NATIONAL SCHEME OF DELEGATION:

The proposal constitutes Schedule 1 development which is not eligible for referral to Planning Committee. The application is therefore delegated to Officers for determination.

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/26/1312
35 Churchill Avenue, Horsham, West Sussex, RH12 2JP

DESCRIPTION:

Subdividing of existing plot and erection of a two storey, three bedroom dwelling. Demolition of garage and creation of vehicle access.

RELEVANT PLANNING HISTORY:

DC/25/1006	Subdividing of existing plot and erection of a two storey 4 bedroom dwelling.	Application Refused on 05.09.2025
DC/25/1668	Subdividing of existing plot and erection of a two storey four bedroom dwelling.	Application Refused on 10.12.2025

DESCRIPTION OF THE SITE

The application site comprises No. 35 Churchill Avenue, a two-storey semi-detached dwelling located at the northern end of a residential cul-de-sac within the built-up area of Horsham. The property occupies a relatively large corner plot and benefits from an extensive side garden to the north-west of the existing dwelling. The site adjoins the recreation ground to the north and occupies a visually prominent position at the termination of Churchill Avenue.

The surrounding area is predominantly residential in character and comprises mainly two-storey semi-detached and detached dwellings set within established plots. Whilst there is some variation in plot sizes, building forms and roof designs, the area generally exhibits a spacious suburban character with development sitting comfortably within its plots and retaining discernible gaps between dwellings. The side garden of No. 35 contributes to the openness and spacious appearance experienced at the northern end of the cul-de-sac.

The site lies within the Built-Up Area Boundary of Horsham. There are no statutory landscape, heritage or ecological designations affecting the site.

DESCRIPTION OF THE APPLICATION

Planning permission is sought for the subdivision of the existing residential curtilage associated with No. 35 Churchill Avenue and the erection of a detached two-storey dwelling within the side garden. The proposal would involve the demolition of the existing garage and the formation of a new vehicular access from Churchill Avenue to serve the proposed dwelling. Parking and private amenity space would be provided for both the existing and proposed dwellings.

The application follows the refusal of planning application DC/25/1668, which proposed the subdivision of the plot and erection of a detached four-bedroom dwelling. That application was subsequently dismissed at appeal under Appeal Ref. 6002911, with the Inspector concluding that the proposal would result in a cramped and overly intensive form of development that would erode the spacious character of this part of Churchill Avenue and fail to respect the established pattern of development.

The current proposal seeks to respond to the Inspector's concerns through a revised and materially reduced scheme. The proposed dwelling would provide three bedrooms rather than four and has undergone reductions in both footprint and overall floorspace. The supporting Planning Statement identifies that the gross external floorspace has been reduced from approximately 176sqm to 120sqm, representing a reduction of around 32%, whilst the building footprint has been reduced from approximately 98sqm to 65sqm, representing a reduction of around 34%. The previously proposed integral garage has been omitted entirely, resulting in a narrower building form, and the former two-storey rear projection has been replaced with a single-storey rear element.

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 15 - Strategic Policy: Housing Provision
Policy 16 - Strategic Policy: Meeting Local Housing Needs
Policy 24 - Strategic Policy: Environmental Protection
Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
Policy 34 - Cultural and Heritage Assets
Policy 35 - Strategic Policy: Climate Change
Policy 36 - Strategic Policy: Appropriate Energy Use
Policy 37 - Sustainable Construction
Policy 39 - Strategic Policy: Infrastructure Provision
Policy 40 - Sustainable Transport
Policy 41 - Parking Policy 42 - Strategic Policy: Inclusive Communities
Policy 43 - Community Facilities, Leisure and Recreation

Horsham Blueprint Business Neighbourhood Plan (2022)
Policy HB1 – Location of Development
Policy HB3 – Character of Development
Policy HB4 – Design of Development

Horsham District Local Plan (2023-40) (Regulation 19):
Strategic Policy 1: Sustainable Development
Strategic Policy 2: Development Hierarchy
Strategic Policy 6: Climate Change
Strategic Policy 7: Appropriate Energy Use
Strategic Policy 8: Sustainable Design and Construction
Strategic Policy 9: Water Efficiency
Strategic Policy 11: Environmental Protection
Strategic Policy 13: Landscape and Settlement Character
Strategic Policy 17: Green and Blue Infrastructure and Biodiversity
Strategic Policy 19: Development Principles
Strategic Policy 24: Sustainable Transport
Policy 25: Parking
Strategic Policy 37: Housing Provision

Strategic Policy 38: Meeting Local Housing Needs

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

Parish Design Statement:

Planning Advice Notes:
Shaping Development in Horsham (SDPAN)
Biodiversity and Green Infrastructure

The Local Plan is currently at examination, where the Inspector's letter dated 30.10.2026 concludes that the plan is sound, subject to the proposed main modifications and the limited number of further changes discussed within the letter. The final report from the Inspector is anticipated to be received in January 2027, where changes to the draft Schedule of Main Modifications will need to be published for consultation. Given this letter and the status of the Local Plan, the policies contained within the Horsham District Local Plan 2023-2040 (HDLP) are considered to be of significant weight.

