



DELEGATED APPLICATIONS - ASSESSMENT SHEET

OFFICER CHECKLIST	
WEEK ONE (Date Valid)	23rd March 2026
Check Neighbours	x
Check Consultations (including newts) / Press List	x
Check Description, Plans and Supporting Documents	x
Print and Display Site Notice (if required)	x
WEEK TWO (+7)	30th March 2026
Visit Site or request site visit photos (in accordance with Site Visit Guidance Note)	x
Draft HRA / AA if necessary. If the water statement is insufficient discuss with TL / PPO whether to discuss / accept amendments to the strategy.	N/A
Instruct Legal if s106 required (with prior TL / PPO agreement)	N/A
WEEK THREE (+14)	6th April 2026
If amendments are likely to be needed discuss with TL / PPO (N.B. Only minor amendments will be accepted in accordance with the Amendment Guidance). When requesting amendments give clear deadline (i.e. start of week 5).	N/A
WEEK FOUR (+21)	13th April 2026
If no amendments required, contact agent / applicant with update on progress.	x
Confirm whether delegated or committee decision (re: parish and neighbour representations)	x
WEEK FIVE (+28)	20th April 2026
14-day re-consultation letters to be sent on any amended plans	N/A
Prepare draft report	x
WEEK SIX (+35)	27th April 2026
Check 35-day Cllr call-in for Committee	x
If decision based on original plans, report to be drafted and submitted for sign off	x
WEEK SEVEN (+42)	4th May 2026
If decision based on amended plans, report to be drafted and submitted for sign off	N/A
Reason for EOT	N/A

APPLICATION NO./ADDRESS:

DC/26/0467
35 Arun Valley Way, Faygate, West Sussex, RH12 0BE

DESCRIPTION:

Erection of a single storey rear conservatory and garden shed. (Part Retrospective).

RELEVANT PLANNING HISTORY:

DC/10/1612	Outline approval for the development of approximately 2500 dwellings, new access from A264 and a secondary access from A264, neighbourhood centre, comprising retail, community building	Permitted on 17.10.2011
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with library facility, public house, primary care centre and care home, main pumping station, land for primary school and nursery, land for employment uses, new rail station, energy centre and associated amenity space. Full planning permission for engineering operations associated with landfill remediation and associated infrastructure including pumping station. Full permission for the development of Phase 1 of 291 dwellings, internal roads, garages, driveways, 756 parking spaces, pathways, sub-station, flood attenuation ponds and associated amenity space. Full permission for the construction of a 3 to 6 metre high (above ground level) noise attenuation landform for approximately 700 metres, associated landscaping, pedestrian/cycleway and service provision (land known as Kilnwood Vale).

DC/16/1841 Reserved Matters approval sought for Layout, Appearance, Landscaping, Scale and Access (in accordance with DC/15/2813) for Phase 2.2 of the Kilnwood Vale development, comprising 170 dwellings with associated landscaping and parking.

Permitted on 02.11.2016

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 26 - Strategic Policy: Countryside Protection
Policy 28 - Replacement Dwellings and House Extensions in the Countryside
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles

Colgate Parish Council has not been designated as a Neighbourhood Plan area.

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

Policy 9: Water Neutrality
Policy 19: Development Quality
Policy 20: Development Principles
Policy 45: Replacement Dwellings and House Extensions in the Countryside
Policy 46: Ancillary Accommodation

Parish Design Statement:

None

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:

Southern Waters: *Southern Water has determined that the flow rate for the above site will remain consistent, so capacity is not an issue and no Southern Water assets will be affected. Therefore, Southern Water has no objections to this proposal.*

Parish Comments:

None received

Representations:

1 no. representations have been received objecting to the application for the following reasons: -
- Strongly object, the 'shed' currently constructed is actually a 'pod' with entertainment TV hook-up, and sleeping arrangements. It has no guttering and is on gravel foundation.

- Also object to the conservatory as there are trees and bushes to the northeast which now have little light, as well as a retaining wall that the now-built conservatory puts pressure against.
- There is a fence that runs between the wall of the conservatory and the retaining wall and this is now inaccessible.
- There is no planning for drainage or guttering, currently the drain falls within the retaining wall's hydrostatic foot, and there has been no engineering assessment to the effect the increased hydrostatic pressure will put onto this wall. There is already signs of cracking and water extrusion.
- There are drains that run under the development of the conservatory and these are under pressure as well.
- With regards the conservatory design it is not in keeping with the character of the development, being white, not black like all others although the brick does indeed match.
- The current guttering over-hangs the boundary fence, and the view from my side is significantly impacted as it is over 6m (as 35 arun valley way is raised by the retaining wall by at least 1m).
- Additionally the 'pod', conservatory, and arbour occupy more than 50% of the green space, and the floodlights that have been erected have direct impact to my windows.
- Overlook the entire development and thus can see into both the 'pod' and conservatory and am directly impacted by noise from the doors as they are perpendicular to my window.
- Cannot open window without being impacted by this noise –
- Also impacted by the light as the reflection from the glass directly impacts my SE facing windows.
- Kilnwood Vale is specifically designated and designed as a 'garden village' and the overdevelopment of this garden does not keep with the aesthetic or designed use of this area.
- Developing more than 50% of the garden I consider to be somewhat overstepping the intent of the developers.
- If the conservatory was constructed in such a way that the retaining wall were re-enforced, the guttering did not overhang the boundary, and the drainage protected and diverted appropriately then I would be neutral regarding the development.
- If the pod were to be guttered, and appropriately used then would support that aspect of the development. However there has been no such undertaking to either of these on the plan and thus must ask the council to reject this application in full.

