# DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/24/0439
Fairview Cottage, Sands Lane, Small Dole, Henfield, West Sussex, BN5 9YL

DESCRIPTION:
Erection of a front porch. Erection of a part two storey and part single storey side extension, installation of a rear bay window.

RELEVANT PLANNING HISTORY:

| | | |
|---|---|---|
| SDNP/24/03408/HOUS | Erection of front porch. Erection of a part two part single side extension, installation of a rear bay window. (Duplicate application to that submitted to Horsham District Council under application ref DC/24/0439). | Approved on 15.08.2025 |

RELEVANT PLANNING POLICIES
**The National Planning Policy Framework (NPPF)**

**Horsham District Planning Framework (2015)**:
Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles

**Upper Beeding Parish Neighbourhood Plan 2018-2031**
Policy 8 – Design Standards for New Development

**Horsham District Local Plan (2023-40) (Regulation 19)**:
Policy 9: Water Neutrality
Policy 19: Development Quality
Policy 20: Development Principles

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.

**Ecology**: No objection subject to attached conditions.

**Arboricultural Officer**: No concerns in respect of direct impacts on remaining trees adjacent to the proposed dwelling extension.

The proposed build extension and curtilage expansion into the minimum recommended Ancient Woodland buffer is contrary to the national guidance on new development. Acceptability in this instance may be subject to the other planning considerations relating to prior usage of the land concerned.

**Newt Officer**: The type of development is not considered to be relevant to the District Licensing Scheme in this case and consider there would be no likely impact on great crested newts or their habitats.

**South Downs National Park**: Recommend conditions if minded to grant permission.

Parish Comments:
None received

Representations:
1 no. comment received during neighbour consultation period in support of the proposal.

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 supplied by the agent. These details were considered sufficient to allow the application to be properly considered and determined.

**Background**

The building benefits from a lawful development certificate to confirm use of this building as a dwellinghouse (ref: DC/23/1386). The application site straddles the boundary between the local planning authorities of Horsham District Council and the South Downs National Park. The eastern-most part of building is within the Horsham District, with the eastern curtilage within the National Park. The applicant has therefore submitted planning applications to both Local Planning Authorities for the proposed development.

The proposed garage extension and alterations are wholly within the National Park, the related landscaping works, which include parking spaces and retaining walls, fall within Horsham. The South Downs National Park Authority has approved planning permission for the development under application ref: SDNP/24/03408/HOUS. This current application within the Horsham District does though remain under consideration.

**Character and Appearance**

Policies 32 and 33 of the HDPF seek 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 surroundings, landscape, open spaces and routes within and adjoining the site, including any impact on the skyline and important views.

Policy 8 of the Upper Beeding Parish Neighbourhood Plan aims to maintain that the scale, density, massing, height, landscape design, layout and materials of all development proposals, including alterations to existing buildings, will be required to reflect the architectural and historic character and scale of the surrounding buildings. Within the South Downs National Park or its setting, development proposals will only be supported where they adopt a landscape-led approach and respect the local character, through sensitive design that makes a positive contribution to the overall character and appearance of the area. In the areas adjoining the South Downs National Park, proposals must avoid any significant detrimental effect on its landscape and natural beauty.

The proposal would involve the erection of a front porch, erection of a part two storey and part single storey side extension and the installation of a rear bay window. The proposal would be of modest scale and designed to be in keeping with the host dwelling. The proposal would be a subservient addition and is considered to be of a design, form and scale which is appropriate to the character and appearance of the existing dwelling. The development would not harm the character or appearance of the wider area.

The associated alterations to the site layout, and the provision of on-site parking and retaining wall structures, would be seen in the context of the residential dwelling and would be appropriate in the context of Sands Lane, which is a public right of way.

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

**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.

It is considered that the siting and layout of the proposed extension and the resulting relationship with adjacent properties would be sufficient to prevent any unacceptable harm to neighbouring amenity.

**Tree impact**

Policy 26 seeks to maintain that development in the countryside protect, conserve and enhance the key features and characteristics of the landscape character area in which it is located including the pattern of woodlands, fields, hedgerows, trees, waterbodies and other features.

Following consultation with the Council's Arboricultural Officer, it is acknowledged that the measured tree survey illustrates that the proposed build footprint is just outside of the remaining oak trees minimum recommended root protection area. The draft TPP (fencing right up to the build line preventing access and circulation to enable build out), is considered would be feasible to retain the tree without foreseeable direct impact on its future health.

**Ecology impact**

Policy 31 of the HDPF states that Development proposals will be required to contribute to the enhancement of existing biodiversity, and should create and manage new habitats where appropriate. The Council will support new development which retains and /or enhances significant features of nature conservation on development sites. The Council will also support development which makes a positive contribution to biodiversity through the creation of green spaces, and linkages between habitats to create local and regional ecological networks.

It is considered that there is sufficient ecological information available to support determination of this application. The mitigation measures identified in the Bat Emergence and Re-Entry Surveys (BERS) (Arbtech, July 2025) and Preliminary Ecological Appraisal and Roost Assessment (Arbtech, May 2025) would be secured by a planning condition requiring the measures to be implemented in full.

**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 paragraph 180 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 proposal is considered to comply with relevant local and national planning policies and is therefore 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 **Regulatory Condition**: The materials to be used in the development hereby permitted shall strictly accord with those indicated on the application form and approved plans.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of visual amenity and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

4 **Regulatory Condition**: The development hereby permitted shall take place in accordance with the measures set out in the Bat Emergence and Re-Entry Surveys (BERS) (Arbtech, July 2025) unless varied by a European Protected Species (EPS) license or a Bat Mitigation Class Licence issued by Natural England. Thereafter, the replacement bat roost features and enhancements shall be permanently maintained and retained in accordance with the approved details.

Reason: To conserve protected and Priority species and 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).

5 **Regulatory Condition**: All mitigation measures and / or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal and Roost Assessment (Arbtech, May 2025).

Reason: To conserve protected and Priority species and 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).

6 **Regulatory Condition**: The works hereby approved shall be carried out in accordance with the measures as outlined in the submitted Arboricultural Impact Assessment and Preliminary Method Statement (REF: MDJAC-BS24110-AIAPMS-01, DATED 23.07.2024) being implemented.

Reason: In the interests of the amenity and the landscape character of the area and in accordance with Policy 31 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.

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**Plans list for: DC/24/0439**
(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 |
|---|---|---|---|
| Block plan | | PL/611/04 | 08.04.2024 |
| Elevation plan | Existing | PL/611/01 | 21.03.2024 |
| Supporting Statement | Planning | NONE | 21.03.2024 |
| Floor plan | Existing and proposed | PL/611/03 | 21.03.2024 |
| Location plan | | NONE | 08.04.2024 |
| Elevation plan | Proposed | PL/611/02 | 21.03.2024 |
| Location plan | | NONE | 08.04.2024 |
| Supporting Statement | Arboricultural Impact Assessment and Preliminary Method Statement | MDJAC-BS24110 -AIAPMS-01 First Issue | 23.07.2024 |
| Supporting Statement | Bat Emergence and Re-Entry Surveys (BERS) | NONE | 28.07.2025 |

**DELEGATED**

Case Officer sign/initial Halima Chowdhury Date: 02.09.2025

Authorising Officer sign/initial Guy Everest Date: 11.09.2025