condition: No dwelling within Phase 3 of the development as shown on drawing BR31285-JNP-XX-XX-DR-C-2007 P03 Phasing Plan shall be first occupied until a detailed scheme for the pedestrian/cycle link to Kings Barn Lane (east) as a connection to the Down Links Bridleway (NCN Route 223) has been submitted to and approved in writing by the Local Planning Authority, and provided in accordance with the approved details. and retained thereafter.

Reason: To ensure that safe and suitable access onto the Public Right of Way network in accordance with Policy 40 of the Horsham District Planning Framework (2015).

43 - Regulatory Condition: The Reserved Matters application for housing development within Phase 4 as shown on drawing BR31285-JNP-XX-XX-DR-C-2007 P03 Phasing Plan shall be accompanied by a risk assessment to address any safety impacts that may arise from the BESS facility on Kings Barn Lane, east of the site.

Reason: To ensure safe occupation of the site in accordance with Policy 33 of the Horsham District Planning Framework (2015).

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/26/1069

(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
Plans	Phasing Plan	BR31285-JNP-XX-XX-DR-C-2007 P03	06.07.2026

DELEGATED

Case Officer sign/initial Matthew Porter Date: 10-08-2026

Authorising Officer sign/initial J Hawkes Date: 10-08-2026