Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/25/1141
Barclays Bank Ltd, 84 High Street, Billingshurst, West Sussex, RH14 9QS

DESCRIPTION:
Change of Use and external alterations to provide 1no. retail/commercial unit and 6no. 1 bedroom flats.

RELEVANT PLANNING HISTORY:

DC/21/0909	Change of Use of existing building to provide 1no. commercial unit (Class E) and 6no. 1-bedroom flats with associated external alterations.	Application Withdrawn on 20.07.2023
DC/20/2378	Change of use to provide 1No. retail/commercial unit, 1No. 2-bedroom flat and 1No. 4-bedroom dwelling and erection of a double garage	Application Permitted on 03.02.2021
DC/18/1761	Demolition of existing building and redevelopment of the site to provide 1x retail / commercial unit, 5 x dwelling (comprising 5x2-bed houses) parking and revised access road.	Application Permitted on 21.06.2019

DESCRIPTION OF THE SITE
The application site is the former Barclays Bank, located to the west of the High Street, within the built-up area of Billingshurst. The building ceased operating as a bank in 2017 and has been vacant since this time.

The site is located within the designated Village Centre of Billingshurst and within and an area of Primary Retail Frontage. The site is located near various business and residential uses, including dwellings along High Street and Laura Gardens, the adjacent tattoo parlour, and the Kings Arms pub to the north. The site also falls within the Billingshurst Conservation Area and within the setting of a number of Grade II listed buildings including; 'Kings Arms Hotel', 'Southdown House' and '92-94 High Street'.

As existing, the former Bank is two storeys building with a Mansard / flat Roof, Hanging tiles and Faux Domer windows at first floor level. A narrow vehicle access runs along to the south side of the building providing rear access to an area of hard standing and parking. The site slopes down to the west from the Highstreet before rising sharply again. As such the parking area and neighbouring properties to the west located on higher ground.

DESCRIPTION OF THE APPLICATION
The application seeks full planning permission to convert the existing building into six one-bedroom flats and a small shop / retail unit (Class E). Each flat would have a gross internal area (GIA) of between 41 - 55 sqm with four flats proposed on the ground floor and two flats proposed on the first floor. The retail unit would have a GIA of approximately 40 sqm, including a kitchen and WC.

On the front elevation the existing shop front and faux dormers would be removed to be replaced by residential frontage to cover approximately two thirds of the existing frontage. This would include the introduction of two ground floor timber sash windows, two timber doors providing access to flats

1 and 2 and a metal railing in front of the building A new timber shopfront would cover the remaining third with timber windows, a timber door and space for future shopfront signage.

To the side (south) the proposal seeks to two additional windows on the ground floor, one additional window on first floor and to relocate the existing external door. To the rear (west), the proposal seeks to remove the external fire escape, minor alternations to the exiting windows and a new external door. The proposal also includes making good of the existing brickwork and roof tiles and the introduction of roof lights.

To the rear of the building, the proposed seeks 15 parking bays, a small communal amenity area, a communal bin store and cycle storage for 12 bikes.

Amendments:

- During the course of the application the proposal has been amended as follows:
- Amended external amenity areas.
- Amended bin store and cycle storage details
- Revisions to internal layout of dwellings

RELEVANT PLANNING POLICIES

The following Policies are considered to be relevant to the assessment of this application:

The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (2015):

Policy 1 - Strategic Policy: Sustainable Development
Policy 2 - Strategic Policy: Strategic Development
Policy 3 - Strategic Policy: Development Hierarchy
Policy 4 - Strategic Policy: Settlement Expansion
Policy 7 - Strategic Policy: Economic Growth
Policy 9 - Employment Development
Policy 12 - Strategic Policy: Vitality and Viability of Existing Retail Centres
Policy 13 - Town Centre Uses
Policy 14 – Shop Front and Advertisements
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 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 Desing and Construction
Policy 38 - Flooding
Policy 40 - Sustainable Transport
Policy 41 - Parking
Policy 42 - Strategic Policy: Inclusive Communities

