



DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/26/0230

Cherry Tree Inn, Crawley Road, Faygate, West Sussex, RH12 4SA

DESCRIPTION:

Change of Use from a mixed use ground floor pub and first floor 3 bedroom apartment to a 7 bedroom HMO.

RELEVANT PLANNING HISTORY:

DC/23/1648	The proposed works for this application includes the demolition of a modern extension at the north of the building. We seek confirmation that if this is carried out, it constitutes a material operation and therefore is commencement of both the planning and listed building approvals (LBC-DC-19-1913) and (DC-19-1912). Please refer to Drawing 1073.24E (Lawful Development Certificate - Proposed).	Application Refused on 30.10.2023
DISC/23/0173	Approval of details reserved by condition 3 - (Construction Environmental Management Plan) to approved application DC/19/1912	Application Permitted on 04.01.2024

DESCRIPTION OF THE SITE

The application site lies between Horsham and Crawley, outside of the defined Built-Up Area Boundary (BUAB), and is therefore located within the countryside in policy terms. Colgate has not been designated as a Neighbourhood Plan Area and there is no made plan.

The site comprises the Cherry Tree Inn, a Grade II listed 16th Century timber-framed public house with brick and plaster infilling, together with several associated outbuildings and a car park to the east. The building is situated on a slip road off the A264 Crawley Road, a dual carriageway, with access currently available to Crawley-bound traffic.

The listing description notes a two-storey building with painted brick infill panels, a tiled roof, casement windows, and later additions including a modern bay and veranda.

The pub occupies the south-west corner of the site. To the east and west are residential dwellings, with agricultural buildings beyond. To the rear, the site slopes towards a wooded area adjoining open countryside, with Public Right of Way 1590 (a bridleway) running along the northern boundary of the adjoining field. The High Weald National Landscape lies on the opposite side of the A264.

DESCRIPTION OF THE APPLICATION

The application seeks permission for the change of use of the site from a mixed-use arrangement comprising a ground floor public house and a first-floor three-bedroom flat. However, no substantive evidence has been provided to demonstrate that the first floor has historically operated as a self-contained three-bedroom residential unit. It is considered typical of a public house to have a residential component ancillary to the use of the public house.

The proposal involves the conversion of the building to a seven-bedroom House in Multiple Occupation (HMO), accommodating up to 13 residents. Each bedroom would be served by individual bathroom facilities, alongside the provision of a communal living space and shared kitchen/dining area.

No external alterations to the building are proposed, and the development would not result in an increase in the built form. The existing hardstanding is proposed to provide eight off-street parking spaces. The submitted block plan also indicates provision for cycle parking (13 spaces) and refuse storage. The existing garden area would be retained and used as shared communal amenity space.

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 7 - Strategic Policy: Economic Growth
Policy 9 - Employment Development
Policy 10 - Rural Economic Development
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 26 - Strategic Policy: Countryside Protection
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 35 - Strategic Policy: Climate Change
Policy 36 - Strategic Policy: Appropriate Energy Use
Policy 37 - Sustainable Construction
Policy 38 - Strategic Policy: Flooding
Policy 40 - Sustainable Transport
Policy 41 – Parking

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).

The Council is currently unable to demonstrate a five year supply of deliverable housing sites, with the supply currently calculated as being 1.7-years. The presumption in favour of development within Paragraph 11d) of the NPPF therefore applies in the consideration of all applications for housing development within the District (unless footnote 7 or Paragraph 14 applies to relevant applications), with Policies 2, 4, 15 and 26 now carrying only moderate weight in decision making.

All other policies within the HDPF as itemised above have been assessed against the NPPF and are considered to be consistent such that they continue to attract significant weight in decision making.

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

Strategic Policy 1: Sustainable Development
Strategic Policy 2: Development Hierarchy
Strategic Policy 3: Settlement Expansion
Strategic Policy 6: Climate Change
Strategic Policy 7: Appropriate Energy Use
Strategic Policy 8: Sustainable Design and Construction
Strategic Policy 9: Water Neutrality
Strategic Policy 11: Environmental Protection
Strategic Policy 13: The Natural Environment and Landscape Character
Strategic Policy 14: Countryside Protection
Strategic Policy 15: Settlement Coalescence
Strategic Policy 17: Green Infrastructure and Biodiversity
Strategic Policy 19: Development Quality
Strategic Policy 20: Development Principles
Strategic Policy 23: Infrastructure Provision
Strategic Policy 24: Sustainable Transport
Policy 25: Parking
Strategic Policy 37: Housing Provision
Strategic Policy 38: Meeting Local Housing Needs
Policy 39: Affordable Housing
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

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 Conservation Officer: objection

Any use that preserves special interest and is financially practicable is acceptable in principle. In this case the proposal will not preserve the special interest of the listed building and will introduce a number of physical changes, in order to meet E.H. and building regulations, that will harm historic fabric. For that reason the harm will be less than substantial and at the higher end of the scale.

