



DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/26/0993
Springlands Gate, Frylands Lane, Wineham, West Sussex, BN5 9BP

DESCRIPTION:

Variation of condition 1 of previously approved application reference DC/23/1920 (Removal of existing pitched roof and erection of a first floor extension and single-storey extensions to the east and west facing elevations. Installation of an outdoor swimming pool and erection of an adjacent detached games room/pool house. Demolition of the existing detached garage and erection of a detached three-bay garage with bin store. Remodelling and enhancement of the existing hard and soft landscaping to suit the proposed works) addition of an external window and door to the garage and associated alterations

RELEVANT PLANNING HISTORY:

DISC/26/0163	Application for Approval of Details Reserved by conditions 3 and 4 to approved application DC/23/1920.	Pending Consideration
DC/25/1685	Variation of condition 1 of previously approved application reference DC/23/1920 (Removal of existing pitched roof and erection of a first-floor extension and single-storey extensions to the east and west facing elevations. Installation of an outdoor swimming pool and erection of an adjacent detached games room/pool house. Demolition of the existing detached garage and erection of a detached three-bay garage with bin store. Remodelling and enhancement of the existing hard and soft landscaping to suit the proposed works) regarding changes to the design and layout of the pool house building and adjust the position of swimming pool.	Application Refused on 05.01.2026
DC/24/1351	Variation of Condition 1 of previously approved application reference DC/23/1920 (Removal of existing pitched roof and erection of a first floor extension and single-storey extensions to the east and west facing elevations. Installation of an outdoor swimming pool and erection of an adjacent detached games room/pool house. Demolition of the existing detached garage and erection of a detached three-bay garage with bin store. Remodelling and enhancement of the existing hard and soft landscaping to suit the proposed works.) plans condition to be amended to replace the approved drawings to allow for design and layout changes.	Withdrawn Application on 15.01.2025
DC/23/1920	Removal of existing pitched roof and erection of a first floor extension and single-storey extensions to the east and west facing elevations. Installation of an outdoor swimming pool and erection of an adjacent detached games room/pool house. Demolition of the existing detached garage and erection of a detached three-bay garage with bin store. Remodelling and enhancement of the existing hard and soft landscaping to suit the proposed works.	Application Permitted on 23.02.2024

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 31 - Green Infrastructure and Biodiversity
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
Policy 34 - Cultural and Heritage Assets
Policy 40 - Sustainable Transport
Policy 41 - Parking

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

Policy 9: Water Neutrality
Policy 17: Green Infrastructure and Biodiversity
Policy 19: Development Quality
Policy 20: Development Principles
Policy 21: Heritage Assets and Managing Change within the Historic Environment
Policy 24: Sustainable Transport
Policy 25: Parking
Policy 45: Replacement Dwellings and House Extensions in the Countryside
Policy 46: Ancillary Accommodation

Wineham and Shermanbury Plan (WASP 2014-2031):

Policy 4: Location and Setting
Policy 5: Design
Policy 6: Housing Development
Policy 8: Change of Use, Conversion and Redevelopment
Policy 10: 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:

HDC Arboriculture: Advice / condition recommended

Parish Comments:

Shermanbury Parish Council: No Objection

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, 'Replacement dwellings and house extensions in the Countryside' states that outside the defined built-up areas, house extensions, replacement dwellings and ancillary accommodation will be supported if the development can be accommodated appropriately within the curtilage of the existing dwelling. In addition, extensions should not be disproportionate to the size of the existing dwelling and in addition, be in keeping with the scale and character of the existing dwelling.

Policies 32 and 33 of the HDPF indicate that new development should be of a high standard of design and layout, with regard to natural and built surroundings, in terms of its scale, density, massing, siting, materials, orientation and character.

These are reflected by Policy 5 (Design) of the WASP, which states that development proposals should ensure that the design is in keeping with the prevailing character of the surrounding area.

WASP Policy 4 (Location and Setting Development) states that development should;

- Be designed to a high quality which positively responds to the heritage, tranquillity and distinctive rural character and respects the identity of the local context, by way of; height, scale, spacing, layout, orientation, design and materials of buildings;
- Respect the natural contours of a site and protect and sensitively incorporate natural features such as trees, hedges, watercourses and ponds within the site;
- Not result in unacceptable levels of light, noise, air or water pollution;

The dwelling is set within a spacious plot and mature boundary vegetation around the site provides screening of the site from the public right of way along Frylands Lane. The property is bounded by mature hedgerows on three sides and a row of mature oaks on the western boundary. The proposed amendment of the addition of an external window to the rear elevation and a door to the side of the garage and minor hardstanding adjustment would be amendments that would be of a character appropriate and not unexpected to this setting along Frylands Lane.