Neighbourhood Plan:

Billingshurst Neighbourhood Plan
Policy Bill 1: Billingshurst Built-Up Area Boundary
Policy Bill 2: Housing Design and Character
Policy Bill 3: Energy Efficiency and Design
Policy Bill 7: Retaining and Enhancing the Vitality and Viability of Billingshurst Village Centre
Policy Bill 14: Residential Parking Provision
Policy Bill 16: Multi-Value Sustainable Drainage Systems

Other Relevant Guidance and Policies:

- Planning practice guidance - Flood risk and coastal change
- Billingshurst Parish Design Statement
- HDC Planning Obligations and Affordable Housing Supplementary Planning Document (2017)
- HDC Community Infrastructure Levy (CIL) Charging Schedule (2017)
- Shaping Development in Horsham District Planning Advice Note (2025)
- WSCC Supplementary Planning Guidance (September 2020) - revised county parking standards and transport contributions methodology
- HDC Planning Advice Note: Biodiversity and Green infrastructure (2022)
- HDC Sports, Open Space and Recreation Assessment (2014)
- HDC Open Space, Sport & Recreation Review (2021)
- HDC Play Strategy 2017-2027

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

INTERNAL CONSULTATIONS

HDC Environmental Health: No Objection / Advice

No objection has been raised to the principle of development however, a condition has been requested to restricted to exclude Class E uses: E(b), E(d), E(f), Eg(ii), E(g)(iii). In additional, conditions have been requested to ensure any suspected asbestos is appropriately removed and disposed of.

Additional comments have been provided regarding Housing Standards legislation and internal layout. Several areas have been identified where the internal layout requires changing to ensure space standards / means of escape are met and natural light, ventilation and heating are appropriate.

HDC Waste & Recycling: Objection / Advice

An objection has been raised to the proposed bin store arrangement which would breach the 25m drag distance for loader operatives. No objection has been raised to the size of the bin store, however, it is recommended to be relocated.

HDC Conservation: Advice

The proposal misses the opportunity to improve the appearance of the building and enhance the character of the conservation area. I appreciate the environmental advantage of retaining and converting the existing building but I do still feel that the retention of the building will continue the harm within the conservation area. This harm does exist and is in the moderate to low part of that scale. I am willing to accept that the public benefit of creating new dwellings in a sustainable location will outweigh this continuation of harm.

Should the application be permitted final details of materials, windows, doors, Balustrades and railings and the shopfront are suggested to be secured via conditions.

OUTSIDE AGENCIES

WSCC Highways: No Objection

No objection is raised and it is not considered that the proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network. No issues have been identified with the site / carpark access, although it is noted this is narrow. No vehicular trip generation information has been provided, however, LHA considers that 6 x flats is not anticipated to result in a 'severe' level of vehicle trips and the commercial floor space appears to be reducing.

The plans show 15 x spaces, 10 of which are tandem spaces. As it is states that 2 x spaces are allocated to the commercial unit, it is presumed the remaining 13 x spaces are for the flats which would allow 2 x spaces each plus a visitor space. This is considered to be an overprovision. It is advised the applicant may wish reduce parking provision so as to improve landscaping and manoeuvrability.

The site is also identified as being well suited to sustainable/active travel modes meaning a reliance on the private car for all travel is not wholly necessary.

Conditions to secure cycle parking, Vehicle parking and turning have been requested.

Archaeology: No Objection
Although the site is within an Archaeological Notification Area, the works do not involve any significant below ground disturbance and so I have no archaeological concerns.

Ecology Consultant: Holding Objection.
No information has been submitted in relation to ecology. We are not satisfied that there is sufficient ecological information on protected species available for determination of this application. We recommend that further information on protected species is provided prior to determination.