WSCC Public rights of way: no objection

Natural England: Standing advice

It cannot be concluded that existing abstraction within the Sussex North Water Supply Zone is not having an adverse effect on the integrity of the Arun Valley SAC/SPA/Ramsar sites. Developments within Sussex North must therefore must not add to this impact and one way of achieving this is to demonstrate water neutrality. The definition of water neutrality is the use of water in the supply area before the development is the same or lower after the development is in place.

To achieve this Natural England is working in partnership with all the relevant authorities to secure water neutrality collectively through a water neutrality strategy. Whilst the strategy is evolving, Natural England advises that decisions on planning applications should await its completion. However, if there

are applications which a planning authority deems critical to proceed in the absence of the strategy, then Natural England advises that any application needs to demonstrate water neutrality.

WSCC Highways: No objection

The site is located on Crawley Road, an unclassified road subject to national speed limit. Existing vehicle access arrangements from Crawley Road will remain unchanged, and this appears suitable to serve the proposed use. In addition, the LHA does not anticipate that the proposals would give rise to a material intensification of use of the existing access point.

Eight off-street car parking spaces are proposed to serve this development. Under WSCC Parking Standards for HMO use, the LHA would expect 0.5 car parking spaces to be provided per bedroom. Consequently, the proposed car parking provision would be considered sufficient for a development of this size. Secure storage for 13 bicycles has also been demonstrated in the plans, which will help promote sustainable transport methods.

In 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.

HDC Environmental Health Officer: More Information

Fire safety:

1. There is no information has been provided detailing the fire safety precautions/means of escape in the event of a fire that have been installed as part of the conversion or that were in situ. A copy of the fire risk assessment for the whole building is to be provided. A fire plan of the building is to be included, detailing all designated means of escape from the building, final exit doors that serve the converted residential units, automatic fire detection system, emergency lighting system and 30-minute fire rated protected escape routes.
2. The property will require HMO License, and the property will need to comply with the license conditions.
 - a. Heating:
 - b. The system shall be capable of maintaining the following internal temperatures when the external temperature is -1degrees C
 - c. Living room and dining room 21degrees C
 - d. Bathroom 22degrees C
 - e. Elsewhere 18degrees C
 - f. All storage heaters shall have automatic charge control and thermostatically controlled damper outlet. Living rooms to be provided with a fan assisted combination storage heater with thermostatically controlled top up convector heater.
 - g. Gas Central heating systems should satisfy the design and installation requirements of British Standard 5449: 1990 in accordance with Part L of the current Building Regulations (as amended).
3.
 - a. Ventilation
 - b. 9. All kitchen/living areas must be provided with open-able windows of a suitable size to ensure sufficient ventilation without causing excessive draughts. Provision for openable windows at all hours of the day and night to provide purge ventilation at least 1/20th of the floor area. BS 5925:1991.
 - c. Lighting
 - d. 10. Provision of adequate natural lighting via windows to kitchen, bedroom and living rooms to provide adequate natural lighting. Adequate natural lighting to prevent eye strain in undertaking tasks without artificial light. BS8206 Code of practice Parts 1 & 2. Also, BRE guidance on Natural Lighting.

PUBLIC CONSULTATIONS:

Representations:

3 letters of representation received from 3 addresses objecting to the proposal on the following grounds:

- Harm to the Significance of a Grade II Listed Building. Insufficient justification has been demonstrated, and the Heritage Statement fails to robustly analyse the impacts on historic fabric or layout.
- Loss of a Community Facility The proposed conversion would permanently remove a community asset that has contributed to local social cohesion without sufficient justification.
- The configuration raises concerns about substandard living conditions, including limited natural light, restricted room sizes, and questionable ventilation. This does not meet expected HMO standards and conflicts with local plan policies on maintaining high-quality residential amenity.
- Highway Safety, Access, and Parking Impacts A seven-bed HMO (13-person occupancy) generates significantly higher parking demand than the limited 8 spaces provides for. The site is poorly served by public transport, there are not safe or practical public footpaths serving this site. It also creates an unacceptable impact on highway safety and fails to comply with transport policies requiring safe and suitable access for all users.
- Amenity issues given large HMOs create noise and disturbance at unsocial hours. Site is adjacent to a dual carriageway. Likely exposure to noise, air pollution, and poor living conditions.
- Character and Setting Impacts

Parish Comments:

Parish Council: Objection

Colgate Parish Council have contacted Horsham District Council Planning concerning that this is a listed building. Horsham District Council have confirmed the Listed Building status and the application will have to be re-submitted

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:

Paragraph 83 of the NPPF states that, in order to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, particularly where this would support local services. Where there are groups of smaller settlements, development in one village may support services in a nearby village.