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:

INTERNAL CONSULTATIONS

HDC Arboricultural officer: No Objection (05.10.2026)

No trees within or adjacent to the site are subject to statutory protection, either through a Tree Preservation Order (TPO) or by virtue of the site being located within a Conservation Area.

It is noted that the Root Protection Area (RPA) of the off-site notable oak tree, insofar as it extends within the application site, is proposed to remain free from built development and associated ground disturbance. This is positive.

Accordingly, no arboricultural objection is raised to the proposed siting of the dwelling or parking area, subject to the tree protection and construction measures detailed within the Arboricultural Method Statement, Arboricultural Impact Assessment and Tree Protection Plan prepared by South Oaks Arboricultural Consultancy in accordance with BS 5837:2012 being fully implemented and adhered to throughout the course of development.

OUTSIDE AGENCIES

Southern Water: Comment (15.09.2026)

No objections subject to conditions and informatives relating to surface water drainage, tree planting adjacent to Southern Water sewers and landscaping close to public apparatus.

WSCC Highways: No Objection (29.09.2026)

The West Sussex County Council Local Highway Authority raises no objection to the proposal on highway safety grounds. The Highway Authority notes that it has previously reviewed earlier applications at the site and confirms that the current proposal addresses the access-related matters raised in connection with those schemes. The proposal would provide separate accesses to serve both the existing and proposed dwellings, together with off-street parking provision. The Highway Authority advises that there is no evidence to indicate that Churchill Avenue currently operates unsafely, noting that no personal injury collisions have been recorded in the vicinity of the site within the last five years.

Given the scale of development proposed, the addition of a single dwelling is not anticipated to result in a material increase in vehicle movements or to adversely affect the operation of the highway network. The Highway Authority considers the parking provision acceptable, confirms that secure cycle parking is proposed for both dwellings, and notes that the site occupies a sustainable location with good access to local services, schools, public transport and cycling routes. Whilst acknowledging residents' concerns regarding existing parking pressures within Churchill Avenue, the Highway Authority advises that these are principally matters of residential amenity rather than highway safety.

Overall, the Highway Authority concludes that the proposal would not have an unacceptable impact on highway safety and would not result in a severe cumulative impact on the operation of the road network. Accordingly, there are no transport grounds upon which to resist the application, subject to conditions relating to parking, cycle parking, pedestrian visibility splays and a Construction Management Plan.

PUBLIC CONSULTATIONS:

Representations:

22 letters of Objection have been received from 16 households, objecting to the application on the following grounds:

Character and Appearance

- The proposal would appear out of keeping with the established character of Churchill Avenue and Hamilton Road.
- The subdivision of the plot would erode the spacious character of the area.
- The development would represent an overly intensive or cramped form of development.
- Harm arising from the loss of openness associated with this prominent corner plot.
- Concerns regarding the scale, massing, design and roof form of the dwelling.
- Impact on views from the recreation ground and public realm.

Residential Amenity

- Overlooking and loss of privacy to neighbouring dwellings and gardens, particularly properties on Hamilton Road.
- Potential for increased sense of enclosure.
- Potential loss of daylight or overshadowing.
- General noise and disturbance associated with occupation of an additional dwelling.

Highways, Access and Parking

- Adequacy of the proposed parking provision.
- Safety of the proposed vehicular access.
- Effects on highway safety, particularly given proximity to the recreation ground entrance.
- Existing parking pressures and whether the proposal would exacerbate congestion.
- Ability for vehicles to manoeuvre within the site safely.
- Potential impact on pedestrian safety.

Trees, Landscaping and Ecology

- Loss of trees, hedgerows and vegetation.
- Adequacy of the submitted arboricultural information.
- Limited opportunity for replacement planting.
- Potential impacts on wildlife and biodiversity.

Planning History

- Whether the revised proposal overcomes the concerns identified in the previously dismissed appeal.
- Continued concerns regarding plot subdivision, spacing and development intensity notwithstanding the reduction in floorspace.