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

Character and Appearance

Policy 28 of the HDPF relates to house extensions and outbuildings in the countryside, stating that ancillary accommodation and garaging must demonstrate that the need for additional space cannot be met from an existing dwelling or buildings suitable of conversion on the site, with new outbuildings sited

to have regard to the dwelling they serve and be grouped with the house. The policy also states that the use of ancillary accommodation as a separate dwelling will not be supported.

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.

This application seeks part retrospective planning permission for the erection of a single storey rear conservatory and garden shed. Whilst the application states it is seeking part retrospective permission, during the site visit it is noted that the works have been completed.

The conservatory is small scale, single storey covering half the width of the rear elevation. The conservatory projects no more 4 metres beyond the existing rear elevation. A neighbour has raised concerns regarding the white finish frame whereas the southern neighbour has a similar conservatory with black finish frame. Given the fact that the windows and doors of the main dwelling are white in colour, the chosen finished colour of the conservatory compliments the host dwelling. The conservatory is considered to be a small scale and designed to be in keeping with the main dwelling.

Similarly, the proposed outbuilding is also small scale, single storey, flat roof structure. The outbuilding protrudes marginally above the shared boundary fence. The charcoal timber cladding finish is in keeping with the colour of the northern boundary fence of the host dwelling and the pergola situated within the rear garden. It is also noted that the southern neighbour's rear conservatory has black finish frame. Therefore, the finished colour is considered acceptable in this instance. It is viewed that the outbuilding is of a size, scale and mass that is subservient to the host building and typical of a plot of this size in a residential location such as this.

For the above reasons, it is considered that the developments would not harm the character or appearance of the site or wider surrounding area 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.

The siting and scale of the conservatory is considered acceptable and is not considered to result in harm to the amenity of neighbouring properties through overlooking, loss of light, or privacy.

An objection was raised by a neighbour regarding the outbuilding being a 'pod' with entertainment TV hook-up, and sleeping arrangements. It is noted that the outbuilding is small scale and the submitted floor plan has been labelled as a shed. Nonetheless, it is not considered that the residential and domestic use of the building would result in any further noise and disturbance than the established residential context, and it is considered reasonable and necessary to impose a condition requiring the use of the outbuilding be for purposes incidental to the enjoyment of the dwellinghouse.

Subject to such condition, it is considered that the siting and layout of the proposals and the resulting relationship with adjacent properties would be sufficient to prevent any unacceptable harm to neighbouring amenity.

Other Matters

A neighbour has raised concerns regarding the guttering overhanging the boundary fence and the northern boundary wall below the fence being inaccessible. During the site visit it is noted that there is a passageway that runs along the northern shared boundary between the host dwelling and the block of flats situated to the north of the site. Moreover, the northern retaining wall below the fence can be easily accessed via the communal garden area for the block of flats.

Additionally, it is noted during the site visit that the rear conservatory is stepped in from the northern shared boundary. As a result, the guttering is positioned within the application site and not overhanging the boundary fence.

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 193 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 **Regulatory Condition:** The accommodation hereby permitted shall be occupied solely for purposes incidental to the occupation and enjoyment of 35 Arun Valley Way, Faygate (as identified on the approved plans) and shall not be used as a separate unit of accommodation.

Reason: The establishment of an additional independent unit of accommodation 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).

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.

Plans list for: DC/26/0467

(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
Elevation plan	Shed	NONE	22.04.2026
Location plan		NONE	16.03.2026
Site plan	Existing	NONE	16.03.2026
Site plan	Proposed	NONE	16.03.2026
Elevation plan	Existing Side Elevations	AC 0065	16.03.2026
Elevation & Floor plan	Existing Ground Floor Plans & Rear Elevations	AC 0066	16.03.2026

DELEGATED

Case Officer sign/initial Halima Chowdhury Date: 11.05.2026

Authorising Officer sign/initial Tamara Dale Date: 15.05.2026