Policy 2 of the Horsham District Planning Framework (HDPF) sets out the overarching spatial strategy, directing the majority of development towards the main settlements. Policy 3 seeks to maintain the existing settlement pattern and ensure development occurs in the most sustainable locations. The application site lies outside any defined Built-Up Area Boundary (BUAB), as identified under Policy 3, and is therefore regarded as being within the countryside in policy terms.

Policy 4 of the HDPF supports the expansion of settlements beyond the BUAB only where specific criteria are met, including allocation within the Local Plan or a Neighbourhood Plan, adjacency to the settlement edge, and demonstration that the proposal meets local housing needs without harming landscape character or prejudicing long-term development. The Council's spatial strategy emphasises that new housing should be focused within the most sustainable settlements, with only limited development elsewhere where justified.

In this case, the site does not adjoin any defined settlement boundary and is instead located within a loose cluster of development in the countryside. As such, it does not align with the spatial strategy set out in Policies 2, 3, and 4 of the HDPF. Furthermore, the proposal does not represent a form of development that is demonstrably essential for a countryside location, as required under Policy 26. The proposed use as a seven-bedroom HMO is not directly linked to the functional needs of the rural economy, nor does it fall within any of the categories of development that are typically supported in countryside locations.

Emerging Strategic Policies 2 and 3 of the draft Horsham District Local Plan (HDLP) similarly reinforce a settlement hierarchy approach, directing development to defined BUABs and supporting extensions to settlements only where sites are allocated and adjoin existing settlement edges. As the application site lies outside these defined areas and lacks a functional relationship with a settlement boundary, the proposal conflicts with the emerging policy direction.

While the Council's 'Shaping Development in Horsham District' position statement provides flexibility in light of housing land supply constraints, this approach primarily supports sites that are adjacent to settlement boundaries and can demonstrably contribute to sustainable patterns of growth. The application site fails to meet these criteria, as it does not adjoin a settlement and would represent isolated development in the countryside, with limited access to services and facilities.

In addition to countryside protection policies, Policy 43 of the HDPF seeks to safeguard community facilities, including public houses, unless it can be clearly demonstrated that the use is no longer viable. This requires robust evidence, such as appropriate and sustained marketing, clear demonstration of lack of demand, and consideration of the building's condition and usability.

The Cherry Tree Inn is an established public house and therefore constitutes a valued community facility. While previous applications (including DC/19/1912) referenced issues relating to viability, that evidence is now significantly dated and cannot be relied upon to justify the permanent loss of the use. Although the supporting Planning Statement asserts that there is no commercial interest in the property, no substantive evidence such as marketing details, financial information, or independent viability assessments has been provided to support this claim.

As a result, the Local Planning Authority is not satisfied that the loss of the public house as a community facility has been adequately justified, and the proposal therefore conflicts with the requirements of Policy 43. As assessed above, the proposed development would not be essential to its countryside location and would conflict with policies 2, 4 and 26 of the HDPF and policy 2 and 3 of the emerging draft Horsham District Local Plan.

Design and Appearance:

Policies 25, 32, and 33 of the HDPF promote development that protects, conserves and enhances landscape and townscape character, ensuring proposals deliver high-quality design that responds positively to local distinctiveness and provides a functional and accessible environment. Development should relate sympathetically to its surroundings and contribute positively to a sense of place.

Policy 34 of the HDPF requires development to reinforce the special character of the historic environment through appropriate siting, scale, form and design, ensuring that locally distinctive building forms, features, fabric and settings are preserved and remain legible.

Strategic Policy 21 of the emerging Local Plan is attributed limited weight but similarly seeks to secure high-quality and contextually responsive design.

The application site is located within a rural context and contributes to the wider countryside character, despite some variation in built form within the surrounding area. The proposal would not introduce additional built form and would retain the external appearance of the existing building. Whilst this limits visual change, it does not remove the potential for harm arising from the proposed use and its associated activity.