Non-Material Planning Considerations Raised

The following matters are generally not material planning considerations and should carry little or no weight in the determination of the application:

- Impact on neighbouring property values.
- Private views across the site or loss of a particular outlook in itself.
- Assertion that the applicant has submitted multiple applications for the site.
- Concerns that residents may be inconvenienced by construction traffic, noise and disturbance on a temporary basis (unless exceptionally severe).
- Speculation regarding whether previously removed trees were genuinely diseased.
- General objections to additional residents within the area without demonstrating a specific planning harm.
- Concerns regarding inconvenience associated with refuse collection or bin storage, unless it creates a demonstrable design, access or amenity issue.
- The subjective view that the development would "stand out like a sore thumb" (although the underlying design and character concerns are material).

1 letter for Support have been received from 1 address, supporting the application on the following grounds:

Design and Character

- It will fit in well with the surroundings and make good use of the land.

Parish Comments:

Horsham Town Council: Comment (23.09.2026)

Horsham Town Council Planning Committee has considered the application and adopts a neutral position on the proposal.

In reaching this position, Members noted concerns regarding the potential for overlooking and loss of privacy affecting neighbouring properties and consider that the impact on residential amenity should be carefully assessed by the Planning Authority.

The Council also notes that the relevant water company has requested a pre-commencement condition should planning permission be granted, and Members would expect this requirement to be fully considered as part of the determination of the application.

Members further commented that there should be a thorough assessment of the issues that gave rise to concerns when the application was previously considered in 2025. In particular, the Planning Authority should be satisfied that the proposal does not constitute overdevelopment of the site and that any previous concerns have been adequately addressed through the revised submission.

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

Planning Background

A previous application for the subdivision of the existing plot and erection of a detached two-storey four-bedroom dwelling was refused under application DC/25/1668. The application was refused for reasons relating to the adverse impact upon the character and appearance of the area, specifically that the proposal would result in a cramped and overly intensive form of development which would erode the openness of the prominent corner plot and fail to respect the established pattern of development within Churchill Avenue. A second reason for refusal related to water neutrality requirements.

The subsequent appeal was dismissed by the Planning Inspectorate under Appeal Ref: 6002911. In dismissing the appeal, the Inspector concluded that the proposed dwelling, by reason of its siting, scale and relationship with the existing dwelling, would result in a cramped form of development that would fail to reflect the established pattern of development in the locality. Particular weight was afforded to the contribution that the open side garden makes to the spacious character of this prominent corner plot and the transition between Churchill Avenue and the adjoining recreation ground.

The Inspector found that the proposal would appear as an unduly intensive form of development, materially reducing the sense of openness presently experienced from the public realm and harming the character and appearance of the area. Whilst the Inspector acknowledged that the site lies within a sustainable location and that the proposal would contribute an additional dwelling towards housing supply, these benefits were not considered sufficient to outweigh the identified harm.

The current application seeks planning permission for a revised scheme comprising a detached two-storey three-bedroom dwelling. The applicant states that the proposal has been substantially reduced in scale when compared to the appeal scheme, including reductions in both footprint and floorspace, the removal of the integral garage, and amendments to the building form intended to address the concerns identified by the Inspector. The extent to which these revisions overcome the findings of the appeal decision is considered within the assessment below.

Principle of Development:

The application site lies within the Built-Up Area Boundary of Horsham and therefore falls within a defined settlement. The proposal seeks the subdivision of an existing residential curtilage and the erection of a single additional dwelling within an established residential area.

The proposal is assessed against the relevant policies of the Horsham District Planning Framework (HDPF, 2015), together with the emerging Horsham District Local Plan 2023–2040. In particular, Policies 2, 3, 15 and 16 of the HDPF are relevant, alongside emerging Strategic Policies 1 (Sustainable Development), 2 (Development Hierarchy) and 37 (Housing Provision), and Strategic Policy 38 (Meeting Local Housing Needs).

Strategic Policy 2 supports development within defined Built-Up Area Boundaries, including infilling and redevelopment, subject to the scale and nature of development being appropriate to the characteristics and function of the settlement. Strategic Policy 37 seeks to provide for identified housing requirements across the District, whilst Strategic Policy 38 seeks to ensure that housing provision responds to the needs of local communities through an appropriate mix of dwelling sizes and types.

At a national level, Policy S4 of the NPPF 2026 states that development proposals within settlements should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects when assessed against the national decision-making policies within the Framework.

In addition, Policy HO7 confirms that substantial weight should be given to the benefits of providing homes which contribute towards meeting evidenced accommodation needs, whilst Policy L2 identifies the creation of additional homes within existing residential plots as a means of making effective use of land within settlements. Policy L3 further requires residential development proposals within settlements to contribute to the efficient use of land and generally support increased densities where appropriate.

The proposal would therefore benefit from policy support in principle through the provision of an additional dwelling within a sustainable settlement location and through the efficient use of an existing residential plot.

