DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/25/0417
29 Gaggle Wood, Mannings Heath, West Sussex, RH13 6JR

DESCRIPTION:

Change of Use from residential to short term holiday let.

RELEVANT PLANNING HISTORY:

No relevant planning history

DESCRIPTION OF THE SITE

The application site consists of a detached dwelling with detached garage, set back to the east of the streetscene.

DESCRIPTION OF THE APPLICATION

The application seeks to change the use of a flat roof extension which is currently in residential use to be a short term holiday let. No external alterations would arise from the proposal and the Airbnb would be served by a small kitchenette and ensuite. No alterations to the access are proposed.

RELEVANT PLANNING POLICIES

The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (2015):
Policy 1 - Strategic Policy: Sustainable Development
Policy 2 - Strategic Policy: Strategic Development
Policy 3 - Strategic Policy: Development Hierarchy
Policy 4 - Strategic Policy: Settlement Expansion
Policy 7 - Strategic Policy: Economic Growth
Policy 9 - Employment Development
Policy 10 - Rural Economic Development
Policy 11 - Tourism and Cultural Facilities
Policy 24 - Strategic Policy: Environmental Protection
Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
Policy 27 - Settlement Coalescence
Policy 28 - Replacement Dwellings and House Extensions in the Countryside
Policy 31 - Green Infrastructure and Biodiversity
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
Policy 34 - Cultural and Heritage Assets
Policy 35 - Strategic Policy: Climate Change
Policy 36 - Strategic Policy: Appropriate Energy Use
Policy 37 - Sustainable Construction

Policy 38 - Strategic Policy: Flooding
Policy 39 - Strategic Policy: Infrastructure Provision
Policy 40 - Sustainable Transport
Policy 41 - Parking
Policy 42 - Strategic Policy: Inclusive Communities
Policy 43 - Community Facilities, Leisure and Recreation

Nuthurst Parish Neighbourhood plan 2015-2031

Paragraph 33 of the NPPF requires that all development plans complete their reviews no later than 5 years from their adoption. Horsham District Council is currently in the process of reviewing its development plan however at this stage the emerging policies carry only limited weight in decision making. As the HDPF is now over 5 years old, the most important policies for the determination of this application must be considered as to whether they are 'out of date' (NPPF paragraph 11d). This includes, for applications involving the provision of housing, whether the Council can demonstrate a five year supply of deliverable housing sites (NPPF footnote 8).

The Council is currently unable to demonstrate a five year supply of deliverable housing sites, with the supply currently calculated as being 2.9 years. The presumption in favour of development within Paragraph 11d) of the NPPF therefore applies in the consideration of all applications for housing development within the District (unless footnote 7 or Paragraph 14 applies to relevant applications), with Policies 2, 4, 15 and 26 now carrying only moderate weight in decision making.

All other policies within the HDPF as itemised above have been assessed against the NPPF and are considered to be consistent such that they continue to attract significant weight in decision making.

Horsham District Local Plan (2023-40) (Regulation 19):
Policy 1: Sustainable Development
Policy 2: Development Hierarchy
Policy 6: Climate Change
Policy 7: Appropriate Energy Use
Policy 8: Sustainable Design and Construction
Policy 9: Water Neutrality
Policy 11: Environmental Protection
Policy 13: The Natural Environment and Landscape Character
Policy 14: Countryside Protection
Policy 16: Protected Landscapes
Policy 17: Green Infrastructure and Biodiversity
Policy 19: Development Quality
Policy 20: Development Principles
Policy 24: Sustainable Transport
Policy 25: Parking
Policy 31: Rural Economic Development
Policy 34: Tourism Facilities and Visitor Accommodation

Supplementary Planning Guidance:
Planning Obligations and Affordable Housing SPD (2017)
Community Infrastructure Levy (CIL) Charging Schedule (2017)

Planning Advice Notes:
Facilitating Appropriate Development
Biodiversity and Green Infrastructure

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: Objection

Development would increase levels of water abstraction without sufficient evidence that the mitigation will lead to a water neutral development. Request to re-consult Natural England after receiving details of mitigation.

