Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/25/1972
4 Dereham Way, Horsham, West Sussex, RH12 1GQ

DESCRIPTION:
Erection of a rear garden building to be used as a home office. (Retrospective).

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 Blueprint Business Neighbourhood Plan (HBBNP) 2019 – 2036:
Policy HB3: Character of Development
Policy HB4: Design of Development

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

Parish Design Statement:

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: -

- Design
- Overdevelopment
- Privacy Light and Noise
- Trees and Landscaping

The rear garden office structure was erected without prior approval and is alleged to breach the Berkeley Homes/Highwood Management covenant, specifically Section 13 of the Third Schedule relating to a maximum permitted height of 2.1m.

The objector states that the building is out of keeping with the development's design standards, appears overbearing due to the close proximity of neighbouring properties, and has a negative visual impact.

Concerns are also raised regarding its siting close to boundary fencing, intensifying its perceived dominance and raising issues relating to character and fire safety.

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 a site visit and 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.

Condition 22 of planning permission reference DC/15/0499 states:

Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order amending or revoking and re-enacting that Order with or without modification) no development falling within Classes A, B, C, D, E, F, G or H of Part 1 of Scheule 2 to the order shall be erected, constructed or placed within the curtilage(s) of the dwelling(s) hereby permitted so as to enlarge, improve or otherwise alter the appearance or setting of the dwelling(s) unless permission is granted by the Local Planning Authority pursuant to an application for the purpose.

Reason: In the interest of visual amenity and in accordance with Policy DC9 of the Horsham District Local Development Framework: General Development Control Policies (2007)

This has the effect of removing permitted development rights for outbuildings, and planning permission is therefore required, and subject of this application.

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 HB3, Character of Development, of the Horsham Blueprint Business Neighbourhood Plan states that, "Development is expected to preserve and enhance the Character Area in which it is located. The design of new development should take account of the local context and reflect the character and vernacular of the area, using architectural variety in form and materials, in order to avoid building design that is inappropriate to the Plan area. Innovation in design will be supported, however, where this demonstrably enhances the quality of the built form in a character area".

Policy HB4, Design of Development, of the Horsham Blueprint Business Neighbourhood Plan states that – "Development is expected to demonstrate a high quality of design, which responds and integrates well with its surroundings"

The application seeks retrospective planning permission for the erection of a rear garden building to be used as a home office. The garden building, to be used as a home office, is modest in height and is considered to be of an appropriate design, form and scale relative to the host dwelling. The development would preserve the character and appearance of the site and wider area. Due to its scale and siting, the outbuilding does not appear dominant and would not result in a cramped or overdeveloped appearance, despite the modest plot size.

The proposal would be a clearly 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, and which 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.

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 noted that one letter of objection has been received which raised concerns with the proximity of the outbuilding to the shared boundary and the impact on views from the adjoining property. While recognised that the outbuilding is located adjacent to the shared boundary with the neighbouring property to the south east, it is noted that the outbuilding is oriented to face west, away from this neighbour. While the building can be seen from the neighbouring property, it is recognised that there are other similar outbuildings within the locality, and this would not be unusual within a residential context. In addition, the height, scale and siting of the outbuilding has not resulted in any unacceptable loss of light or outlook to adjoining residential properties or land. Furthermore, the presence of a summerhouse of the scale proposed, used in connection with the main dwelling, would not be expected to result in a level of activity which would be unexpected in this established residential location, and no unacceptable noise or disturbance would inevitably result from the proposal.

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

Water Neutrality

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.

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.

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.

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.

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

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

2 **Regulatory Condition:** The outbuilding hereby permitted shall be occupied solely for purposes ancillary to the occupation and enjoyment of 4 Dereham Way 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).

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/25/1972
Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Design & Access Statement		NONE	01.12.2025
Elevation & Floor plan	Proposed, Location and Site Plan	5 2 5 / 0 3 5 / 0 1	01.12.2025

DELEGATED

Case Officer sign/initial Marie Riggs Date: 14.01.2026

Authorising Officer sign/initial RHERMITAGE Date: 26.01.2026