



DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/26/0800
36 Laburnum Way, Billingshurst, West Sussex, RH14 9XU

DESCRIPTION:

Erection of a single storey detached outbuilding in the rear garden.

RELEVANT PLANNING HISTORY:

None

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 41 - Parking

Billingshurst Parish Neighbourhood Plan 2019 – 2031

Bill 1 - Billingshurst Built-Up Area Boundary

Bill 2 - Housing Design and Character

Billingshurst Parish Design Statement

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

Policy 9: Water Neutrality

Policy 19: Development Quality

Policy 20: Development Principles

Policy 25: Parking

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:

Parish Comments:

Billingshurst Parish Council: Neutral

Saw no cause for objection to the plans as submitted

Representations:

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:

Character and Appearance

Policy 28 of the Horsham District Planning Framework (HDPF) states that outside the defined built-up areas, ancillary accommodation will be supported if the development can be accommodated appropriately within the curtilage of the existing dwelling. In addition, ancillary accommodation should not be disproportionate to the size of the existing dwelling, and the size of any new outbuilding should have regard to the dwelling they serve and should be grouped with the house.

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 2 of the Billingshurst Neighbourhood Plan states that development should be guided by the Billingshurst Parish Design Statement and, where practicable, should among other things, reflect the scale and local vernacular of the surrounding buildings and use materials that are in keeping with those used in existing buildings in the immediate locality.

The application site contains a detached two-storey dwelling with detached garage to the side (south). The dwelling is at the end of a cul-de-sac and dwellings in the area have an open frontage onto the street. The side (north) boundary of the site has boundary treatment of a brick wall with a line of mature trees outside the boundary. The side (south) boundary runs between the detached garage of the host property and the detached garage of the neighbouring property no.34. To the rear (east) of the application site is the side wall of a dwelling with no openings/windows.

Planning permission is sought to erect a single-storey detached outbuilding in the rear garden immediately behind the detached garage. A distance of 1m from the nearest boundary of the site, the south (side) boundary. The building to be a timber-framed structure with mono-pitched roof sited on an insulated concrete slab. External dimensions approximately 5.35m wide × 3.5m deep, maximum height 2.85m at the front (north-facing) ridge edge, falling to approximately 2.77m at the rear (south-facing) eaves.

The proposal would sit comfortably within the plot, retaining an appropriate level of rear garden, and would be a clearly subservient addition. The proposal, whilst utilising a flat roof design, is considered to appropriately reflect the character of the host dwelling, with the form and scale considered 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 considered that the siting and layout of the proposed single storey detached outbuilding in the rear garden behind the existing garage and the resulting relationship with adjoining properties would be sufficient to prevent any unacceptable harm to neighbouring amenity.

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 193 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 **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 garden outbuilding hereby permitted shall be used solely for purposes incidental to the occupation and enjoyment of the dwelling 36 Laburnum Way, Billingshurst (as shown on the approved Location Plan), and shall not be used as an independent separate unit of accommodation or for any commercial purpose(s).

Reason: The establishment of an additional independent unit of accommodation 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 26, 32 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:

1. does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (a hedgerow habitat or watercourse habitat identified for the purposes of the biodiversity metric);
2. is the subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015;
3. is undertaken solely or mainly for the purpose of fulfilling, in whole or in part, the biodiversity gain planning condition which applies in relation to another development (In determining whether a development is undertaken solely or mainly for this purpose, no account is to be taken of any facility for the public to access or to use the site for educational or recreational purposes, if that access or use is permitted without the payment of a fee);
4. consists of no more than 9 dwellings, is carried out on a site which has an area no larger than 0.5 hectares, and consists exclusively of dwellings which are self-build or custom housebuilding ("Self-build or custom housebuilding" has the same meaning as in section 1(A1) of the Self-build and Custom Housebuilding Act 2015 (as amended)).

In addition, the Biodiversity Gain Plan Condition does not apply to applications for major development made before 12 February 2024, or non-major development made before 2 April 2024.

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.

(The approved plans will form Condition 1 on the Decision Notice of all Permitted applications)

Plan Type	Description	Drawing Number	Received Date
Elevation & Floor plan	Proposed Elevation and Proposed Roof Plan	EL-01	08.06.2026
Floor plan	Proposed Floor Plan	FP-01	08.06.2026
Location plan	Location Plan	NONE	15.05.2026
Site plan		NONE	15.05.2026

Case Officer sign/initial Steve Astles Date: 24.07.2026

Authorising Officer sign/initial Tamara Dale Date: 30.07.2026