Design and Appearance

Policies 32 and 33 of the Horsham District Planning Framework (HDPF) require development to be of a high-quality design that complements and enhances local character, respects the established pattern of development, and avoids adverse townscape impacts such as overdevelopment, visual intrusion, or a cramped appearance.

Strategic Policy 19 requires development to make efficient use of land whilst ensuring that the scale, massing and appearance of buildings are of a high standard and relate sympathetically to their surroundings. It also requires consideration of the prevailing character and appearance of the area, including the relationship between buildings, open spaces and the wider street scene. Strategic Policy 13 similarly seeks to protect and enhance townscape character and ensure that development responds positively to the individual characteristics of settlements.

Policy HB4 of the Horsham Blueprint Business Neighbourhood Plan requires development to demonstrate a high quality of design, which responds and integrates well with its surroundings

A significant number of objections have been received raising concerns that the proposal would result in an overdevelopment of the site, giving rise to a cramped and contrived form of development which would fail to respect the established pattern of development within Churchill Avenue. These concerns reflect those identified by the Planning Inspector in relation to the previous appeal proposal and are therefore important material considerations.

The current application has, however, been subject to a number of amendments when compared to the dismissed appeal scheme. Most notably, the proposed dwelling has been reduced in overall footprint, floorspace and bulk, with the removal of the previously proposed integral garage and a simplification of the building's form. Consequently, the proposed dwelling presents as a noticeably more modest building than that previously considered by the Inspector. In addition, the applicant has addressed concerns regarding the full hip to gable roof by replacing with a hipped roof, to accord with the surrounding vernacular.

In assessing the revised proposal, it is acknowledged that the development would inevitably reduce the degree of openness currently afforded by the side garden of No. 35 and would introduce an additional built form on what is presently undeveloped domestic curtilage. However, the site is of a sufficient size to accommodate a second dwelling without appearing unacceptably cramped or overly intensive. Whilst the plot would be subdivided, both the proposed dwelling and the retained host dwelling would continue to benefit from private amenity areas of a size comparable to a number of other residential properties within this part of Churchill Avenue.

Furthermore, the spacing achieved between the proposed dwelling and No. 35, together with the retained garden areas and parking provision, would ensure that each property continues to function as a readable and self-contained residential unit. Officers do not consider that the relationship between the two dwellings would appear so compressed as to create a sense of a cramped or contrived form of development. Nor is it considered that the proposal would result in an unacceptable degree of overdevelopment of the plot.

It is acknowledged that the site occupies a highly visible corner position and that the side garden currently contributes to the sense of openness experienced when approaching the recreation ground. However, Officers consider that the revised proposal achieves a more proportionate response to the site than the appeal scheme. Whilst some openness would be inevitably lost, the reduced footprint, narrower building form and retention of meaningful garden areas ensure that the dwelling would read as part of the established residential environment rather than appearing as an unduly intensive or visually intrusive form of development. The reduced scale, massing and footprint of the proposed dwelling ensures that it would sit more comfortably within the plot than the previously dismissed

scheme. The dwelling would be of a scale and form commonly found within the wider area. The proposal would therefore maintain an appropriate relationship with the surrounding pattern of development and would not appear incongruous within the streetscape.

Whilst some erosion of the site's existing openness would occur, Officers are satisfied that the revised scheme has successfully reduced the visual prominence and intensity of development to a level whereby the spacious suburban character of this part of Churchill Avenue would not be materially harmed. On balance, it is therefore considered that the proposal would not result in an unacceptable impact upon the character and appearance of the area and would accord with the objectives of Policies 25, 32 and 33 of the Horsham District Planning Framework, Policy HB4 of the Horsham Blueprint Business Neighbourhood Plan 2019-2036 and Policies 13 and 19 of the emerging Local Plan.

Residential Amenity:

Policy 33 of the Horsham District Planning Framework (HDPF, 2015) requires development to safeguard the amenities of neighbouring occupiers, with particular regard to privacy, outlook, daylight, and general disturbance.

Strategic Policy 19 of the HDLP requires development to provide and retain a good standard of amenity for existing and future occupants, avoiding unacceptable harm arising from overlooking, overdominance, overshadowing, light pollution, noise, odour and vibration, having regard to the sensitivities and impacts of surrounding development. The policy also requires consideration of the relationship between new development and its surroundings to ensure that the amenity of existing and future occupiers is appropriately safeguarded.

Strategic Policy 11 (Environmental Protection) is also relevant in respect of noise and pollution, requiring development to minimise exposure to unacceptable environmental impacts arising during both construction and occupation.

