Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/26/1534
Lavender Cottage, Nyetimber Copse, West Chiltington, West Sussex, RH20 2NE

DESCRIPTION:

Conversion of existing garage into habitable living space and erection of pergola, installation of external insulation and cladding. Erection of detached outbuilding with creation of swimming pool and installation of air source heat pump.

RELEVANT PLANNING HISTORY:

DC/18/2161	Erection of second storey extension, two storey side extensions, erection of a detached garage and creation of a new driveway	Application Permitted on 22.01.2019
DC/19/1238	Erection of single storey rear extension and front porch.	Application Permitted on 07.08.2019
DISC/19/0253	Approval of details reserved by condition 3 on DC/19/1238	Application Permitted on 05.09.2019

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
Policy 40 - Sustainable Transport
Policy 41 - Parking

West Chiltington Neighbourhood Plan: West Chiltington Parish Council has prepared West Chiltington Neighbourhood Development Plan (WCNDP).
Policy H3 Quality of Design

Horsham District Local Plan (2023-40) (Regulation 19):
Policy 19: Development Quality
Policy 20: Development Principles
Policy 24: Sustainable Transport
Policy 25: Parking

Parish Design Statement:

The Local Plan is currently at examination, where the Inspector's letter dated 30.10.2026 concludes that the plan is sound, subject to the proposed main modifications and the limited number of further changes discussed within the letter. The final report from the Inspector is anticipated to be received in January 2027, where changes to the draft Schedule of Main Modifications will need to be published for consultation. Given this letter and the status of the Local Plan, the policies contained within the Horsham District Local Plan 2023-2040 (HDLP) are considered to be of significant weight.

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 Water: Standard Advice Received

Parish Comments:

Holding Objection - If the Planning Officer is minded to approve this application, the Parish Council wishes to request that it be put forward for consideration by HDC's Planning Committee due to some potentially material planning concerns.

Updated Comments Received (05.11.2026): Objection - The Parish Council has withdrawn its previous holding objection and advises that the principal issue relates to the concerns raised by Southern Water regarding the provision of information on wastewater disposal. The Council considers that this matter should be satisfactorily resolved before planning permission is granted. Members also raised some concerns regarding the potential overdevelopment of the relatively small plot and its impact on the street scene; however, overall, the Council considers the development to be acceptable subject to the wastewater issues being addressed.

Representations:

1 letter of representation has been received in support of the application stating improvement to the site. 2 neighbouring properties object to the proposal on the grounds of overdevelopment, design, drainage concerns, highway safety, and potential amenity impacts.

The concerns raised can be summarised as follows:

- The site is considered to be overdeveloped, noting that the property has already been extended and that the proposal would result in a significant reduction in garden space, leaving most of the plot covered by built development.
- Concerns have been raised regarding the potential impact on local drainage and sewerage infrastructure, with residents stating that there are existing drainage issues within the area and that the addition of a swimming pool and associated facilities may exacerbate these problems.
- An objection has been made in relation to highway safety, with concerns that the proposal could restrict visibility of traffic entering and leaving the cul-de-sac.
- Residents have expressed concerns regarding the potential for noise and disturbance associated with the use of the outdoor swimming pool.
- Concerns have also been raised regarding the potential environmental impacts of the development.
- Concern that the proposed pool house could be used as an independent residential unit in the future.

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, and site visit conducted by the case officer. These details were considered sufficient to allow the application to be properly considered and determined.

Character and Appearance

Policies 32 and 33 of the Horsham District Planning Framework (HDPF) seek to ensure that development achieves a high standard of design which respects and responds positively to the character and appearance of the surrounding area. Development should be appropriate in terms of its scale, form, massing, layout and materials, having regard to the existing dwelling, neighbouring properties and the wider street scene.

Strategic Policy 13 of the HDLP states that the natural environment and landscape character of the District, including the landscape, landform and development pattern, together with protected landscapes and habitats, will be protected against inappropriate development. The Council will expect development proposals to be landscape-led from the outset so that they can clearly inform the design and layout. Proposals will also be required to protect, conserve and enhance the landscape and townscape character, taking into account key features/areas identified as landscape importance, whilst ensuring development responds to individual settlement characteristics, and avoids coalescence where it would erode that character and sense of place.

Strategic Policy 19 of the HDLP states that high quality and inclusive design of all development in the District will be required based on a clear understanding of the local, physical, economic, environmental and policy context. In order to conserve and enhance the natural and built environment, and deliver beautiful and sustainable buildings and places, development should make efficient use of land and optimise the provision and use of buildings and open spaces within a site, taking into account the character, appearance and needs of the site itself, together with the appearance and needs of the surrounding area. Development should ensure that the scale, massing and appearance of the development is of a high standard of design and layout and relates sympathetically with the built surroundings, heritage, landscape, open spaces and routes within and adjoining the site. Proposals should use high standards of building materials, detailing, finishes and landscaping.

Policy H3 of the West Chiltington Neighbourhood Plan similarly seeks to ensure that development respects the distinctive character of the locality, including its established landscape setting, architectural character and boundary treatments.

The application site comprises a detached single-storey dwelling situated within an established residential estate characterised by individually designed properties of varying architectural styles, generally positioned within landscaped plots. The surrounding street scene has a verdant and spacious character, with mature trees, established hedgerows, grass verges and landscaped boundaries contributing positively to its appearance.

The application seeks permission for the conversion of the existing integral garage into habitable accommodation, the installation of external insulation and cladding, the erection of a pergola and the construction of a detached L-shaped outbuilding incorporating a garage, home gym, changing and shower facilities, pool room and associated storage. The proposals also include the creation of an outdoor swimming pool and installation of an air source heat pump.

