DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/25/0741
Aglands Farm, Picts Lane, Cowfold, West Sussex, RH13 8AN

DESCRIPTION:

Variation of Condition1 and Removal of Conditions 2 and 3 of previously approved application DC/24/1608 (Change of use of part of an agricultural building to Use Class B8 (storage) and erection of a toilet block (retrospective)) to amend the Water Neutrality Strategy.

RELEVANT PLANNING HISTORY:

DC/24/1608	Change of use of part of an agricultural building to Use Class B8 (storage) and erection of a toilet block (retrospective).	Application Permitted on 05.03.2025

DESCRIPTION OF THE SITE

The application site forms part of Aglands Farm, located on Picts Lane to the south of Cowfold. The wider site is in agricultural and commercial use, containing a range of agricultural buildings and storage areas. The subject building is a modern steel-framed structure of approximately 780m² gross internal floor area, with part already in B8 (storage) use following the grant of planning permission under DC/24/1608. The surrounding area is predominantly rural, comprising open countryside and farmland, with sporadic residential and farmstead development. The site lies within the Sussex North Water Supply Zone.

DESCRIPTION OF THE APPLICATION

The application seeks permission for the variation of Condition 1 and removal of Conditions 2 and 3 of planning permission DC/24/1608. That consent allowed the change of use of part of an agricultural building to Use Class B8 (storage) and the erection of a toilet block (retrospective). Condition 1 presently requires compliance with a Water Neutrality Strategy dated 29 January 2025. As the amended strategy now contains the detail and evidence required by Conditions 2 and 3, these conditions are proposed to be removed.

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 24 - Strategic Policy: Environmental Protection
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 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
Policy 42 - Strategic Policy: Inclusive Communities

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 Neutrality
Strategic Policy 10: Flooding
Strategic Policy 11: Environmental Protection
Strategic Policy 13: The Natural Environment and Landscape Character
Strategic Policy 14: Countryside Protection
Strategic Policy 16: Protected Landscapes
Strategic Policy 17: Green Infrastructure and Biodiversity
Strategic Policy 19: Development Quality
Strategic Policy 20: Development Principles
Strategic Policy 24: Sustainable Transport
Policy 25: Parking
Policy 26: Gatwick Airport Safeguarding
Strategic Policy 27: Inclusive Communities, Health and Wellbeing
Strategic Policy 29: New Employment
Strategic Policy 30: Enhancing Existing Employment
Policy 31: Rural Economic Development
Policy 32: Conversion of Agricultural and Rural Buildings to Commercial, Community and Residential Uses

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:

Natural England: No Objection – Subject to appropriate mitigation being secured.

PUBLIC CONSULTATIONS:

Representations:

None Received

Parish Comments:

Cowfold Parish Council: Objection - Councillors discussed the application and raised concerns about what is going into the new building which will require a toilet block. The application had very limited information.

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:

The principle of the change of use and associated works has already been established through the grant of planning permission DC/24/1608. There are no changes proposed to the approved layout, form or appearance of the building, nor to the nature of the use. The application relates solely to the variation of the approved water neutrality measures.

Design and Appearance:

There are no physical changes proposed beyond those already approved. The design and appearance considerations remain as previously assessed and found acceptable.

Residential Amenity:

No change is proposed to the scale, nature or intensity of the use beyond that approved. The development will continue to operate within the hours and restrictions imposed under the previous consent. Amenity impacts remain as previously considered and acceptable.

Water Neutrality:

The site lies within the Sussex North Water Supply Zone, which sources drinking water from abstraction at Hardham. Natural England’s position statement confirms that it cannot be ascertained with certainty that this abstraction is not having an adverse effect on the Arun Valley SAC, SPA and Ramsar sites. All proposals within this zone that increase mains water demand must therefore demonstrate water neutrality through avoidance and mitigation measures, assessed via a Habitats Regulations Appropriate Assessment.

Under DC/24/1608, water neutrality was secured via high-efficiency fittings in the new toilet block and offsetting through removal of an existing toilet and retrofitting of taps with flow restrictors. The revised strategy (May 2025) achieves greater water savings through installation of ultra-low flush toilets (5L/flush) and removal of both an existing toilet and a high flow tap in a neighbouring building. Baseline use for these facilities was 174.54 L/day, reduced to 81.66 L/day after mitigation, yielding a saving of

92.88 L/day. The proposed B8/storage conversion, with high-efficiency fittings, will require 78.94 L/day, resulting in a net reduction of 13.94 L/day, of which 5% is reserved as a buffer.

As the works are retrospective, the applicant has submitted:

- Photographs of the installed high-efficiency toilets and washbasins in the toilet block.
- Flow rate survey data for the removed toilet and tap.
- Confirmation and photographic evidence of the removal of those fixtures.
- Updated BREEAM water usage calculations showing achieved savings.