Natural England: Second Consultation Response.

No objection subject to the inclusion of relevant conditions ensuring the proposed mitigation measures.

WSCC Highways: Comment

No alterations proposed to access. No specific parking provision for holiday use. There are three spaces which is considered sufficient. LPA may want to consider potential overspill onto the street. Advice includes recommendation to include secure and covered cycle storage.

PUBLIC CONSULTATIONS:

Representations:

Four letters for Support have been received supporting the application on the following grounds:

- Were consulted during the design process
- Development has sufficient space in the plot and would not be detrimental to parking

Parish Comments:

Nuthurst Parish Council: No Objection

Member Comments:

None received

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

Principle of Development:

Policy 11 of the Horsham District Planning Framework (HDPF) states that measures which promote tourism and enhance local cultural facilities, including recreation based rural diversification, will be encouraged. Any development should be of a scale and type appropriate to the location, and should increase the range, or improve the quality of accommodation, attraction or experiences for tourists, day visitors, business visitors, and residents in the District.

The Horsham District Visitor Accommodation Study dated July 2016 outlines that the District is well-placed to capitalise on the projected growth in domestic short break and overseas tourist markets and the increasing demand for family and friend get togethers, celebrations, and weekends away. The

study concludes that there is insufficient provision of all forms of visitor accommodation in the District, with the potential in the rural parts of the District to upgrade existing facilities through the provision of high quality holiday cottages, small holiday lodges/eco lodges etc.

As indicated within both the Horsham District Hotel and Visitor Accommodation Study 2016, there is an identified need for such tourist accommodation as proposed within the District. The proposed scale and nature of the accommodation is considered to be appropriate to the character and location of the area, whilst improving the range and quality of facilities for visitors.

In policy terms, it is considered that the principle of the proposal can be supported. The accommodation would make use of an existing building, located within a built-up area, and would increase the quality of accommodation within the District. The site has an established vehicular access and a suitable parking area. There are no objections in light of policy 11 of the HDPF.

Design and Appearance:

Policies 32 and 33 of the HDPF promote development that is of a high quality design, which is sympathetic to the character and distinctiveness of the site and surroundings. The landscape character of the area should be protected, conserved and enhanced, with proposals contributing to a sense of place through appropriate scale, massing and appearance.

The proposal does not incorporate any additional bulk or massing to the building. No external alterations would result from the change of use such, with the only changes being internal to the existing building. With the above in mind, the proposal is considered in accordance with Policy 33 of the HDPF.

Residential Amenity:

Policy 33(2) of the HDPF states that development should be designed to avoid unacceptable harm to the amenity of occupiers/users of nearby property and land, whilst having regard to the sensitivities of surrounding development.

While the proposal would increase the frequency of traffic movements and the general activity at the site, given the small scale of the building and the anticipated use, which would likely be similar in nature to the surrounding residential uses, it is not considered that the proposal would result in sufficient harm to neighbouring amenities to justify a reason for refusal.

Highways Impacts:

Policy 41 of the HDPF states that development should provide safe and adequate parking, suitable for all anticipated users.

The proposal would utilise the existing access and would utilise the existing hardstanding for parking. No alterations are proposed to the access, and as such the proposal is not considered to result in harm to the function or safety of the public highway network, in accordance with Policy 41 of the HDPF.

Water Neutrality:

The application site falls within the Sussex North Water Supply Zone as defined by Natural England which draws its water supply from groundwater abstraction at Hardham. Natural England has issued a Position Statement for applications within the Sussex North Water Supply Zone which states that it cannot be concluded with the required degree of certainty that new development in this zone would not have an adverse effect on the integrity of the Arun Valley SAC, SPA and Ramsar sites.

Natural England advises that plans and projects affecting sites where an existing adverse effect is known will be required to demonstrate, with sufficient certainty, that they will not contribute further to an existing adverse effect. The received advice note advises that the matter of water neutrality should be addressed in assessments to agree and ensure that water use is offset for all new developments within the Sussex North Water Supply Zone.

