



**DELEGATED APPLICATIONS - ASSESSMENT SHEET**

| <b>OFFICER CHECKLIST</b>                                                                                                                                                                                                    |                        |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|
| <b>WEEK ONE (Date Valid)</b>                                                                                                                                                                                                | <b>23rd April 2026</b> |
| Check Neighbours                                                                                                                                                                                                            | x                      |
| Check Consultations (including newts) / Press List                                                                                                                                                                          | x                      |
| Check Description, Plans and Supporting Documents                                                                                                                                                                           | x                      |
| Print and Display Site Notice (if required)                                                                                                                                                                                 | x                      |
| <b>WEEK TWO (+7)</b>                                                                                                                                                                                                        | <b>30th April 2026</b> |
| 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.                                                                           | N/A                    |
| Instruct Legal if s106 required (with prior TL / PPO agreement)                                                                                                                                                             | N/A                    |
| <b>WEEK THREE (+14)</b>                                                                                                                                                                                                     | <b>7th May 2026</b>    |
| 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). | N/A                    |
| <b>WEEK FOUR (+21)</b>                                                                                                                                                                                                      | <b>14th May 2026</b>   |
| If no amendments required, contact agent / applicant with update on progress.                                                                                                                                               | x                      |
| Confirm whether delegated or committee decision (re: parish and neighbour representations)                                                                                                                                  | x                      |
| <b>WEEK FIVE (+28)</b>                                                                                                                                                                                                      | <b>21st May 2026</b>   |
| 14-day re-consultation letters to be sent on any amended plans                                                                                                                                                              | N/A                    |
| Prepare draft report                                                                                                                                                                                                        | x                      |
| <b>WEEK SIX (+35)</b>                                                                                                                                                                                                       | <b>28th May 2026</b>   |
| 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                      |
| <b>WEEK SEVEN (+42)</b>                                                                                                                                                                                                     | <b>4th June 2026</b>   |
| If decision based on amended plans, report to be drafted and submitted for sign off                                                                                                                                         | N/A                    |
| Reason for EOT                                                                                                                                                                                                              | N/A                    |

**APPLICATION NO./ADDRESS:**

DC/26/0653

2 Forest Cottages , Forest Road, Colgate, West Sussex, RH12 4SZ

**DESCRIPTION:**

Enlargement of existing outbuilding through provision of first floor and new roof with dormer window and rooflights.

**RELEVANT PLANNING HISTORY:**

CG/33/93

2-storey extension  
Site: 2 Forest Cottages Forest Rd Colgate

Permitted on 06.12.1993

|          |                                                                                   |                         |
|----------|-----------------------------------------------------------------------------------|-------------------------|
| LB/39/76 | Hardstanding drive, access and turning space<br>(From old Planning History)       | Permitted on 29.03.1977 |
| LB/39/77 | Double garage<br>Comment: Minor amendment 10/04/78<br>(From old Planning History) | Permitted on 17.11.1977 |
| LB/4/78  | Replacement windows<br>(From old Planning History)                                | Permitted on 05.04.1978 |

## RELEVANT PLANNING POLICIES

### **The National Planning Policy Framework (NPPF)**

#### **Horsham District Planning Framework (2015):**

Policy 25 - Strategic Policy: The Natural Environment and Landscape Character

Policy 26 - Strategic Policy: Countryside Protection

Policy 28 - Replacement Dwellings and House Extensions in the Countryside

Policy 30 - Protected Landscapes

Policy 32 - Strategic Policy: The Quality of New Development

Policy 33 - Development Principles

**Colgate Parish** has not been designated as a Neighbourhood Plan area.

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

Policy 19: Development Quality

Policy 20: Development Principles

Policy 45: Replacement Dwellings and House Extensions in the Countryside

Policy 46: Ancillary Accommodation

#### **Parish Design Statement:**

None

## 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](http://www.horsham.gov.uk).

#### Consultations:

None received.

#### Parish Comments:

**Colgate Parish Council:** *Colgate Parish Council would request that a condition be placed that the outbuilding remains ancillary to the main building. Colgate Parish Council suggests that a Lawful Development Certificate may be needed.*

#### 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:**

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 obtained during site visit. These details were considered sufficient to allow the application to be properly considered and determined.

### **Principle of Development**

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 will be required to meet all other appropriate policies, particularly design principles, and demonstrate that the need for additional space cannot be met from an existing dwelling or buildings suitable of conversion on the site. The size of any new outbuilding should have regard to the dwelling they serve and should be grouped with the house. The use of ancillary accommodation as a separate dwelling will not be supported.

The proposed development would enlarge an existing building on the site, located to the east of the host dwelling. The proposal would be sufficiently grouped with the house, where the Design and Access Statement confirms that the building would be used for ancillary purposes. It is considered reasonable and necessary to impose a condition requiring that the building be occupied for ancillary purposes associated with the host dwelling. Subject to such condition, the proposal is considered acceptable in principle, subject to all other material considerations.