The proposed amendments are considered to be of a design, form and scale which is 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 design of the proposal is acceptable.

Trees

The amendments will have no altered/additional arboricultural implications to those formerly highlighted in relation the original and subsequent applications at the site. The condition as advised previously requiring an Arboricultural Method Statement to be submitted and approved is still considered necessary (or if in the meantime an amended acceptable AMS in respect of outstanding DISC/26/0163 is provided and approved to enable use of a compliance condition).

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.

There are no dwellings within 200 metres and the proposal would not lead to unacceptable harm to any neighbouring amenity. It is considered that the siting and layout of the proposed and the resulting relationship with adjoining properties would be sufficient to prevent any unacceptable harm to neighbouring amenity. It is noted that no neighbouring representations of objection have been received.

Water Neutrality

The initial application required the submission of further details regarding the fill of the swimming pool, where the water was to be sourced outside of the Sussex North Water Supply Area. The reason for this condition was due to water neutrality.

Since the determination of the initial application, Natural England have withdrawn the Position Statement, whereby the water savings made by Southern Water are considered to accommodate development within the District. As such, the relevant condition is no longer considered to be reasonable or necessary, and would not therefore be taken forward as part of the current application.

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 must be commenced by the 23.02.2027.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

- 3 **Regulatory Condition:** The development hereby permitted shall be carried out in strict accordance with the Arboricultural Method Statement reference GH/MS/666160:26 by GH Trees Arboricultural Consultancy dated 11.05.2026.

Reason: As this matter is fundamental to ensure the successful and satisfactory protection of important trees and hedgerows on the site in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 4 **Not Used**

- 5 **Regulatory Condition:** The swimming pool hereby permitted (shown on plans PL.002 B and PL.005 A) shall be used solely for purposes incidental to the occupation and enjoyment of Springlands Gate, Frylands Lane, Wineham as a private swimming pool, and shall not be used for any commercial or business purposes.

Reason: The use of the swimming pool for commercial or business purposes would give rise to an over-intensive use of the site, lead to an unsatisfactory relationship between neighbouring properties and result in harm to the countryside setting, contrary to Policies 26 and 33 of the Horsham District Planning Framework (2015).

- 6 **Regulatory Condition:** The first floor of the proposed garage hereby permitted (shown on plan PL.104) shall be used solely for purposes incidental to the occupation and enjoyment of Springlands Gate, Frylands Lane, Wineham, as a dwelling and shall not be used as a separate unit of accommodation.

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).

- 7 **Regulatory Condition:** The materials and finishes of all new external walls, windows and roofs of the development hereby permitted shall strictly accord with those indicated on the application form and approved plans.

Reason: In the interests of visual amenity and in accordance with Policy 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 Regulation 4 of The Environment Act 2021 (Commencement No. 8 and Transitional Provisions) Regulations 2024 the statutory biodiversity gain condition does not apply in relation a section 73 planning permission where:

- (a) the original planning permission (a planning permission which is the first in a sequence of two or more planning permissions, where the second and any subsequent planning permissions are section 73 planning permissions) to which the section 73 planning permission relates was granted before 12th February 2024; or
- (b) the application for the original planning permission to which the section 73 planning permission relates was made before 12th February 2024.

Based on the information on the date of the original planning permission to which this section 73 planning permission relates, the Planning Authority considers that biodiversity net gain does not apply.

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/26/0993

(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
Site plan	Site Plan - As Proposed	PL102	19.06.2026
Elevation & Floor plan	Garage General Arrangements and Elevations - As Proposed	PL104	19.06.2026
Supporting Statement		AIA Plan REV D	05.02.2024
Supporting Statement		TCP Plan REV A	05.02.2024
Supporting Statement		Tree Survey AIA	05.02.2024
Location & Block plan		PL.001 REV A	05.02.2024
Site plan		PL.002 REV B	05.02.2024
Elevation & Floor plan	As Proposed	PL 003	18.10.2023
Elevation & Floor plan	Roof (Pool House), and Section (Pool), as proposed	PL.005 REV A	26.10.2023
Elevation plan	As Existing	NONE	18.10.2023
Floor plan	As Existing	NONE	18.10.2023
Design & Access Statement	Planning	NONE	18.10.2023
Supporting Statement	Cover Page	PL 000	18.10.2023
Supporting Statement	Topographic Survey	NONE	18.10.2023
Elevation & Floor plan	Roof (Garage), As Existing	NONE	18.10.2023
Supporting Docs	Arboricultural Method Statement by GH Trees Abrocultural Consultancy dated 11.05.2026	GHA/MS/666160:2 6	29.05.2026

DELEGATEDCase Officer sign/initial Steve Astles Date: 04.09.2026Authorising Officer sign/initial Tamara Dale Date: 09.09.2026