The application site is within a built-up area boundary and is acceptable in principle. The proposal would be eligible for access to the emerging Sussex North Offsetting Water Scheme (SNOWS). Under this scheme, the proposal to allow development supported in a made plan or a post-submission plan the option of offsetting its water demand through the purchasing of water credits via the Council. This route of achieving water neutrality would also be available to the applicant.

On this basis, it is considered that a Grampian condition could be imposed providing the option for the Applicant to enter into SNOWS or the submission of a bespoke water strategy at condition stage. The Grampian condition would provide the required certainty that the proposal will not contribute further to the existing adverse effect on the integrity of the Arun Valley SAC, SPA and Ramsar sites.

Biodiversity Net Gain (BNG):

Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) mandates that every development must achieve at least a 10% Biodiversity Net Gain (BNG (unless the development qualifies as exempt under the Biodiversity Gain Requirements (Exemptions) Regulations 2024) and that every planning permission granted for the development of land in England shall be deemed to have been granted subject to the condition that development must not be begun unless a Biodiversity Gain Plan has been submitted to the planning authority and the planning authority has approved the Plan.

The proposal would result in no change to habitats on the site and is considered to meet the “de minimis” exemption.

Conclusions:

In policy terms it is considered that the principle of the proposal can be supported. The accommodation would provide for quiet informal recreational use while enabling a low-key form of sustainable development

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 **Pre-Commencement Condition:** No development shall commence until either:

i.) Details have been submitted to and been approved in writing by the Local Planning Authority confirming that the necessary credits to achieve water neutrality have been secured via the Sussex North Water Certification Scheme.

or

ii.) A site-specific water neutrality mitigation scheme has been submitted to and been approved in writing by the Local Planning Authority. The site-specific water neutrality mitigation scheme shall include full details of the means of any and all onsite and offsite mitigation and any necessary agreements pursuant to S106 of the Town and Country Planning Act 1990 to deliver and secure the approved mitigation; and

iii.) The development shall not be first occupied until evidence has been submitted to and been approved in writing by the Local Planning Authority confirming that the approved site-specific water neutrality mitigation scheme has been fully

implemented. The approved mitigation shall thereafter be retained, maintained and operated to the same or better water performance standard.

Reason: To ensure the development is water neutral to avoid an adverse impact on the Arun Valley SAC/SPA and Ramsar sites in accordance with Policy 31 of the Horsham District Planning Framework (2015), Paragraph 193 of the National Planning Policy Framework (2024), and to enable the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

4 **Regulatory Condition**: The holiday-let accommodation hereby permitted and shown on plan reference 29GAGGWD GA 4 ID rev T2 shall be occupied and managed in accordance with the following: -

(a) The accommodation shall be occupied for holiday and short-term let purposes only;
(b) The accommodation shall not be occupied as a person's sole, or main place of residence;
(c) The accommodation shall not be occupied by any one person for a period exceeding 28 days in any calendar year;
(d) The accommodation shall at all times be managed and supervised by 29 Gaggle Wood;
(e) The owners / operators shall maintain an up-to-date register of the names of all owners / occupiers of the accommodation on the site, and of their main home addresses, and shall make this information available to the Local Planning Authority upon request.

Reason: To maintain the availability of the site as short term holiday tourist accommodation in accordance with Policy 11 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/25/0417
(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		NONE	18.03.2025
Location plan		NONE	18.03.2025
Floor plan		29GAGGWD GA 4 ID Rev T2	18.03.2025
Elevation plan	Existing and Proposed Front and Rear Elevations	01 Rev A	28.04.2025
Floor plan	Existing and Proposed Ground Floor Plan	03 Rev A	28.04.2025
Roof plan	Existing and Proposed Roof Plan	04 Rev A	28.04.2025

DELEGATED

Case Officer sign/initial Hannah Darley Date: 17.07.2025

Authorising Officer sign/initial Tamara Dale Date: 17.07.2025