Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/25/1981
Southdown House, Church Street, Rudgwick, West Sussex, RH12 3EE

DESCRIPTION:
Use of ancillary accommodation as part holiday let / part annexe. (Retrospective)

RELEVANT PLANNING HISTORY:

DC/19/2487	Replacement of existing entrance gates	Application Permitted on 25.02.2020
DC/16/2099	Conversion of open carport to gymnasium. Addition of flat roof veranda to West elevation of existing Annex	Application Permitted on 10/11/2016
DC/16/1687	Conversion of open carport to gymnasium and addition of flat roof veranda to west elevation of existing annexe (Certificate of Lawful Development - Proposed)	Application Refused 13/09/2016
DC/05/1055	Use of outbuilding as ancillary accommodation (Lawful Development Certificate - Existing)	Application Refused on 01.09.2005

DESCRIPTION OF THE SITE

Southdown house itself is a two storey dwelling to the west side of Church street and is attached to a listed building to the north. The site itself comprises of approximately 0.47 acres which is currently used as a mixture of residential amenity space and agricultural paddock. The rear garden area comprises a shared driveway and detached outbuilding permitted under DC/16/2099. The supporting statement notes that the building has been in use as a part annexe / part holiday let since 2019.

The application site partly within Rudgwick conservation area, and entirely within the Built Up Area Boundary (BUAB). It is surrounded by residential development, with existing dwellings located to the east, north and south. The majority of the plot is within a surface water flood zone with the majority of the built form being within a 0.1 percent chance of surface water flooding per annum and a small part of the site would be within a 1% percent change of surface water flooding per annum.

Access from Church Street is shared with Southdown house.

DESCRIPTION OF THE APPLICATION

The application seeks permission for the use of ancillary accommodation as part holiday let / part annexe (Retrospective).

RELEVANT PLANNING POLICIES
The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (2015):
Policy 1 - Strategic Policy: Sustainable Development
Policy 2 - Strategic Policy: Strategic Development
Policy 3 - Strategic Policy: Development Hierarchy
Policy 4 - Strategic Policy: Settlement Expansion
Policy 7 - Strategic Policy: Economic Growth
Policy 11 - Tourism and Cultural Facilities
Policy 24 - Strategic Policy: Environmental Protection
Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
Policy 27 - Settlement Coalescence
Policy 31 - Green Infrastructure and Biodiversity
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
Policy 34 - Heritage assets
Policy 35 - Strategic Policy: Climate Change
Policy 36 - Strategic Policy: Appropriate Energy Use
Policy 38 - Strategic Policy: Flooding
Policy 39 - Strategic Policy: Infrastructure Provision
Policy 40 - Sustainable Transport
Policy 41 - Parking

Rudgwick Neighbourhood Plan 2021 (RNP)
RNP10: Local Economy

Paragraph 33 of the NPPF requires that all development plans complete their reviews no later than 5 years from their adoption. Horsham District Council is currently in the process of reviewing its development plan however at this stage the emerging policies carry only limited weight in decision making. As the HDPF is now over 5 years old, the most important policies for the determination of this application must be considered as to whether they are 'out of date' (NPPF paragraph 11d). This includes, for applications involving the provision of housing, whether the Council can demonstrate a five year supply of deliverable housing sites (NPPF footnote 8).

Horsham District Local Plan (2023-40) (Regulation 19):
Strategic Policy 1 – Sustainable Development
Strategic Policy 6 – Climate Change
Strategic Policy 7 – Appropriate Energy Use
Strategic Policy 9 – Water Neutrality
Strategic Policy 10 – Flooding
Strategic Policy 11 – Environmental Protection
Strategic Policy 13 – The Natural Environment and Landscape Character
Strategic Policy 14 – Countryside Protection
Strategic Policy 17 – Green Infrastructure and Biodiversity
Strategic Policy 19 – Development Quality
Strategic Policy 20 – Development Principles
Strategic Policy 24 – Sustainable Transport
Policy 25 – Parking
Strategic Policy 37 – Housing Provision
Strategic Policy 38 – Meeting Local Housing Needs
Policy 40 – Improving Housing Standards in the District

Supplementary Planning Guidance:
Planning Obligations and Affordable Housing SPD (2017)
Community Infrastructure Levy (CIL) Charging Schedule (2017)

Planning Advice Notes:
Facilitating Appropriate Development
Biodiversity and Green Infrastructure

<u>REPRESENTATIONS AND CONSULTATIONS RESPONSES</u>

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 Conservation: No objections (05/12/2025)

HDC Environmental Health: No Comment (15/12/2025)

WSCC Highways: No objection (18/12/2025) [Summary]
the LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 116), and that there are no transport grounds to resist the proposal.

