



**Horsham
District
Council**

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/26/1086

15 Vale Drive, Horsham, West Sussex, RH12 2JU

DESCRIPTION:

Demolition of existing detached outbuilding and erection of detached ancillary residential annexe (retrospective).

RELEVANT PLANNING HISTORY:

None Relevant

RELEVANT PLANNING POLICIES

The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (2015):

Policy 32 - Strategic Policy: The Quality of New Development

Policy 33 - Development Principles

Horsham Town Neighbourhood Plan:

HB4 – Design of Development

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:

Natural England: Standing Advice:-

It cannot be concluded that existing abstraction within the Sussex North Water Supply Zone is not having an adverse effect on the integrity of the Arun Valley SAC/SPA/Ramsar sites. Developments within Sussex North must therefore must not add to this impact and one way of achieving this is to demonstrate water neutrality. The definition of water neutrality is the use of water in the supply area before the development is the same or lower after the development is in place.

To achieve this Natural England is working in partnership with all the relevant authorities to secure water neutrality collectively through a water neutrality strategy. Whilst the strategy is evolving, Natural England advises that decisions on planning applications should await its completion. However, if there are applications which a planning authority deems critical to proceed in the absence of the strategy, then Natural England advises that any application needs to demonstrate water neutrality.

Parish Comments:

No Objection

Representations:

1 representation has been received, objecting to the application for the following reasons: -

- Loss of privacy and general amenity arising from the height, position and proximity of the annexe.
- Direct overlooking of the neighbouring rear garden from the proposed windows, reducing privacy and enjoyment of the outdoor space.
- Concern that additional/higher boundary fencing would be required to maintain privacy, potentially further reducing natural light.
- Loss of natural light to the neighbouring garden.
- The scale and massing of the annexe are considered excessive for an ancillary building.
- The building is considered dominant and too close to neighbouring boundaries, resulting in overdevelopment of the plot.
- Concern that the proposal does not provide sufficient screening or mitigation to address its impacts.
- Concerns regarding noise and the overall effect on neighbouring residential amenity.

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 application has been assessed on the basis of the submitted details, together with the planning history of the site and adjoining properties, available images and photographs obtained during case officer site visit. These details were considered sufficient to allow the application to be properly considered and determined.

Character and Appearance

Policies 32 and 33 of the HDPF seek to secure high-quality development which responds positively to the character and context of its surroundings. Development should have regard to matters including its scale, massing, appearance, materials and relationship with the existing built form.

The development comprises the replacement of an existing detached garden outbuilding with a larger single-storey timber building positioned towards the rear of the residential curtilage. The former building was also a detached timber garden room/storage building with a maximum height of approximately 2.5 metres.

The replacement building is appreciably greater in footprint and width than the former structure. The submitted information identifies an internal floor area of approximately 16.3sqm, while the elevations show a maximum height of approximately 2.5 metres, reducing to approximately 2.24 metres beneath a shallow roof. As observed during the site visit, the building therefore has a substantial and noticeable presence within the rear garden.

Notwithstanding its scale, the building remains single storey and relatively low in height. Its shallow roof profile limits its overall mass, while its simple form and natural timber construction provide an appearance consistent with that of a domestic garden building. The building is also positioned towards

the rear of the plot and remains clearly physically separated from and subordinate to the principal dwelling.

The surrounding area comprises established residential development characterised by relatively long rear gardens containing boundary treatments, vegetation and a variety of domestic outbuildings and ancillary structures. The presence of an outbuilding in this location is therefore not uncharacteristic of the prevailing pattern of development. However, it is acknowledged that the orientation of the building is not optimal.

Furthermore, the building is principally experienced from within the application site and neighbouring private gardens, with limited prominence within the public realm. While its considerable footprint and visual presence are acknowledged, having regard to its limited height, simple form, timber finish, rear garden location and the established residential context, the development is not considered to appear unduly dominant or incongruous.

Accordingly, the development is considered to preserve the character and appearance of the site and surrounding area and accords with Policies 32 and 33 of the HDPF. A condition is attached below to ensure that the building remains ancillary to that of the main dwelling.

Impact on Neighbouring 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.

An objection has been received from the occupier of No. 13 Vale Drive raising concerns regarding loss of privacy and general amenity, overlooking of the rear garden, loss of natural light, noise and the scale and massing of the annexe. Concern has also been expressed that additional boundary screening would be required to maintain privacy.

The concerns raised have been considered against the submitted plans and observations made during the site visit. The annexe is of a substantial scale and is positioned relatively close to the boundaries of the site. It is therefore readily visible from adjoining garden areas and has a greater physical presence than the outbuilding it replaces. However, the relevant consideration is whether its scale, siting and design result in a degree of harm to neighbouring living conditions sufficient to warrant refusal.

In terms of overbearing impact and loss of light, the annexe remains single storey and has a maximum height of approximately 2.5 metres, reducing to approximately 2.24 metres beneath a shallow roof. Whilst its footprint is large, its relatively limited height and shallow roof profile reduce its overall mass when experienced from adjoining properties. The site visit identified no neighbouring habitable-room windows which would be materially affected in terms of outlook, daylight or sunlight. Whilst the building has a noticeable presence from adjoining gardens and may result in some localised shading, this is not considered to result in an unacceptable loss of light or an unduly oppressive or overbearing relationship.