The site lies approximately 4.7km east of The Mens Special Area of Conservation (SAC) and 10.1km east of Ebernoe Common SAC. The development includes the installation of new roof lights and therefore there may be impacts to bats. No trees on site and therefore a Ground Level Tree Assessment for bats is not required. Survey information for bats is required prior to determination to provide the LPA with certainty of likely impacts on legally protected species and be able to secure appropriate mitigation either by a mitigation licence from Natural England or a condition of any consent.

We also recommend that reasonable biodiversity enhancements for protected, Priority and threatened species should be identified and implemented to secure net gains for biodiversity. The reasonable biodiversity enhancement measures need to be outlined within a separate Biodiversity Enhancement Strategy and secured by a condition of any consent.

PUBLIC CONSULTATIONS
Representations:
8 letters of Objection have been received from 7 addresses, objecting to the application on the following grounds:

- The proposal would worsen existing parking issues and result in loss of parking for residents who currently park on the site.
- Highways concerns from the width of the driveway and access to delivery vehicles.
- Overdevelopment of the building and site
- The size of the proposed flats.
- Loss of residential amenity including loss of light and air flow.
- Harm to the conservation area.
- Limited space is retained as commercial.
- The existing building does not reflect the conservation area.
- Would there be sufficient sewer / drainage capacity.
- Windows would overlook existing dwellings.
- Loss of parking and disruption during construction.
- Bins would block the pavement and bus stop.
- The height difference and retaining wall could cause subsidence or a land slip.
- Views will be obstructed by the height of the building.
- Access to the site is inadequate for emergency vehicles and refuse collectors

Parish Comments:
Billinghurst Parish Council: Support

At the Planning and Environment committee meeting of 5th August 2025, the committee resolved to SUPPORT to this application due to the application providing smaller dwellings near to local shops and replacing a long term vacant building.

Member Comments:
John Trollope Councillor for Billingshurst Ward:
Provided a comment in support.

Sam Bateman Councillor for Billingshurst Ward:
I have comments and queries regarding the application above. In the first instance, I welcome the space returning to use and not sitting idle. This is on the basis that the property is well developed, provides quality residences and coheres well with the existing community and the building's listed status.

1. *On this basis, can you advise how we can support the developer to ensure the building retains / restores as many character features as possible (as are associated with the art-deco period).*
2. *Can you advise whether the kitchen and living space for the proposed flats meet minimum space standards. The proposed units seem incredibly small. I am uncertain whether the units will meet minimum space thresholds (should the district provide guidance on this). If the district does not provide minimum space standards is this something that can be remedied as it is detailed by councils elsewhere.*
3. *I would also like to know about the outside amenity space - 42 sq m amenity space seems low for the number of properties. Can this be enhanced as the locality lacks natural open space as it is and the 42 sq m would be about all the residents of the flats would have easy access to.*
4. *Finally, I note the absence of bicycle storage facilities. I would like to see this remedied to enable prospective residents to have the option to use sustainable transport - for local journeys at least.*
5. *I also note that there are residents seeking assurances on over looking - again if you can offer advice to ensure neighbouring properties are protected as best as possible that would also be helpful.*

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
The main considerations material to this application relate to:

- Principle of Development
- Design and Landscape Impact
- Heritage and Archaeology
- Residential Amenity
- Highways Impacts
- Ecology / Biodiversity Net Gain (BNG)
- Water Neutrality
- Drainage and Flood Risk

Principle of Development:
As it stands, the main planning policy framework that is relevant to development on this site is the adopted development plan which comprises the Horsham District Planning Framework (HDPF, 2015) and the 'made' Billinghurst Neighbourhood Plan (BNP) (May 2019) and the National Planning Policy Framework (NPPF). In accordance with planning law, these documents are the starting point for the assessment of any development proposals in this part of Horsham District.