PUBLIC CONSULTATIONS:
Representations:
1 letter has been received from Rudgwick Preservation Society who do not object to this application.

Rudgwick Parish Council: No Objection (12/12/2025

Member Comments:
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

Principle of Development:

Policy 11 of the HDPF outlines that measures which promote tourism and enhance local cultural facilities, including recreation based rural diversification, will be encouraged. Any development should be of a scale and type appropriate to the location and should increase the range or improve the quality of accommodation, attraction or experiences for tourists, day visitors, business visitors, and residents in the District.

The existing property is within the defined settlement / built-up area boundary for Rudgwick (as illustrated on the HDPF inset map). Within such areas, changes of use of existing buildings are considered acceptable in principle where they accord with local strategic and neighbourhood plan policies and do not result in material harm.

The retrospective use proposed does not involve new built form or physical extensions and, as such, has no greater footprint or visual impact than previously. The use of existing domestic accommodation as a holiday let (tourist accommodation) has been supported elsewhere in the District where it aligns

with Policies 10 and 11 of the HDPF by contributing to the local rural economy and tourism offer (i.e. diversification of rural business without detriment to character).

It is noted that the applicant seeks permission for the use of the building as an annexe *and* a holiday let. The submitted planning statement does not detail how these two separate use scenarios would interact- though, it is assumed that when the Air BnB is not in use, it could be used for guest accommodation in association with the main dwelling. According to the submitted statement (4.3), the applicant indicates that the building is occupied on average 20 nights in a month, therefore indicating that this is the primary function of the use. Officers are satisfied that this can be adequately controlled by way of condition (attached below) on the basis that the building would predominantly operate as an Air BnB with infrequent use as an annexe to the main dwelling, and that such infrequent occupation as such would not represent a breach of that condition.

Given the mixed use and absence of material harm (see below), the principle of the development is considered acceptable in accordance with the development plan and NPPF.

Heritage and Design

Policies 25, 32, and 33 of the HDPF promote development that protects, conserves and enhances the landscape and townscape character from inappropriate development. Proposals should take into account townscape characteristics, with development seeking to provide an attractive, functional and accessible environment that complements the locally distinctive character of the district. Buildings should contribute to a sense of place, and should be of a scale, massing, and appearance that is of a high standard or design and layout which relates sympathetically to the landscape and built surroundings.

Policy 34 of the HDPF outlines that heritage assets are an irreplaceable resource, and as such the Council will sustain and enhance its historic environment through positive management of development affecting heritage assets.

The site lies within the Rudgwick Conservation Area and is immediately adjacent to Grade II listed dwelling ‘Eames House’.

The Council’s Conservation Officer has raised no concerns with the change of use in relation to heritage assets or the character and appearance of the local area. There are therefore no adverse impacts on designated heritage assets arising from the use. This aligns with the requirement to conserve heritage where development would not harm significance.

As no additional development is proposed, the proposal would comply with Policies 25, 32, 33 and 34 of the Horsham District Planning Framework.

Amenity

HDPF policies 23 and 33 of the HDPF requires consideration be had to the resulting amenities of neighbouring occupiers of nearby land and property, for example, through overlooking or noise.

The nearest neighbours are Eames House to the north, Lower Kings in closest proximity to the South and Little Kings to the east. Given the distance of the proposed development from the neighbours and the topography of the site the proposal would not be considered to result in a loss of light, obtrusive appearance or loss of amenity to the nearest neighbouring properties. There would be an increase in the level of activity undertaken within the site in this location, however this would not be to such an extent that it would be unacceptable to neighbouring amenity.