The submitted HRA Appropriate Assessment concludes, and Natural England agrees, that with the revised mitigation in place the proposal will not have an adverse effect on the integrity of the Arun Valley designated sites, alone or in combination with other plans or projects, meeting the tests of the Conservation of Habitats and Species Regulations 2017.

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 application is retrospective made under Section 73(A) of the Town and Country Planning Act.

Conclusions:

The variation of Condition 1 to substitute the updated Water Neutrality Strategy, and removal of Conditions 2 and 3, is acceptable. The revised strategy secures a greater water saving than the previous scheme and the mitigation works have al-ready been completed, with evidence provided. The development is therefore confirmed to be water neutral and compliant with the Habitats Regulations. The proposal accords with the development plan, and approval is recommended subject to updated conditions.

Recommendation: Application Permitted

Conditions:

2 **Standard Time Condition**: The development hereby permitted must be commenced by the 05.03.2028.

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

3 **Regulatory Condition:** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order amending or revoking and/or re-enacting that Order), or the Town and Country Planning (Use Classes) Order 1987 (as amended), the 'area for proposed storage' (as shown on Aglands Floor Plan, received on 15.10.2024) hereby permitted shall be used for B8 storage purposes and for no other purposes whatsoever without express planning consent from the Local Planning Authority first being obtained.

Reason: Changes of use as permitted by the Town and Country Planning (General Permitted Development) Order or Use Classes Order 1987 are not considered appropriate in this case and in accordance Policy 33 of the Horsham District Planning Framework (2015).

4 **Regulatory Condition**: The development hereby permitted shall operate in full accordance with the Water Neutrality Strategy prepared by Motion, dated 4 May 2025. The strategy shall be retained as such thereafter.

Reason: To ensure the development remains water neutral and to avoid an adverse impact on the Arun Valley SACSPA and Ramsar sites in accordance with Policy 31 of the Horsham District Planning Framework (2015), Paragraphs 193 and 194 of the National Planning Policy Framework (2023), and to allow the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority Habitats & Species).

5 **Regulatory Condition**: The development shall remain in accordance with the Biodiversity Enhancement Layout and associated details submitted under application reference DISC/25/0144, which was approved on 27th June 2025. These details provide the finalised locations and specifications of the biodiversity enhancement measures outlined in the Bat Assessment Report (AEWC, June 2024).

The approved enhancement measures shall be retained and maintained thereafter in accordance with the approved details.

Reason: To secure biodiversity enhancement in accordance with the Bat Assessment Report and to enable the Local Planning Authority to discharge its duties under Section 40 of the Natural Environment and Rural Communities Act 2006 (as amended), with regard to the conservation of biodiversity.

6 **Regulatory Condition**: The use hereby permitted in relation to the B8 storage area of the building shall not be open for trade or business except between the hours of 08:00 hours to 18:00 hours Mondays to Fridays and 08:00 hours to 13:00 hours on Saturdays nor at any time on Sundays, Bank or public Holidays.

Reason: To safeguard the amenities of neighbouring properties in accordance with Policy 33 of the Horsham District Planning Framework (2015).

7 **Regulatory Condition**: No new external lighting or floodlighting shall be installed other than with the permission of the Local Planning Authority by way of formal application.

Reason: In the interests of the amenities of the locality and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

8 **Regulatory Condition**: Deliveries to the site in relation to the B8 storage area of the building shall not occur unless between the hours of 08:00 hours to 18:00 hours Mondays to Fridays and 08:00 hours to 13:00 hours on Saturdays nor at any time on Sundays, Bank or public Holidays.

Reason: To safeguard the amenities of neighbouring properties in accordance with Policy 33 of the Horsham District Planning Framework (2015).

9 **Regulatory Condition**: All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Bat Assessment Report (AEWC, June 2024) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

Reason: To conserve and enhance protected and Priority species and allow the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations

2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (as amended) and Policy 31 of the Horsham Development Framework.

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/25/0741
(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
Supporting Docs	Cover Letter	NONE	04.05.2025
Location plan		NONE	04.05.2025
Supporting Statement	Water Neutrality	NONE	04.05.2025
Roof plan	Existing and Proposed Roof Plans	NONE	12.11.2024
Elevation plan	Proposed north and south elevations	NONE	28.10.2024
Elevation plan	Proposed east and west elevations	NONE	28.10.2024
Elevation plan	Existing east and west elevations	NONE	28.10.2024
Elevation plan	Existing north and south elevations	NONE	28.10.2024
Floor plan	Existing Floor Plan	NONE	15.10.2024
Site plan	Existing Site Plan	NONE	15.10.2024
Floor plan	Proposed floor plan	NONE	15.10.2024
Site plan	Proposed site plan	NONE	15.10.2024
Supporting Statement	Bat assessment report	NONE	15.10.2024
Supporting Statement	WC cabins technical specification	NONE	15.10.2024
Supporting Statement	Planning Statement	NONE	15.10.2024

DELEGATED

Case Officer sign/initial Shazia Penne Date: 14.08.2025

Authorising Officer sign/initial Tamara Dale Date: 19.08.2025