A number of objections have been received raising concerns regarding overlooking, loss of privacy, overshadowing, loss of outlook, increased sense of enclosure and noise and disturbance associated with the occupation of an additional dwelling. These matters have been carefully assessed in the determination of the application.

In considering these impacts, significant weight is afforded to the appeal decision relating to application DC/25/1668. Whilst the Inspector identified harm arising from the cramped nature of the previous scheme and its impact upon the character and appearance of the area, the Inspector identified no unacceptable harm to residential amenity arising from the appeal proposal. The current proposal has subsequently been amended to provide a materially smaller dwelling with a reduced footprint and overall massing.

The proposed dwelling would inevitably alter the outlook currently experienced from some neighbouring properties, particularly those located on Hamilton Road which presently enjoy views across the side garden of No. 35. It is also recognised that development of the site would reduce the degree of openness presently afforded by this corner plot. However, the proposed dwelling would retain appropriate separation distances from neighbouring dwellings and is not considered to result in an unduly overbearing or dominant presence when viewed from adjacent properties. Whilst there would be a discernible change to the existing outlook, Officers do not consider that the scale, siting or massing of the revised dwelling would give rise to an unacceptable sense of enclosure or material loss of amenity.

With regard to privacy, concerns have been raised by neighbouring occupiers, particularly those on Hamilton Road, regarding potential overlooking from first-floor windows. The proposed first-floor rear-facing windows would afford views towards neighbouring gardens and properties; however, such intervisibility is characteristic of established suburban residential environments and is not considered materially different from that experienced between many surrounding two-storey dwellings within the locality. The separation distances achieved are considered sufficient to prevent unacceptable overlooking or loss of privacy. Furthermore, the first-floor side-facing hallway window can be secured by condition to be obscure glazed and fixed shut below 1.7 metres above finished floor level, thereby preventing overlooking towards the host dwelling.

In respect of daylight and sunlight, the revised proposal has been significantly reduced in comparison to the previously dismissed scheme. Having regard to the dwelling's orientation, separation distances and reduced bulk, the proposal is not considered likely to result in any significant loss of daylight or overshadowing to neighbouring habitable room windows or private amenity areas.

Objections have also referred to increased noise and disturbance arising from additional vehicle movements and domestic activity associated with the occupation of the dwelling. Whilst the proposal would introduce the comings and goings associated with one additional family dwelling, this would represent a typical residential form of activity within an established residential area and would not give rise to unacceptable amenity impacts. Concerns relating to construction noise and disruption are noted; however, such impacts would be temporary in nature and do not constitute a reason to withhold planning permission.

Overall, whilst it is acknowledged that the proposal would alter the relationship between neighbouring properties and the application site, and result in some change to existing outlook and levels of activity, these impacts would not be of such magnitude as to warrant refusal. The proposal is therefore considered to safeguard the amenities of neighbouring occupiers and to comply with Policy 33 of the Horsham District Planning Framework (2015) and emerging Strategic Policy 19 of the Horsham District Local Plan 2023–2040.

Trees:

Policy 33 of the Horsham District Planning Framework (2015) requires development to respect existing landscape features and secure the protection of trees where appropriate.

Strategic Policy 17 (Green and Blue Infrastructure and Biodiversity expects development to retain and enhance existing priority habitats and trees, with additional planting where appropriate, whilst maintaining and enhancing the wider green infrastructure network. It also seeks to ensure that habitat enhancement and additional tree planting take account of the local landscape context, ecological connectivity and climate resilience.

Strategic Policy 13 (Landscape and Settlement Character, Development Patterns and the Natural Environment) and Strategic Policy 19 (Development Principles) are also relevant, requiring existing landscape characteristics and features, including trees and hedgerows, to be retained and protected wherever possible and incorporated positively into the design and layout of development.

A number of representations have raised concerns regarding the previous removal of two mature Oak trees from the site, the adequacy of the submitted arboricultural information and the limited opportunity for replacement landscaping within the subdivided plot.

It is acknowledged that two mature Oak trees formerly stood within the site and made a positive contribution to the character of the area. However, those trees were removed prior to the submission of the application and were not protected by a Tree Preservation Order. Their removal does not therefore form part of the current application and the proposal must be assessed on the basis of the site's existing circumstances.

The application has been accompanied by an Arboricultural Impact Assessment, Arboricultural Method Statement and Tree Protection Plan. Whilst objectors note that the arboricultural report references an earlier iteration of development, the Council's Tree Officer has reviewed the submitted information and raises no arboricultural objection to the proposal.

The Tree Officer notes that no trees within or adjacent to the site are subject to statutory protection and further confirms that the Root Protection Area of the notable off-site Oak tree, insofar as it extends into the application site, would remain free from built development and ground disturbance. This addresses the principal arboricultural concern raised in relation to the previous scheme.