The Cherry Tree Inn is a Grade II listed building whose significance derives not only from its architectural interest but also from its historic use as a public house, which has formed an integral part of its character and function over time. Although the building may have originally been constructed as a dwelling, its long-standing use as a public house is a key component of its significance and contributes to its communal and historic value.

The proposed change of use to a seven-bedroom HMO would introduce a materially different pattern of activity. Little information has been submitted by way of a Heritage statement submitted as part of the application and the local planning authority are not satisfied that the development would not erode the historic character and setting of the listed building. There would be potential for the level of occupation, comings and goings, and associated domestic paraphernalia to result in an intensified residential use which would fail to respect the established function and its contribution to the rural and historic environment.

Additionally, the Council's Conservation Officer has been consulted during the course of the application and has outlined that the alterations to the building that would arise from the proposed development would result in harm to its historic fabric. Overall, the proposal would result in less than substantial harm to the significance of the designated heritage asset, specifically to its setting and historic use, with that harm considered to fall towards the higher end of the scale.

Paragraph 214 of the NPPF outlines that where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm.

In this instance, the identified harm is not outweighed by the limited public benefits. The public benefits include a 7 bedroom HMO to accommodate 13 people and the benefit of providing employment through the construction process which benefits the local economy. Nevertheless, the 7 bedroom HMO is one single planning unit and the level of harm attributed to the heritage asset would be substantially greater than the limited benefits arising from the proposal, the harm in this regard would represent a permanent harm to the historic fabric of a heritage asset in addition to a loss of a public house. The development would therefore conflict with Policy 34 of the HDPF, as well as the broader objectives of conserving and enhancing the historic environment.

Residential Amenity:

Policy 32 of the HDPF states that development will be expected to provide an attractive, functional, accessible, safe, and adaptable environment that contribute a sense of place both in the buildings and spaces themselves. Policy 33 continues that development shall be required to ensure that it is designed to avoid unacceptable harm to the amenity of occupiers/users of nearby property and land.

In terms of the living conditions of future occupiers, the proposed HMO would provide seven bedrooms, each with access to bathroom facilities, alongside shared communal spaces including a kitchen/dining area and living space. Each of the bedrooms would be of a reasonable size.

In respect of neighbouring amenity, the site is located within a relatively open rural context, with residential properties in the surrounding locality. Whilst the existing use as a public house may generate some level of activity, the pattern of use associated with an HMO of this scale is qualitatively different, particularly in terms of its continuous residential occupation and associated movements throughout the day and evening. It is not however considered that this would have the potential to give rise to increased noise and disturbance when compared to the existing pub use which would have potential for significant noise within the garden and parking areas.

The site is located immediately adjacent to the A264 Crawley Road, a dual carriageway subject to high traffic flows. As such, future occupiers are likely to be exposed to elevated levels of road traffic noise and associated air pollution. In the absence of a Noise Impact Assessment or supporting technical evidence, the Local Planning Authority cannot be satisfied that the level of internal and external noise would be acceptable. This creates uncertainty as to whether the proposal would provide a suitable standard of residential amenity for future occupiers, particularly given the intensified level of occupation associated with an HMO.

Overall, insufficient information has been provided to demonstrate that the proposal would deliver an acceptable standard of amenity for future occupiers, particularly in respect of noise and environmental quality. The proposal therefore conflicts with the requirements of Policy 32 of the HDPF.

Highways Impacts:

Policies 40 and 41 of the HDPF promote development that provides safe and adequate access, suitable for all users.

The applicant has outlined that each bedroom would have a parking space. The WSCC Highway Authority has been consulted on the application and raises no objection. It is noted that the existing access arrangements are considered acceptable to serve the proposed development, and that the level of traffic generation associated with the proposal is not anticipated to result in a material intensification of use of the access. The proposed provision of eight off-street parking spaces accords with WSCC parking standards for HMOs, and appropriate cycle parking is also shown.

In light of this, it is accepted that the proposal would not give rise to a severe impact on highway safety or the operation of the local highway network, and therefore a reason for refusal on highways safety or capacity grounds would not be substantiated.

However, notwithstanding the absence of a technical highways objection, the site remains in a poorly located and unsustainable position in transport terms. The site has limited access to public transport, local services, and pedestrian infrastructure, with no safe or practical footway connections. Future occupiers would therefore be heavily reliant on private vehicles to meet day-to-day needs. Given that the proposal would facilitate up to 13 people within the HMO and the unsustainable location, the proposed level of parking would not in reality be sufficient to meeting the needs of the future occupiers.