### **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 proposal seeks planning permission for the enlargement of existing outbuilding through provision of first floor and new roof with dormer window and rooflights. As a result, the outbuilding would be marginally higher than the existing structure. The ground floor layout would remain unchanged however, the proposed first floor would accommodate 2 no. bedrooms and 1 no. bathroom.

The enlarged outbuilding, whilst slightly larger, would still remain subordinate to the host dwelling and has been designed to appear as a utilitarian ancillary rural outbuilding. The proposal would be of a design, form and scale which is appropriate to the character and appearance of the existing dwelling. The development 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 orientation and layout of the proposal and the resulting relationship with adjacent properties would be sufficient to prevent any unacceptable harm to neighbouring amenity.

**Water Neutrality**

A 2021 Position Statement from Natural England identified that it could not be concluded with the required degree of certainty that new development in the Sussex North Water Supply Zone would not have an adverse effect on the integrity of the Arun Valley SAC, SPA and Ramsar sites. As a consequence, and to comply with the legal duties set out in the Conservation of Habitats and Species Regulations 2017 (known as the Habitat Regulations), all new development since has been required to demonstrate water neutrality.

On 31<sup>st</sup> October 2025 Natural England formally withdrew the 2021 Position Statement, citing a package of measures that they were satisfied would safeguard the Arun Valley sites. Principal amongst these measures is a reduction in the Southern Water abstraction licence ‘by March 2026’. However, given the licence change has not yet taken place Horsham District Council, as competent authority under the Habitats Regulations, cannot yet be certain that new development will not result in adverse impacts on the Arun Valley sites.

To ensure development can come forward as water neutral in the meantime, the Council has agreed with Natural England to use the significant water savings made by Southern Water in 2024/25 through their programme of leakage reduction (amongst other measures). This has generated some 3,240,000 litres per day of water savings that can now be attributed to new development without increasing water abstraction in the Arun Valley beyond baseline. These savings were previously to be used to launch the Sussex North Water Certification Scheme (SNWCS), however following the withdrawal statement SNWCS will no longer be launching. Natural England standing advice dated 10 November 2025 raises no objection to using these savings to enable development to come forward. The standing advice clarifies that it functions as Natural England’s formal response pursuant to Regulation 63(3) of the Conservation of Habitats and Species Regulations 2017 to all relevant planning applications which seek to achieve water neutrality using the above Southern Water savings.

Officers have undertaken an Appropriate Assessment which demonstrates that the anticipated increase in mains water consumption from this development, alongside all other development granted since the 31<sup>st</sup> October 2025, will not exceed 3,240,000 litres per day.

Accordingly, Officers consider that the proposed development will not have an Adverse Effect on the Integrity of the Arun Valley Site, either alone or in combination with other plan and projects, thereby complying with Regulations 63 and 70 of the Conservation of Habitats and Species Regulations 2017, HDPF Policy 31, and paragraph 193 of the NPPF.

**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.

**COMMUNITY INFRASTRUCTURE LEVY (CIL)**

Horsham District Council has adopted a Community Infrastructure Levy (CIL) Charging Schedule which took effect on 1st October 2017.

**It is considered that this development constitutes CIL liable development.**

| Use Description      | Proposed | Existing | Net Gain |
|----------------------|----------|----------|----------|
| District Wide Zone 1 | 55.72    | 55.72    | 0        |

**Total Gain**

**Total Demolition**

**0**

Please note that the above figures will be reviewed by the CIL Team prior to issuing a CIL Liability Notice and may therefore change.

Exemptions and/or reliefs may be applied for up until the commencement of a chargeable development.

In the event that planning permission is granted, a CIL Liability Notice will be issued thereafter. CIL payments are payable on commencement of 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     **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 accommodation hereby permitted shall be occupied solely for purposes ancillary to the occupation and enjoyment of 2 Forest Cottages, Forest Road, Colgate (as identified on the approved plans) as a dwelling and shall not be used as a separate unit of accommodation or any commercial activity.

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:

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.

#### **Plans list for: DC/26/0653**

(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     |                                  | D 00326/789/01 | 23.04.2026    |
| Floor plan     | Existing Ground Floor Plan       | D 00326/789/02 | 23.04.2026    |
| Floor plan     | Proposed Ground Floor Plan       | D 00326/789/03 | 23.04.2026    |
| Floor plan     | Proposed First Floor Plan        | D 00326/789/04 | 23.04.2026    |
| Elevation plan | Existing and Proposed Elevations | D 00326/789/05 | 23.04.2026    |
| Section plan   | Existing and Proposed Street     | D 00326/789/06 | 23.04.2026    |

