Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

OFFICER CHECKLIST	
WEEK ONE (Date Valid)	**19th December 2024**
Check Neighbours	x
Check Consultations (including newts) / Press List	x
Check Description, Plans and Supporting Documents	x
Print and Display Site Notice (if required)	n/a
WEEK TWO (+7)	**26th December 2024**
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.	x
Instruct Legal if s106 required (with prior TL / PPO agreement)	n/a
WEEK THREE (+14)	**2nd January 2025**
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).	x
WEEK FOUR (+21)	9th January 2025
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)	16th January 2025
14-day re-consultation letters to be sent on any amended plans	n/a
Prepare draft report	n/a
WEEK SIX (+35)	
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)	30th January 2025
If decision based on amended plans, report to be drafted and submitted for sign off	x
Reason for EOT	x

APPLICATION NO./ADDRESS:

DC/24/1905
Fir Trees , Westward Lane, West Chiltington, West Sussex, RH20 2PA

DESCRIPTION:

Relandscaping of rear garden to include but not limited to installation of swimming pool, shed and pump house, outdoor kitchen terrace and seating area and hot tub together with associated hard and soft landscaping.

RELEVANT PLANNING POLICIES

Horsham District Planning Framework (2015):
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
Neighbourhood Plan
West Chiltington Parish submitted their Submission draft plan to Horsham District Council on 19 November 2018. In accordance with legislation, the Council is in the process of considering whether the plan meets the Basic Conditions and can progress to Regulation 16 consultation and formal examination.

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

Natural England: No objection subject to the: delivery, management and maintenance of measures identified in the water neutrality statement to achieve water neutrality.

Ecology: No objection, subject to conditions

HDC Design and Conservation: No objection

HDC Arboricultural Officer: No objection

Parish Comments:

No objection – however, the parish council's requests that HDC consider imposing a condition regarding the use of concrete and permeable materials and Water Neutrality

Representations:

1 letter of representation has been received neither objecting to nor supporting the application.

- Highway Access and Parking

Comments were raised regarding construction and contractor's vehicles

4 letters of representation have been received form 3 separate addresses supporting the application

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.

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.

The application seeks planning permission for the relandscaping of rear garden to include but not limited to installation of swimming pool, shed and pump house, outdoor kitchen terrace and seating area and hot tub together with associated hard and soft landscaping.

The proposed swimming pool would be sited to the rear of the dwelling and located centrally within the site. The swimming pool would not appear unduly prominent in view from neighbouring properties and the street scene, with the site being well screened by existing mature screening. The wider visual impact of the proposal would be limited and when seen would not appear visually intrusive or incongruous, and it is therefore considered acceptable in this location. The pump house would reflect the form and style of a garden building which would be expected in this location, with a pitched slate roof and timber clad elevation.

The gazebo would be located to the rear of the garden. The proposed gazebo is considered to be of a height and scale clearly subservient to the main dwelling and would be satisfactorily accommodated within the curtilage and coupled with the materials, would satisfactorily assimilate into the setting of the existing dwelling and surrounding amenity space. It is therefore considered that the height, form, and nature of the proposed gazebo would not stand out as unduly prominent or incongruous in this location.

The proposals would be clearly subservient additions and are 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.

There would be considerable separation between the proposed development and adjoining properties, with this relationship sufficient to ensure no unacceptable impact on neighbouring amenity. The pool would be sited within a residential setting and normal domestic use would not be expected to generate a level or intensity of noise which would amount to unacceptable harm or warrant a refusal of planning

permission. A condition is recommended to prevent commercial use of the pool, or for purposes relating to swimming schools, and this approach is considered sufficient to protect neighbouring amenity.

Water Neutrality

Subject to the mitigation measures as proposed in the Water Neutrality Statement, it has been demonstrated that the development would be water neutral. An Appropriate Assessment has been undertaken, and Natural England have been consulted. No objections have been raised to the proposal, subject to securing the proposed mitigation measures by condition. As such, 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 **Pre-Occupation Condition:** The development hereby permitted shall be undertaken in full accordance with the water neutrality strategy (Water Neutrality Statement by CGS Civils dated 25.03.2025). The swimming pool hereby permitted shall not be first used (through its filling with water) until evidence has been submitted to and been approved in writing by the Local Planning Authority that the approved water neutrality strategy for the development has been implemented in full. The evidence shall include photographs of the measures installed and details of the measures to ensure the swimming pool sources water by way of delivery without placing additional demand on the mains water supply and the Sussex North Water Catchment Area. The installed measures and swimming pool shall be retained and filled in accordance with these agreed details as such thereafter.

Reason: To ensure the development is water neutral to avoid an adverse impact on the Arun Valley SACSPA and Ramsar sites in accordance with Policy 31 of the Horsham District Planning Framework (2015), Paragraphs 193 and 194 of the National Planning Policy Framework (2023), and to allow 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**: All mitigation measures, enhancement measures, and/or works shall be carried out in accordance with the details contained in the Precautionary Method Statement for Mobile Protected Species (Arun Ecology, March 2025) and the Biodiversity Enhancement Strategy (Arun Ecology, March 2025) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

This will include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, 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**: The materials to be used in the development hereby permitted shall strictly accord with those indicated on the approved proposed pump room and shed plan drawing numbered VERSION 2 REV A received 19.12.2024 and the Design and Access Statement received 9.12.2024.

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).

6 **Regulatory Condition**: The swimming pool hereby permitted shall be used solely for private incidental purposes to the occupation and enjoyment of Fir Trees, Westward Lane, West Chiltington, and shall not be used for any business or commercial purposes.

Reason: The establishment of a commercial use would give rise to an over-intensive use of the site and lead to an unsatisfactory relationship between independent units of living accommodation and neighbouring properties, contrary to Policy 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/24/1905
(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
Supporting Docs	Water Neutrality Statement by CGS Civils dated 25.03.2025	C3480 REV P	09.12.2024
Tree plan	Tree Constraints Plan	J66.10/01	09.12.2024
Plans	Full Garden Concept Version 2	VERSION 2/A	19.12.2024
Site plan	Existing	NONE REV 1	19.12.2024
Section plan	Section BB	VERSION 2/A	26.03.2025

Section plan	Section AA	VERSION 2/A	26.03.2025
Location plan	Site Plan	REV 1	19.12.2024
Elevation & Floor plan	Pump Room and Shed	VERSION 2/A	19.12.2024
Site plan	Existing Site Plan	Rev 1	19.12.2024
Supporting Docs	Precautionary Method Statement for Mobile Protected Species by Arun Ecology dated March 2025	C-NJA-056-001-001 Rev 001	26.03.2025
Supporting Docs	Biodiversity Enhancement Strategy by Arun Ecology dated March 2025	C-NJA-056-001-001 Rev 001	26.03.2025

DELEGATED

Case Officer sign/initial Marie Riggs Date: 18.06.2025

Authorising Officer sign/initial Tamara Dale Date: 18.06.2025