The change of use does not involve physical expansion, additional structural development, or intensification that materially increases activity over and above the existing lawful residential use. The accommodation remains detached and within the curtilage of the host dwelling, with no subdivision of the garden or boundary treatment that would suggest independent occupation or amenity harm. There have been no substantive concerns raised from neighbouring properties regarding noise, disturbance

or overlooking. The current operation is consistent with the character of the locality, and the residential amenity of neighbouring occupiers is preserved.

The proposal is therefore considered to comply with Policy 33 of the Horsham District Planning Framework and relevant guidance within the National Planning Policy Framework relating to the protection of residential amenity.

Highways Impacts:

Policy 40 of the HDPF states that transport access and ease of movement is a key factor in the performance of the local economy. The need for sustainable transport and safe access is vital to improve development across the district.

Policy 41 of the HDPF states that adequate parking facilities must be provided within the developments to meet the needs of the anticipated users.

There are no additional accesses proposed, with the existing access being used by both the proposed development and the existing house.

West Sussex County Council (WSCC) as local highway authority has advised no objection to the retrospective mixed use on highway safety grounds. There is no material change in traffic generation or parking demand that would warrant refusal on highways grounds. This reflects the existing access arrangements and parking provision which are considered adequate for the scale of use. Overall, the development is in accordance with policies 40 and 41 of the HDPF.

Economic Development and Tourism

The mixed use as holiday let accommodation contributes modestly to the local economy by supporting tourism and visitor stays in Rudgwick. This aligns with the broader economic objectives of the HDPF to promote sustainable economic development and tourism, particularly where there is no harm to local environment, amenity, or infrastructure.

Although the economic benefits are modest in scale, they nonetheless contribute to local visitor economy in accordance with development plan policies.

Surface Water Flood Risk

The application site is identified within the Environment Agency's surface water flood risk mapping as being partially susceptible to surface water flooding. The proposal, however, relates solely to a retrospective change of use of an existing detached annexe, with no new built development, extensions, engineering works or changes to site levels or impermeable surfacing.

Policy 36 of the Horsham District Planning Framework (HDPF) – *Flooding and Drainage* requires that development should be located and designed to avoid increased flood risk, and that proposals should demonstrate they will not exacerbate flooding on site or elsewhere. Crucially, the policy applies to *development* that would materially alter drainage characteristics or introduce new risk.

In this instance, the annexe has existed for many years and has historically been used for residential purposes. The mixed use as part holiday let / part ancillary accommodation does not alter the building footprint, site coverage, or drainage regime. There is therefore no increase in surface water runoff or flood risk, and the proposal fully complies with Policy 36 insofar as it does not worsen existing flood conditions.

The site's topography is also a material consideration, with land falling steeply from east to west, facilitating natural surface water movement away from the building. No evidence has been presented to suggest that the existing or proposed use has resulted in flooding events, and no objection has been raised by consultees on flood risk or drainage grounds.

The proposal also aligns with Policy 33 (Development Principles) of the HDPF, which requires development to be safe and not to result in avoidable environmental risk. As the proposal does not introduce new development or increase vulnerability to flooding, it is considered to meet this requirement.

In addition, the proposal is consistent with the National Planning Policy Framework, which confirms that changes of use of existing buildings may be acceptable in areas at flood risk where they do not increase flood risk or introduce more vulnerable uses without mitigation. The proposed mixed use remains residential in character and does not represent a materially more vulnerable form of development.

Having regard to the above, and given the absence of physical development, intensification, or increased site coverage, it is concluded that the proposal complies with HDPF Policy 36 and Policy 33, and that surface water flood risk does not weigh against the grant of planning permission.

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 31st 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 31st of 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 (BNG):

Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) mandates that every development must achieve at least a 10% Biodiversity Net Gain (BNG (unless the development qualifies as exempt under the Biodiversity Gain Requirements (Exemptions) Regulations 2024) and that every planning permission granted for the development of land in England shall be deemed to have been granted subject to the condition that development must

not be begun unless a Biodiversity Gain Plan has been submitted to the planning authority and the planning authority has approved the Plan.

The Biodiversity Gain Plan must show how the development will achieve the required minimum 10% BNG using the statutory biodiversity metric tool and must demonstrate how the habitats will be managed and maintained for 30 years, starting from the date the development is completed. Off-site gains (on unregistered sites) and significant on-site enhancements will be secured over this period by way of a Legal Agreement

The applicant has outlined that the development would be exempt from Biodiversity net gain requirements by reason of:

- The application is retrospective made under Section 73(A) of the Town and Country Planning Act. The use began in 2019.

