



DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/26/0589

9 Lots Drive, Faygate, West Sussex, RH12 0BX

DESCRIPTION:

Erection of garden building for use as a home office.

RELEVANT PLANNING HISTORY:

None.

RELEVANT PLANNING POLICIES

The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (2015):

Policy 31 - Green Infrastructure and Biodiversity

Policy 32 - Strategic Policy: The Quality of New Development

Policy 33 - Development Principles

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:

HDC Arboricultural: Concerns were raised regarding the potential impact of the proposed pad foundations on nearby silver birch trees, with a preference for increased separation distance and the use of a screw pile system to minimise root disturbance. However, it was concluded that the pad foundation is acceptable in this instance given the site constraints and the modest value of the trees, and that a refusal on arboricultural grounds would not be justified.

Parish Comments:

Comments that the proposed building seems very close to the neighbour's fence and that permission is required from the Developer.

Representations:

1 representation was received, supporting the application as the garden office is well designed and suitable for the property, with no significant impact on neighbours or the surrounding area.

1 representation was received raising the following comments: -

- Under Schedule 2 of the covenants all properties on the estate are for the sole use as a private dwelling only. It would be a breach of covenant for this development to be used in the purpose of a business at this address.
- The modest design and the use of already existing trees to allow minimal impact is not only in keeping with the garden village design and intention of the estate but actively incorporates and protects the planted design.
- Note the development mentioned in the application was retrospective and should be disregarded, as alternative provisions apply to assess the impact of prospective vs retrospective permissions.
- The guttering and disposal of water into the soakaway would need S106 support from Southern Water and steps must be taken to ensure that the water discharge is without impact to the watercourse.
- There is no mention in the plan about the installation of electrical or services and therefore this should be considered as a non-habitable dwelling and supported.

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

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.

The proposed outbuilding would be sited within the rear garden, in close proximity to the site boundaries, an adjoining garage and existing planting which formed part of the original landscaping. It is considered that this siting together with the scale and design of the outbuilding, which would not be unusual or unexpected in a residential location, would not appear intrusive or unduly dominant in views

from surrounding properties and land. There are no other outbuildings on the site which could be used in the manner intended.

In respect of the existing planting, additional information was submitted during the course of the application relating to the foundation design. The Council's Arboricultural Officer initially raised concerns regarding the potential for root disturbance from the proposed pad foundations and advised that increased separation distance and an alternative screw pile system would be preferable. While greater separation between the outbuilding and trees would be preferable the proposed foundations would limit impacts on the roof protection areas, and having regard to the site constraints and the size of the trees this approach is considered acceptable.

It is 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.

The proposed outbuilding is considered to be of modest scale and height which together with its siting would not result in unacceptable harm to neighbouring amenity.

It is noted that the submitted plans refer to the outbuilding as providing a 'home office'. The outbuilding would potentially allow use for the purposes of working from home, with the scale and siting not conducive to use in a manner which would be expected to generate any noticeable increase in activity or movements to and from the site. For the avoidance of doubt, a condition is recommended to restrict use of the outbuilding to purposes ancillary to the dwelling. This approach is considered sufficient to protect neighbouring amenity and ensure no unacceptable harm.

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 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.

Other Considerations

A planning permission would not override any restrictive covenants in place on the site, and this would be a matter for the applicant to resolve if necessary.

The outbuilding is contained within a residential garden area with porous surfaces immediately surrounding. The scale of the development, and the related roof form, would not be expected to generate a level of additional surface water runoff which would increase the risk of flooding for occupants of surrounding properties and land.

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 proposed plans and details discussed.

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 development hereby permitted shall be carried out in accordance with the foundation design details indicated on the approved plans.

Reason: To ensure the successful and satisfactory protection of trees on the site in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 5 **Regulatory Condition:** The outbuilding hereby permitted shall be used solely for purposes ancillary to the occupation and enjoyment of 9 Lotts Drive, Faygate (as identified on the approved plans) as a dwelling.

Reason: The use of the outbuilding for any other purpose(s) would give rise to an over intensive use of the site and lead to an unsatisfactory relationship between independent units of living accommodation, contrary to Policies 28 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/26/0589

(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 & Floor plan	LOCATION SITE PLAN SIDE FRONT REAR ELEVATION FLOOR PLAN	526/007/01 REV A	09.04.2026
Supporting Statement		NONE	09.04.2026
Supporting Statement	Foundations	NONE	19.05.2026

DELEGATED

Case Officer sign/initial Meg Bayliss Date: 28/05/2026

Authorising Officer sign/initial Guy Everest Date: 04.06.2026