In this case, an absence of highways objections does not determine that the proposal is acceptable in terms of parking, although there are no objections in light of highways safety.

Ecology:

Policy 31 of the HDPF states that development will be supported where it demonstrates that it maintains or enhances the existing network of green infrastructure. Development proposals will be required to contribute to the enhancement of existing biodiversity, and should create and manage new habitats where appropriate.

Circular 06/2005 identifies that the presence of protected species is a material consideration when considering a development proposal that, if carried out, would be likely to result in harm to the species or its habitat. Therefore, it is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed application, is established before planning permission is granted. Information on biodiversity impacts and opportunities should inform all stages of development, and an ecological survey is usually necessary where the type and location of

development are such that the impact on biodiversity may be significant and existing information is lacking or inadequate.

No information has been submitted in support of the application with respect to potential protected species on site. The existing garden is overgrown grass and a number of trees on site. There is potential within the site for protected species, particularly bats which may be harmed as a result of the proposed development. Furthermore, the change of use would involve some internal works and lighting changes when viewed in combination with the lack of information submitted that the local planning authority cannot rule out harm. Subsequently, additional mitigation may be required. Overall, the proposal is contrary to policy 31 of the HDPF.

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 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.

Climate Change:

Policies 35, 36 and 37 require that development mitigates to the impacts of climate change through measures including improved energy efficiency, reducing flood risk, reducing water consumption, improving biodiversity and promoting sustainable transport modes. These policies reflect the requirements of Chapter 14 of the NPPF that local plans and decisions seek to reduce the impact of development on climate change.

Should the proposed development be approved, the following measures to build resilience to climate change and reduce carbon emissions:

- Requirement to provide full fibre broadband site connectivity

- Dedicated refuse and recycling storage capacity
- Cycle parking facilities
- Electric vehicle charging points

Subject to these conditions the application would suitably reduce the impact of the development on climate change in accordance with local and national policy, in the event that planning permission were to be granted.

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 proposal would represent a de minimus exemption.

Conclusions and Planning Balance:

Planning permission is sought for the conversion of a public house to a seven-bedroom 13 person HMO. As the site is not allocated for development with the HDPF or a made neighbourhood plan, owing to the site's location outside of the built-up area boundary, resulting in the loss of a public house, the principle of the development is resisted under Policies 1, 2, 3, 4, 26 and 43 of the Horsham District Planning Framework, and would not represent sustainable development in light of the NPPF.

As per the preceding sections of this report, the granting of this permission would conflict with Policies 1, 2, 3, 4, 26 and 43 of the HDPF owing to the site's rural location, and the lack of sufficient evidence demonstrating that the existing use is no longer viable. This conflict with the development plan is afforded *significant weight*, as it would undermine the strategic process of allocating housing sites for development in appropriate locations, and the democratic process of selecting sites within Neighbourhood Plans.

The Council currently benefits from a deliverable supply of housing sites of 1.7 years. Therefore, the presumption in favour of sustainable development at paragraph 11(d) of the NPPF is engaged in this instance. With this in mind, the significant weight attributed to the conflict with the plan is tempered to *moderate weight*.

NPPF paragraph 11(d)(i) states that where there are no relevant development plan policies in place, the policies that are considered most important for the determination of applications (in this case, Policies 1, 2, 3, 4 and 26 of the HDPF, owing to the lack of a five-year housing land supply) permission should be granted unless there is a *strong* reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. Footnote 7 of the NPPF clarifies the circumstances in which this exception applies.

In the case of the present application, as set out above, the proposal would amount to less than substantial harm (on the higher end of the scale) on the fabric of the Grade II listed building. In addition, the benefits of the proposal would not outweigh this harm as per Paragraph 214 of the NPPF. As such, Paragraph 11(d)(i) is disengaged such that the conflict with the development plan can be afforded *significant weight* in the planning balance.

The provision of housing of any type would attract a *significant* weight. However, the Council considers that this benefit would be tempered given the negligible contribution to the supply. The degree of contribution that one HMO would make is negligible such that the benefit arising from this in tackling the shortage is of diminished significance. This is therefore afforded moderate weight as a benefit of the proposal.

It is acknowledged that a conversion to an HMO would bestow some socio-economic benefits, such as the creation of temporary jobs during the conversion, and additional expenditure to the local economy post-completion. However, these benefits would be temporary in the short-term, and negligible in the long-term. Nonetheless, they are afforded *limited weight* as a benefit of the proposal.