The Tree Officer advises that the proposed siting of the dwelling and associated parking area is acceptable from an arboricultural perspective, subject to the tree protection and construction measures

contained within the submitted Arboricultural Method Statement, Arboricultural Impact Assessment and Tree Protection Plan being fully implemented throughout the construction phase.

Whilst the subdivision of the site will inevitably reduce opportunities for landscaping when compared with the existing situation, sufficient space remains within the site for additional planting and soft landscaping. Details of hard and soft landscaping, including replacement tree planting where appropriate, can be secured by condition.

Subject to compliance with the submitted arboricultural documentation and the implementation of an appropriate landscaping scheme, the proposal is considered acceptable in arboricultural terms and complies with Policy 33 of the Horsham District Planning Framework (2015).

Highways Impacts

Policy 40 of the Horsham District Planning Framework requires development to provide safe and suitable access for all users and to ensure that transport impacts are appropriately addressed. The National Planning Policy Framework (2026) seeks to ensure that development provides safe and suitable access for all users and advises that development should only be refused on highways grounds where there would be an unacceptable impact on highway safety, or where the residual cumulative impacts on the road network would be severe.

Strategic Policy 24 (Sustainable Transport) seeks to promote sustainable transport choices, prioritising walking and cycling and ensuring that development provides safe, attractive and direct connections to existing pedestrian and cycle networks. Policy 25 requires adequate parking facilities to be provided in accordance with adopted standards, whilst ensuring that parking is appropriately designed and does not conflict with highway safety, residential amenity or the quality of the street environment.

In addition, Strategic Policy 19 (Development Principles) requires good street design which prioritises pedestrians and cyclists, provides safe and convenient vehicle and cycle parking, and ensures adequate and safe access for servicing and waste collection.

A number of objections have raised concerns regarding highway safety, on-street parking pressure, obstruction of the turning head, and increased traffic associated with the proposed dwelling. These concerns have been carefully considered alongside the consultation response provided by the West Sussex County Council Local Highway Authority (LHA).

The LHA confirms that the proposed access arrangements are acceptable and that the revised plans satisfactorily address the matters previously raised in relation to vehicle access. The proposal would provide a new vehicular crossover together with off-street parking provision for both the proposed and existing dwellings. The LHA advises that Churchill Avenue is a low-speed residential cul-de-sac where actual vehicle speeds are likely to be below the posted speed limit and notes that there is no collision data indicating an existing highway safety issue in the vicinity of the site.

Concerns have been raised that the proposal would exacerbate existing parking pressures associated with school drop-off and pick-up periods and the nearby recreation ground. Whilst these concerns are acknowledged, the proposed development comprises a single additional dwelling and the LHA does not consider that the resulting vehicle movements would materially affect the safe operation of the local highway network. Similarly, there is no evidence before the Council to demonstrate that the proposed access would prejudice the continued operation of the turning head or impede access for refuse, delivery or emergency vehicles.

Whilst concerns regarding existing on-street parking pressures are acknowledged, the LHA advises that such matters are principally issues of parking demand and residential amenity rather than highway safety, and do not provide evidence that the proposal would result in an unacceptable impact on the operation of the highway network.

The proposal includes off-street parking and cycle parking provision in accordance with the Council's and County Council's adopted standards. The LHA considers the parking provision to be acceptable for

both the proposed and retained dwellings. Any necessary vehicular crossover licence would be secured separately under the relevant highways legislation.

Having regard to the advice of the Local Highway Authority and the scale of development proposed, officers are satisfied that the proposal would not result in an unacceptable impact on highway safety and would not give rise to a severe residual cumulative impact on the operation of the road network. The proposal is therefore considered to accord with Policy 40 of the Horsham District Planning Framework and the transport objectives of the National Planning Policy Framework (2026).

Biodiversity Net Gain (BNG):

Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) requires most developments to deliver a minimum 10% Biodiversity Net Gain (BNG), unless the development falls within one of the exemptions prescribed by the Biodiversity Gain Requirements (Exemptions) Regulations 2024.

The applicant has confirmed that the development site extends to less than 0.2 hectares. The proposal therefore falls within the statutory exemption for developments where the impact does not exceed the relevant de minimis threshold. The development comprises a single dwelling on a site with an area below 0.2 hectares and accordingly does not require the submission of a Biodiversity Gain Plan or the achievement of the statutory 10% Biodiversity Net Gain.

