



PLANNING COMMITTEE REPORT

TO: Planning Committee North

BY: Head of Development and Building Control

DATE: 17th March 2026

DEVELOPMENT: Erection of a two storey side and rear extension, single-storey rear extension and associated alterations.

SITE: 33 Silver Lane Billingshurst West Sussex RH14 9RN

WARD: Billingshurst

APPLICATION: DC/25/2124

APPLICANT: **Name:** Mr Josh Hough **Address:** 33 Silver Lane Billingshurst West Sussex RH14 9RN

REASON FOR INCLUSION ON THE AGENDA: The applicant is related to a member of staff at Horsham District Council.

RECOMMENDATION: To approve planning permission subject to appropriate conditions

1. THE PURPOSE OF THIS REPORT

1.1 To consider the planning application.

DESCRIPTION OF THE APPLICATION

1.2 This application seeks planning permission for the erection of a two-storey side and rear extension, single-storey rear extension and associated alterations.

DESCRIPTION OF THE SITE

1.3 The application site is located on the western side of Silver Lane. The main property is a two-storey detached dwelling with an attached single garage. The application site is located within the built-up boundary area of Billingshurst.

2. INTRODUCTION

2.1 STATUTORY BACKGROUND

The Town and Country Planning Act 1990.

2.2 RELEVANT PLANNING POLICIES

The following Policies are considered to be relevant to the assessment of this application:

National Planning Policy Framework:

Horsham District Planning Framework (HDPF 2015):

Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles

Billingshurst Parish Neighbourhood Plan 2019 – 2031

Policy Bill 2: Housing Design and Character.

Horsham District Local Plan (2023-40) (Regulation 19):

Strategic Policy 13: The Natural Environment and Landscape Character
Strategic Policy 19: Development Quality
Strategic Policy 20: Development Principles

2.3 PLANNING HISTORY AND RELEVANT APPLICATIONS

None relevant to the above planning application.

3. OUTCOME OF CONSULTATIONS

- 3.1 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.
- 3.2 **HDC Arboricultural Officer:** No Objection [summary]
No significant arboricultural concerns
- 3.3 **Southern Water:** No Objection
- 3.4 **Newt Officer:** No objection – ‘It is considered that the proposed development would present a low risk to great crested newts and/or their habitats. However, as the development is within the red Impact Risk Zone, as modelled by district licence mapping, recommend that the following informative should be attached to planning consent.’

PUBLIC CONSULTATIONS

Representations:

- 3.5 1 no letters for Support have been received from 1 no. address, supporting the application on the following grounds:
- no objection to the proposed development but would like to request clarification on the possible installation of a heat pump, confirmation that if one is to be installed and this will not be located on the southern elevation of the building. A bedroom window in this location and concerned about the noise from a heat pump.

Parish Comments:

- 3.6 **Billingshurst Parish Council:** *‘No Objection, the committee resolved to a NEUTRAL response to this application, in that they saw no cause for objection to the plans as submitted.’*

Member Comments:

- 3.7 None received

4. HOW THE PROPOSED COURSE OF ACTION WILL PROMOTE HUMAN RIGHTS

- 4.1 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.

- 4.2 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.

5. HOW THE PROPOSAL WILL HELP TO REDUCE CRIME AND DISORDER

- 5.1 It is not considered that the development would be likely to have any significant impact on crime and disorder.

6. PLANNING ASSESSMENTS

- 6.1 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 site visit. These details were considered sufficient to allow the application to be properly considered and determined.

Design and Appearance:

- 6.2 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.
- 6.3 Policy Bill 2 of the Billingshurst Parish Neighbourhood Plan aims to maintain that the development proposals should be guided by the Billingshurst Parish Design Statement and, where practicable, should incorporate the following features as appropriate to their scale and nature into the overall design of development.
- 6.4 The proposal would involve the erection of a two-storey side and rear extension built above the attached garage and a single-storey rear extension with associated alterations. Whilst the provisions of set back and set down addition would have been preferable, given the various styles of extensions present on the neighbouring properties the proposal in its current form would be considered acceptable. The proposed rear extension while covering the full width of the rear elevation, the varying combination of a two storey 'L' shaped addition and a single storey mono-pitched lean-to would ensure the proposal appears subordinate to the main dwelling.
- 6.5 The proposed development is considered to be of a design, form and scale which is appropriate to the character and appearance of the existing dwelling. The proposal would not harm the character or appearance of the wider area. It is therefore considered that the visual impact of the proposal is acceptable and would accord with the above policies.

Landscape and Trees:

- 6.6 Policy 33 of the HDPF 2015 presume in favour of the retention of existing important landscape and natural features, for example trees, hedges, banks and watercourses. Development must relate sympathetically to the local landscape and justify and mitigate against any losses that may occur through the development.

- 6.7 The property has a mature backdrop of trees to the rear situated on an adjacent area of public open space. These trees will not foreseeably be impacted upon by the development process.
- 6.8 No other trees of significant landscape merit are present on or immediately adjacent to the property. Therefore, there are no significant arboricultural concerns.