Conclusion and Planning Balance:

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications be determined in accordance with the development plan unless material considerations indicate otherwise. The development plan in this instance comprises the Horsham District Planning Framework (HDPF) and the Rudgwick Neighbourhood Development Plan, read alongside the National Planning Policy Framework (NPPF) as a material consideration.

The proposal relates to a retrospective change of use of an existing detached annexe to a mixed use as part holiday let / part ancillary residential accommodation. The development does not involve any new built form, extensions, engineering works or alterations to site levels.

In assessing the proposal against the development plan, the following material considerations are relevant:

- **Principle of development:** The change of use is acceptable in principle within the settlement, accords with the objectives of HDPF Policies 10 and 11 in supporting sustainable rural economic activity and tourism, and does not conflict with the Rudgwick Neighbourhood Development Plan.
- **Heritage considerations:** The Council's Conservation Officer has raised no objection to the proposal, and the change of use would not result in harm to the significance or setting of any heritage assets.
- **Highway safety:** West Sussex County Council has confirmed that there is no objection to the proposal on highway safety grounds, with no material increase in traffic generation or parking demand.
- **Residential amenity:** The proposal does not involve physical expansion or intensification of development and would not result in unacceptable noise, disturbance or loss of privacy to neighbouring occupiers. The residential amenity of the area is therefore preserved.
- **Flood risk and drainage:** Although part of the site lies within an area identified as being at risk of surface water flooding, the proposal constitutes a change of use only. In accordance with HDPF Policy 36, the development would not increase surface water runoff, alter drainage characteristics, or exacerbate flood risk on site or elsewhere. The existing topography, with land sloping steeply from east to west, assists natural surface water movement. The proposal is therefore considered acceptable in flood risk terms and compliant with HDPF Policies 36 and 33.
- **Economic benefits:** The use of the annexe as holiday accommodation contributes modestly to the local visitor economy and rural diversification, which carries positive weight in accordance with HDPF Policies 10 and 11.

When considered cumulatively, the proposal accords with the development plan when read as a whole and does not give rise to any material harm that would justify refusal. The absence of new development, together with the lack of technical objections and the modest economic benefits arising from the proposal, weigh in favour of the development.

Accordingly, it is concluded that there are no material considerations that indicate a decision other than in accordance with the development plan, and the planning balance weighs in favour of the grant of planning permission.

Recommendation: Application Permitted

Conditions

2 **Regulatory Condition:** The residential accommodation hereby permitted shall, when occupied as holiday accommodation be managed in accordance with the following:

i) The accommodation shall be occupied for holiday and short-term let purposes only;
ii) The accommodation shall not be occupied as a person's sole, or main place of residence;
iii) The accommodation shall not be occupied by any one person for a period exceeding 28 days in any calendar year;
iv) The accommodation shall at all times be managed and supervised by the owners / occupants of Southdown House
v) The owners / operators shall maintain an up-to-date register of the names of all occupiers of the accommodation on the site, and of their main home addresses, and shall make this information available to the Local Planning Authority upon request.

Reason: To maintain the availability of the site as short term holiday tourist accommodation in accordance with Policies 10, 11 and 26 of the Horsham District Planning Framework (2015).

3 **Regulatory Condition:** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (and/or any Order revoking and/or re-enacting that Order) no development falling within Classes A, B, C, D or E of Part 1 of Schedule 2 of the Order shall take place to the holiday let accommodation hereby permitted without express planning consent from the Local Planning Authority first being obtained.

Reason: In the interest of visual amenity and due to preserve the historic character of the site in accordance with Policies 33 and 34 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/24/1875

Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Location & Block plan		D 0716/293/01A	02.12.2025
Floor plan		D 0716/293/03A	02.12.2025
Elevation plan		D 0716/293/05A	02.12.2025
Supporting Statement	Planning and Heritage	P-043a REV 1	02.12.2025

DELEGATED

Case Officer sign/initial	Daniel Holmes	Date:	02/02/2026
Authorising Officer sign/initial	RHERMITAGE	Date:	06.02.2026