Planning Balance and Conclusion

The proposal would provide one additional dwelling within the Built-Up Area Boundary of Horsham in a sustainable location with good access to services, employment opportunities, schools, public transport and other community facilities. The development would make a contribution towards meeting identified housing needs and represents an efficient use of residential land within an established settlement. In this regard, the proposal attracts significant positive weight, consistent with the objectives of Policies 2, 3, 15 and 16 of the Horsham District Planning Framework and emerging Strategic Policies 1, 2, 37 and 38 of the Horsham District Local Plan 2023–2040, together with the relevant provisions of the National Planning Policy Framework (2026).

The proposal would also make use of an existing residential plot without resulting in unacceptable impacts upon neighbouring amenity, highway safety, trees and biodiversity. These matters are considered neutral in the planning balance as they represent compliance with adopted and emerging planning policy.

The previous appeal decision relating to application DC/25/1668 is a significant material consideration and attracts substantial weight. The Inspector found that the appeal proposal would represent a cramped and overly intensive form of development which would harm the character and appearance of the area through the loss of openness associated with this prominent corner plot. However, the current application has been materially reduced in footprint, floorspace and overall massing. Having regard to these amendments, Officers are satisfied that the revised scheme has successfully addressed the principal concerns identified by the Inspector.

Whilst the proposal would inevitably result in some reduction in the openness currently afforded by the side garden of No. 35 and would introduce additional built form on a prominent corner site, the harm arising from this is considered limited. The proposal would retain adequate spacing between the existing and proposed dwellings, provide suitable private amenity areas for both properties, and would not appear as a cramped, contrived or overly intensive form of development within the street scene.

In considering the overall planning balance, significant weight is afforded to the relevant policies of the emerging Horsham District Local Plan 2023–2040, which support sustainable development within defined settlements, the delivery of additional housing and the efficient use of land, whilst requiring development to respond appropriately to its surroundings. Officers consider that the proposal satisfactorily addresses these requirements, particularly those relating to development principles, design quality and residential amenity.

Taking all matters into account, the limited harm arising from the partial loss of openness does not outweigh the benefits associated with the provision of an additional dwelling in a sustainable location. Officers therefore conclude that the proposal accords with the Development Plan when read as a whole, with significant weight also afforded to the emerging Local Plan, and that the material considerations support the grant of planning permission.

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
Market Housing C3	120m^2	0	120m^2
		Total Gain	120m^2
		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 **Pre-Commencement Condition**: No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters;

- the anticipated number, frequency and types of vehicles used during construction,
- the method of access and routing of vehicles during construction,
- the parking of vehicles by site operatives and visitors,
- the loading and unloading of plant, materials and waste,
- the storage of plant and materials used in construction of the development,
- the erection and maintenance of security hoarding,
- the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),

Reason: As this matter is fundamental in order to consider the potential impacts on the amenity of nearby occupiers during construction and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

4 **Pre-Commencement (Slab Level) Condition**: No development above ground floor slab level of any part of the development hereby permitted shall take place until a schedule of materials and finishes and colours to be used for external walls, windows and roofs of the approved dwelling has been submitted to and approved by the Local Planning Authority in writing and all materials used in the construction of the development hereby permitted shall conform to those approved.

Reason: As this matter is fundamental to enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with Policy 33 of the Horsham District Planning Framework (2015).

5 **Pre-Commencement Condition**: Construction of the development shall not commence until details of the proposed means of foul/surface water drainage disposal have been submitted to and approved in writing by the Local Planning Authority in consultation with Southern Water.

Reason: To ensure that the site is served by an appropriate means of foul and surface water drainage, to prevent an increased risk of flooding, pollution, or unacceptable overloading of existing drainage infrastructure, in accordance with Policy 38 of the Horsham District Planning Framework (2015) and the provisions of the National Planning Policy Framework.

6 **Pre-Occupation Condition**: No part of the development hereby permitted shall be occupied until the cycle parking facilities serving it have been constructed and made available for use in accordance with approved drawing number [PLN 06]. The cycle parking facilities shall thereafter be retained as such for their designated use.

Reason: To ensure that there is adequate provision for the parking of cycles in accordance with Policy 40 of the Horsham District Planning Framework (2015).

7 **Pre-Occupation Condition**: The dwelling hereby permitted shall not be first occupied until full details of all hard and soft landscaping works shall have been submitted to and approved, in writing, by the Local Planning Authority. The details shall include plans and measures addressing the following:

a) Details of all proposed trees and planting, including schedules specifying species, planting size, densities and plant numbers and tree pit details
b) Details of all hard surfacing materials and finishes;
c) Details of all boundary treatments;

The approved landscaping scheme shall be fully implemented in accordance with the approved details within the first planting season following the first occupation of any part of the development. Unless otherwise agreed as part of the approved landscaping, no trees or hedges on the site shall be wilfully damaged or uprooted, felled/removed, topped or lopped without the previous written consent of the Local Planning Authority until 5 years after completion of the development. Any proposed or retained planting, which within a period of 5 years, dies, is removed, or becomes seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure a satisfactory development that is sympathetic to the landscape and townscape character and built form of its surroundings and delivers a proportionate biodiversity enhancement in accordance with Policy 33 of the Horsham District Planning Framework (2015).