In addition to the identified conflict with the Local Plan and resultant heritage harm, the applicant has also not demonstrated to the satisfaction of the Local Planning Authority that prospective occupants of the HMO would benefit from adequate amenity protection from noise emitting from the A264. Furthermore, insufficient information has been received to demonstrate that the proposed conversion would not result in adverse harm to potential protected species. These harms are respectively afforded *moderate weight*.

The proposal's ability to demonstrate safe access and suitable parking and the use of sustainable technologies and improved energy efficiency are not considered benefits to the scheme but would rather be necessary to demonstrate compliance with local planning policies.

The benefits afforded to the provision of the HMO in the context of a housing shortfall are acknowledged. However, this would not be outweighed by the adverse impacts arising from the development, including the conflict with the development plan in regards to location and principle of development (significant weight), the long lasting harm to the listed building (significant weight) and the potential for harm to prospective occupants and protected species (moderate weight). On balance, the principle of the development is therefore resisted, and the proposal is therefore recommended for refusal.

Recommendation: Application Refused

Reason for Refusal:

- 1 The development would enable a residential use within a countryside location outside of the built-up area boundary of any settlement, on a site which has not been allocated for development within the Horsham District Planning Framework (2015) or an adopted Neighbourhood Plan. The development would be contrary to the overarching strategy and hierarchical approach of concentrating development within the main settlements and is not essential to its countryside location. There are no material considerations which outweigh this harm, and the proposal represents unsustainable development contrary to Policies 1, 2, 3, 4, and 26 of the Horsham District Planning Framework (2015), and the National Planning Policy Framework (2024).
- 2 The applicant has not demonstrated (by way of sustained marketing evidence) to the satisfaction of the Local Planning Authority that the existing public house is no longer viable to justify the proposed change of use. The proposal would therefore result in the permanent loss of an established public house, contrary to Policy 43 of the Horsham District Planning Framework (2015).
- 3 The proposed development, by reason of the intensity and nature of the residential use, the associated internal alterations required to facilitate a seven-bedroom HMO, and the introduction of domestic paraphernalia and activity, would fail to preserve the special architectural and historic interest of the Grade II listed building. The proposal would erode the building's historic plan form, fabric and longstanding public house function, and would harm its significance and rural setting through an incongruous and intensified form of residential occupation. The resulting harm to the designated heritage asset would be "less than substantial" (on the upper end of the scale) and is not outweighed by public benefits. The proposal therefore conflicts with Policy 34 of the Horsham District Planning Framework (2015) and National Planning Policy Framework (2024).

- 4 The proposed development, by reason of its siting immediately adjacent to the A264 Crawley Road, a dual carriageway subject to high traffic flows, and in the absence of a Noise Impact Assessment or appropriate mitigation measures, would fail to demonstrate that future occupiers would be afforded an acceptable standard of living conditions, particularly in respect of noise and environmental quality. As such, the proposal is contrary to Policy 33(2) of the Horsham District Planning Framework (2015).
- 5 Insufficient information has been provided to demonstrate that the proposed development would have no adverse impact on protected species and their habitat, contrary to Policy 31 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/26/0230

Schedule of plans/documents **not approved**:

Plan Type	Description	Drawing Number	Received Date
Location plan		25/029_S0.1	21.04.2026
Supporting Statement	Planning and Heritage	NONE	21.04.2026
Floor plan	PROPOSED FIRST FLOOR PLAN	25/029_P2	10.02.2026
Elevation plan	PROPOSED FRONT AND SIDE ELEVATIONS	25/029_P3	10.02.2026
Floor plan	PROPOSED GROUND FLOOR PLAN	25/029_P1	10.02.2026
Elevation plan	PROPOSED BACK AND SIDE ELEVATIONS	25/029_P4	10.02.2026
Site plan	EXISTING SITE PLAN	25/029_S0	21.04.2026
Floor plan	EXISTING GROUND FLOOR PLAN	25/029_S1	10.02.2026
Floor plan	EXISTING FIRST FLOOR PLAN	25/029_S2	10.02.2026
Elevation plan	EXISTING FRONT AND SIDE ELEVATIONS	25/029_S3	10.02.2026
Elevation plan	EXISTING BACK AND SIDE ELEVATIONS	25/029_S4	10.02.2026

DELEGATED

Case Officer sign/initial Hannah Darley Date: 15th June 2026

Authorising Officer sign/initial RHERMITAGE Date: 16.06.2026