The existing dwelling has a gross internal floor area of approximately 228m², which would remain unchanged as a result of the proposed internal alterations. The proposed detached outbuilding would provide approximately 61.5m² of additional accommodation, representing an increase equivalent to approximately 27% of the existing dwelling's internal floor area. The outbuilding would be single storey

in height and would remain clearly subordinate to the principal dwelling in terms of its scale, height and overall massing.

The proposed outbuilding would be positioned within the eastern part of the garden, which is currently an underutilised area of the residential curtilage. Although concerns have been raised by neighbouring occupiers and the Parish Council regarding the potential overdevelopment of the site, it is important to consider the actual extent, configuration and topography of the plot.

Whilst the development would introduce additional built form into this part of the garden, it would not occupy the entirety of the available outdoor space, and sufficient garden and landscaped areas would remain to serve the existing dwelling. Furthermore, the lower-lying nature of this part of the garden, combined with the modest single-storey height of the proposed building, would assist in reducing its perceived scale and prominence when viewed from surrounding land and the public highway. In terms of its design, the proposed outbuilding would adopt a simple L-shaped footprint, providing accommodation associated with the recreational and domestic enjoyment of the existing dwelling. Its single-storey form and relatively modest proportions would avoid the introduction of excessive bulk or massing. The building would be designed to complement the existing dwelling through the use of corresponding external materials, ensuring a cohesive architectural relationship between the existing and proposed built forms.

The proposed external insulation and cladding to the existing dwelling would also provide an opportunity to improve the overall appearance and consistency of the building's external elevations, whilst enhancing its thermal efficiency.

The proposed pergola would be a lightweight garden feature associated with the existing terrace. Its open form would limit its visual mass and it would not materially alter the overall scale or appearance of the dwelling. The proposed swimming pool would be predominantly a ground-level feature and would therefore have limited visual impact in terms of built form.

Consideration has also been given to the planning history of the site, including the previously permitted extensions to the dwelling. Although the property has been extended in the past, this does not in itself render further development unacceptable. The determining consideration is whether the cumulative scale of development can be accommodated without resulting in a cramped appearance, unacceptable loss of garden space or harm to the character of the surrounding area. In this instance, the plot is considered sufficiently spacious to accommodate the proposed development. The relatively modest scale of the outbuilding, its single-storey design, the lower garden levels and the extensive existing screening would ensure that the development remains proportionate to the site. The retention of meaningful outdoor amenity space and established landscaping would prevent the development from appearing excessive or constituting overdevelopment.

Overall, notwithstanding the concerns raised, it is considered that the proposed development would be appropriately accommodated within the application site without causing material harm to the character and appearance of the existing dwelling or the wider locality. The proposals would remain subordinate to the host dwelling, would respect the established landscape setting and would not result in an unduly prominent or intrusive form of development. The proposal is therefore considered acceptable in accordance with Policies 32 and 33 of the HDPF and Policy H3 of the West Chiltington Neighbourhood Plan.

Impact on Neighbouring Amenity

Policy 33 of the HDPF requires development to avoid unacceptable harm to neighbouring amenity. Concerns regarding overlooking, loss of light, overbearing impact, noise from the swimming pool and gym, and the potential use of the outbuilding as a separate dwelling have been carefully considered.

Strategic Policy 19 of the HDLP states that proposals should provide and retain a good standard of amenity for existing and future occupants of the proposed site. Proposals should avoid unacceptable harm to the amenity of existing and future occupiers or users of nearby property and land, for example due to overlooking, overdominance or overshadowing, light pollution, noise, odour and/or vibration, and having regard to the sensitivities/impact of surrounding development.

The proposed outbuilding would be single storey, located within a lower part of the site and screened by established boundary planting, hedging and fencing. As such, it is not considered to result in unacceptable overlooking, loss of privacy, loss of light, overshadowing or an overbearing impact on neighbouring occupiers.

Whilst the swimming pool, gym and associated facilities may generate some additional activity, these uses are considered typical of domestic residential enjoyment and would remain ancillary to the main dwelling. Subject to a condition controlling the use of the outbuilding and swimming pool, the proposal is not considered to result in unacceptable levels of noise or disturbance.

Overall, the proposal would not result in unacceptable harm to neighbouring residential amenity and is therefore considered to comply with Policy 33 of the HDPF.

Biodiversity Net Gain

In accordance with the Biodiversity Gain Requirements (Exemptions) Regulations 2024, the development site area is less than 0.2 hectares and is therefore exempt under Regulation 4 of the Biodiversity Gain Requirements (Exemptions) Regulations 2026.

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 **Regulatory Condition**: The materials to be used in the development hereby permitted shall strictly accord with those indicated on the application form and approved plans.

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).

4 **Regulatory Condition**: The outbuilding and swimming pool hereby permitted shall be occupied and used solely for purposes incidental to the occupation and enjoyment of Lavendar Cottage as a dwelling and shall not be used as a separate unit of accommodation or for any commercial purposes.

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 meet a defined criteria.

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/26/1534
(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
Location & Block plan	Site Location & Block Plans	192_01	24.09.2026
Floor plan	Existing Plans	192_02	24.09.2026
Elevation plan	Existing Elevations	192_03	24.09.2026
Floor plan	Proposed Plans & Site	192_04	24.09.2026
Elevation plan	Proposed Elevations	192_05	24.09.2026

DELEGATED

Case Officer sign/initial Shazia Penne Date: 17.11.2026

Authorising Officer sign/initial Tamara Dale Date: 16.11.2026