8 **Pre-Occupation Condition**: The dwellings hereby permitted shall be designed and constructed to achieve a maximum mains water consumption rate of 110 litres per person per day, in accordance with Building Regulations Part G and the approved Water Neutrality Statement (prepared by Richard Pitman, 05/10/2025) The approved water-efficiency measures shall be installed prior to first occupation and thereafter retained for the lifetime of the development.

Reason: To limit water use in order to improve the sustainability of the development and to ensure the development is water neutral to avoid an adverse impact on the Arun Valley SACSPA and Ramsar sites in accordance with Policies 31 and 37 of the Horsham District Planning Framework (2015), Paragraph 193 of the National Planning Policy Framework (2024), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority Habitats & Species)

9 **Pre-Occupation Condition**: Prior to the first occupation of each dwelling, the necessary in-building physical infrastructure and external site-wide infrastructure to enable superfast broadband speeds of 30 megabits per second through full fibre broadband connection shall be provided to the premises.

Reason: To ensure a sustainable development that meets the needs of future occupiers in accordance with Policy 37 of the Horsham District Planning Framework (2015).

10 **Pre-Occupation Condition**: No part of the development shall be first occupied until pedestrian visibility splays of 2 metres by 2 metres have been provided either side of both proposed site vehicular access onto Churchill Avenue in accordance with plans and details to be submitted to and approved in writing by the Local Planning Authority. These visibility splays shall thereafter be kept free of all obstructions over a height of 0.6 metre above adjoining carriageway level or as otherwise agreed.

Reason: In the interests of road safety in accordance with Policy 40 to the Horsham District Planning Framework (2015).

11 **Regulatory Condition**: The dwelling hereby permitted shall not be first occupied unless and until the access, parking and turning spaces necessary to service the dwelling have been constructed and made available for use as detailed on the approved plan reference 12 A.

Reason: To ensure that future occupiers are provided with a safe and suitable means of access to the site in the interests of highway safety and operation in accordance with Policy 40 to the Horsham District Planning Framework (2015).

12 **Regulatory Condition**: All works shall be executed in full accordance with the submitted Arboricultural Impact Assessment/Method Statement and Tree Protection Plan prepared by SouthOaks Arboricultural Consultancy, Document ref: 35 Churchill Avenue, Horsham, dated 03 October2025

Reason: To ensure the successful and satisfactory protection of important trees, shrubs and hedges on the site in accordance with Policies 30 and 33 of the Horsham District Planning Framework (2015).

NOTE TO APPLICANT
The applicant is advised that in addition to obtaining planning permission that they must also obtain formal approval from the highway authority to carry out the site access works on the public highway. The granting of planning permission does not guarantee that a vehicle crossover licence shall be granted because the highway license process considers wider factors than are considered by the Highway Authority at planning stage.

Additional information about the licence application process can be found at the following web page:

http://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-vehicle-crossovers-for-driveways-licence/

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 meet a defined criteria.

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/26/1312
(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
Floor plan	Plans Proposed (Ground Floor Plan)	PLN06	06.11.2026
Elevation plan	Elevations Proposed	PLN 10 rev A	06.11.2026
Section plan		PLN 11 rev B	06.11.2026
Roof plan		PLN 09 rev B	06.11.2026
Floor plan		PLN 08 rev A	06.11.2026
Elevation plan	Elevations Existing	PLN 04	13.08.2026
Elevation plan	Elevations Existing	PLN 03	13.08.2026
Section plan	Section A-A Existing	PLN 05	13.08.2026
Site plan	Plans Existing	PLN 01	13.08.2026

Plans	Plans Existing	PLN 02	13.08.2026
Floor plan	Plans Proposed (First Floor Plan)	PLN 07	13.08.2026
Location & Block plan	Location Map - Block Plan	PLN 13	13.08.2026
Site plan	Site Plan Proposed	PLN 12 A	02.09.2026
Supporting Docs	Arboricultural Method Statement, Impact Assessment and Tree Protection Plan by SouthOaks Arboricultural Consultancy	PG.01	13.08.2026

DELEGATED

Case Officer sign/initial Daniel Holmes Date: 25.11.2026

Authorising Officer sign/initial Tamara Dale Date: 25.11.2026