With regard to privacy, the concerns raised by the occupier of No. 13 Vale Drive are acknowledged. The submitted elevations show the doors and windows concentrated within one elevation of the annexe. The site visit confirmed that these openings face towards the rear garden of No. 13 and consequently there is potential for a degree of overlooking and intervisibility between the annexe and the neighbouring garden. This also bears in mind the fact that the neighbouring outbuilding to the north would mostly obscure any mutual overlooking.

However, the openings are at ground-floor level and are positioned towards the far end of the rear garden of No. 13, where an existing outbuilding is also situated, rather than immediately adjacent to the neighbouring dwelling. The windows do not directly overlook habitable-room windows within No. 13 and there is a considerable separation between the annexe and the dwelling itself. The existing boundary treatment and outbuilding within the neighbouring garden also provide a degree of interruption to views. It is acknowledged that private gardens are themselves an important component of residential amenity and that the absence of overlooking towards habitable-room windows is not determinative.

Nevertheless, the particular relationship in this instance is such that the potential overlooking is principally towards the far end of the neighbouring garden rather than the area immediately adjoining the dwelling, which would generally represent the more intensively used and private part of the garden. Given the ground-floor nature of the openings, their position and orientation, the separation from the neighbouring dwelling and the existing boundary context, the resulting degree of overlooking is not considered sufficiently harmful to constitute an unacceptable loss of privacy. However, given the scale and siting of the outbuilding, Officers acknowledge that this would present a perception of amenity harm, especially when considering the previous arrangement. However, this perception of harm is not considered so substantial as to warrant a refusal on these grounds.

With regard to noise and disturbance, the proposed accommodation is described as ancillary residential accommodation comprising sleeping and personal space. The submitted information confirms that no kitchen, kitchenette, sink, water supply, foul drainage, shower, bath or WC facilities are proposed, thus demonstrating reliance on the functions of the main dwelling. On this basis, and subject to the accommodation remaining ancillary to the host dwelling, the use is not considered likely to generate a level of activity, comings and goings or noise materially greater than could reasonably be expected from the residential use of the property and its garden.

Overall, the concerns raised by the neighbouring occupier are acknowledged, particularly in respect of the scale of the annexe and the potential for views towards the rear garden of No. 13. However, having regard to the limited height and shallow roof form of the building, the ground-floor position and orientation of the openings, their relationship with the far end of the neighbouring garden, the absence of materially affected habitable-room windows and the existing boundary context, the development is not considered to result in an unacceptable loss of privacy, outlook or light, an overbearing impact, or unacceptable noise and disturbance. The proposal is therefore considered acceptable on balance in terms of its residential amenity impact, in accordance with Policies 32 and 33 of the HDPF.

Water Neutrality

There is no clear or compelling evidence to suggest the nature and scale of the proposed development would result in a more intensive occupation of the dwelling necessitating an increased consumption of water that would result in a significant impact on the Arun Valley SAC, SPA and Ramsar sites, either alone or in combination with other plans and projects. The grant of planning permission would not therefore adversely affect the integrity of these sites or otherwise conflict with policy 31 of the HDPF, NPPF N6 and the Council's obligations under the Conservation of Habitats and Species Regulations 2017.

Biodiversity Net Gain

In accordance with the Biodiversity Gain Requirements (Exemptions) Regulations 2024, all householder applications are current exempt from the statutory requirement to demonstrate a 10% net gain in biodiversity.

Conclusion

The replacement building is substantially larger than the previous outbuilding and has a noticeable presence within the rear garden. Nevertheless, its modest height, shallow roof form, single-storey scale, timber appearance and location towards the rear of an established residential curtilage ensure that it does not result in unacceptable harm to the character and appearance of the site or surrounding area.

Similarly, notwithstanding its size and proximity to neighbouring boundaries, the development does not result in an unacceptable relationship with adjoining occupiers. No materially affected neighbouring habitable-room windows have been identified, the sensitive boundary-facing elevations are blank, and the limited height of the structure sufficiently mitigates its physical impact upon neighbouring garden areas.

On balance, the scale of the building and its presence within the rear garden are not considered to result in a level of harm which would justify refusal of planning permission. The development is

therefore considered acceptable in respect of character and appearance and residential amenity, in accordance with Policies 32 and 33 of the HDPF

Recommendation: Application Permitted

Conditions:

- 2 **Regulatory Condition:** The accommodation hereby permitted shall be occupied solely for purposes ancillary to the occupation and enjoyment of 15 Vale Drive, Horsham, as a dwelling and shall not be used as a separate unit of accommodation or for commercial purposes.

Reason: The establishment of an additional independent unit of accommodation or business uses would give rise to an over-intensive use of the site and/or lead to an unsatisfactory relationship between independent units of living accommodation contrary to Policies 26 and 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/26/1086

Schedule of plans/documents **approved:**

Plan Type	Description	Drawing Number	Received Date
Location plan		AT - 094 - P01	07.07.2026
Site plan	Existing	AT - 094 - P02	07.07.2026
Floor plan	Existing ground	AT - 094 - P03	07.07.2026
Roof plan	Existing	AT - 094 - P04	07.07.2026
Elevation plan	Existing and section	AT - 094 - P05	07.07.2026
Site plan	Proposed	AT - 094 - P06	07.07.2026
Floor plan	Proposed ground	AT - 094 - P07	07.07.2026
Roof plan	Proposed	AT - 094 - P08	07.07.2026
Elevation plan	Proposed and section	AT - 094 - P09	07.07.2026

DELEGATED

Case Officer sign/initial Shazia Penne Date: 07.09.2026

Authorising Officer sign/initial RHERMITAGE Date: 07.09.2026