Residential Amenity:

- 6.9 Policy 33 of the HDPF highlights 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.
- 6.10 The addition of the proposed first floor, above the attached garage, would bring the host dwelling closer to the northern neighbour. However, this neighbour has a flank wall with no windows present at first floor level and a condition has been imposed requesting the proposed first floor windows on the northern side elevation to be obscured glazed and non-openable below 1.7m above finished floor level. Furthermore, the proposal conforms to the 45-degree sightline from the centre point of this neighbour's rear window serving a habitable room. As such, the proposal is not considered to result in adverse amenity harm.
- 6.11 It is considered that there is sufficient separation distance between the proposed development and the southern neighbouring property. In any case, given the presence of first floor windows serving the dwelling as existing, the proposal would not result in an increased opportunity of overlooking over and above the existing arrangement.
- 6.12 Officers acknowledge the neighbour comments regarding the possible siting of a heat pump. However, the application includes no details of a heat pump and it is not referenced in the description of development. It therefore does not form part of this proposal. It is noted that, as a residential property, the site benefits from permitted development rights for the installation of a heat pump (air-source or otherwise), provided the relevant criteria in Schedule 2, Part 14 of the General Permitted Development Order are met. Should any installation exceed those provisions, planning permission would be required.
- 6.13 For the above reason, it is considered that the siting and layout of the proposal and the resulting relationship with adjoining properties would be sufficient to prevent any unacceptable harm to neighbouring amenity.

Water Neutrality:

- 6.14 A 2021 Position Statement from Natural England identified that it could not be concluded with the required degree of certainty that new development in the Sussex North Water Supply Zone would not have an adverse effect on the integrity of the Arun Valley SAC, SPA and Ramsar sites. As a consequence, and to comply with the legal duties set out in the Conservation of Habitats and Species Regulations 2017 (known as the Habitat Regulations), all new development since has been required to demonstrate water neutrality.
- 6.15 On 31st October 2025 Natural England formally withdrew the 2021 Position Statement, citing a package of measures that they were satisfied would safeguard the Arun Valley sites. Principal amongst these measures is a reduction in the Southern Water abstraction licence 'by March 2026'. However, given the licence change has not yet taken place Horsham District Council, as competent authority under the Habitats Regulations, cannot yet be certain that new development will not result in adverse impacts on the Arun Valley sites.
- 6.16 To ensure development can come forward as water neutral in the meantime, the Council has agreed with Natural England to use the significant water savings made by Southern Water in 2024/25 through their programme of leakage reduction (amongst other measures). This

has generated some 3,240,000 litres per day of water savings that can now be attributed to new development without increasing water abstraction in the Arun Valley beyond baseline. These savings were previously to be used to launch the Sussex North Water Certification Scheme (SNWCS), however following the withdrawal statement SNWCS will no longer be launching. Natural England standing advice dated 10 November 2025 raises no objection to using these savings to enable development to come forward. The standing advice clarifies that it functions as Natural England's formal response pursuant to Regulation 63(3) of the Conservation of Habitats and Species Regulations 2017 to all relevant planning applications which seek to achieve water neutrality using the above Southern Water savings.

- 6.17 Officers have undertaken an Appropriate Assessment which demonstrates that the anticipated increase in mains water consumption from this development, alongside all other development granted since the 31st October 2025, will not exceed 3,240,000 litres per day.
- 6.18 Accordingly, Officers consider that the proposed development will not have an Adverse Effect on the Integrity of the Arun Valley Site, either alone or in combination with other plan and projects, thereby complying with Regulations 63 and 70 of the Conservation of Habitats and Species Regulations 2017, HDPF Policy 31, and paragraph 193 of the NPPF.

Biodiversity Net Gain (BNG):

- 6.19 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.

Conclusions and Planning Balance:

- 6.20 The proposal is considered to comply with relevant local and national planning policies and is therefore recommended for approval.

7. RECOMMENDATIONS

- 7.1 To approve the application subject to the following conditions:

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 and finishes of all new external walls, windows and roofs of the development hereby permitted shall match in type, colour and texture those of the existing building.

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

- 4 **Regulatory Condition:** The proposed windows on the north side elevation shown on drawing no. 203 Rev C and 205 Rev C shall be permanently glazed with obscure glass not less than level 3 on the standard scale of obscurity and non-openable below 1.7 metres from finished floor level and shall thereafter be maintained.

Reason: To protect the privacy of adjacent occupiers in accordance with Policy 33 of the Horsham District Planning Framework (2015).

INFORMATIVES

Great Crested Newt - Nature Space

The applicant is reminded that, under the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended), it is an offence to (amongst other things): deliberately capture, disturb, injure, or kill great crested newts; damage or destroy a breeding or resting place; intentionally or recklessly obstruct access to a resting or sheltering place. Planning permission for a development does not provide a defence against prosecution under this legislation. Should great crested newts be found at any stage of the development works, then all works should cease, and a professional and/or suitably qualified and experienced ecologist (or Natural England) should be contacted for advice on any special precautions before continuing, including the need for a licence.

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 12th 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.