HDPF Policy 3 establishes the settlement hierarchy of the district and outlines that development will be permitted within defined built-up area boundaries (BUABs) and requires proposals for infilling and redevelopment to be of an appropriate nature and scale to maintain characteristics and function of the settlement within the settlement hierarchy. Billingshurst as a 'small town and larger village' with a good range of services and facilities, strong community networks and local employment provision, together with reasonable rail and / or bus services. BNP Policy BILL 1 specifically provides support to proposal within the BUAB of Billingshurst village.

HDPF Policy 12 recognises the development hierarchy of the District and supports the promotion and encouragement of activities in village centres so that they continue to be the prime focus for community life. This includes maintaining a diverse range and choice of suitable uses and providing convenient, cohesive and concentrated primary area which contains a high proportion of retail uses. HDPF 12 Policy a) and i) provide specific support for suitable residential uses, including within existing older and new buildings.

HDPF Policy 13 outlines that proposals for main town centre uses will be allowed within the defined village centre boundary provided that proposals are an appropriate scale and will complement the vitality and viability of the centre; the proposal is accessible, relates to, and is well connected to the defined frontages of the centres; and the proposal will improve the character, quality and function of the centre as a whole. HDPF Policy 13 additionally seeks to limit the loss of designated Primary and Secondary retail frontages.

BNP Policy Bill 7 seeks to enhance the vitality and viability of Billingshurst village centre. Policy Bill 7b specifically seeks to limit the loss of viable retail space within the primary Shopping Area and the Important Shopping Frontages. The permanent change of use from Class E (Commercial, Business and Service) to residential dwellings is only supported where, the vitality and viability of Billingshurst High Street would be maintained, the premises have been inactive for at least 12 consecutive months and it has been demonstrated that there would be no potential for either reoccupation.

The application site is located entirely within the defined BUAB of Billingshurst and the 'Primary Shopping Area' and 'Important Shopping Frontages' of Billingshurst High Street. The proposal seeks the redevelopment of the site for 6x one-bedroom flats and a ground floor commercial unit / shop front (Class E). This is development is considered to be of an appropriate, nature, scale and density to the settlement of Billingshurst and would be consistent with the wider settlement hierarchy. The principal acceptability of the proposed development therefore accords with HDPF Policy 3 and BNP Policy BILL 1.

The proposal would result in the loss of existing commercial floor space and a reduction in the buildings retail frontage. In this instance, the existing building ceased operating as a bank in November 2017 and has remained unoccupied since this time. The commercial viability of the site was considered under application DC/20/2378, whereby evidence was provided that the site had been marketed for commercial use and was ultimately unviable as a commercial premise. This application (DC/20/2378) was for a comparable scheme, also resulting in the loss commercial floor space and retail frontage and the introduction of a residential uses and is therefore a material consideration in establishing the principle of development.

It is noted that the proposal would result in the loss of approximately 60% of the buildings retail frontage contrary to HDPF policy 13. Notwithstanding this, as outlined above, the site has been demonstrated to be unviable and has formed a vacant frontage within the village since 2017.

Therefore, whilst the proposal would result in a 60% loss in retail frontage, this is not considered to result in harm to the vitality and viability of Billingshurst High Street. In addition, the remaining 30% of the frontage is proposed as a new and smaller unit maintaining a connection to Billinghurst 'Important Shopping Frontages'.

5-Year Housing Supply and presumption in favour
The NPPF was updated in December 2024. NPPF paragraph 78 states that for local plans which are more than five years old from their date of adoption, local authorities should identify and update annually a supply of sites to provide a minimum of a 5 years' worth of housing provision, including an additional 5% buffer or a 20% buffer if the most recent Housing Delivery Test score is below 85% delivery over the last three years.

In December 2025, the Council published the latest Authority Monitoring Report (AMR) which revealed that the Council currently has a housing land supply of 1.7 year against current targets (1st April 2024 - 31st March 2025). In light of this, it is acknowledged that the Council is unable to demonstrate a full 5-year housing land supply, and it is recognised that this forms a material consideration in decision making which triggers the application of the 'tilted balance' at Paragraph 11d of the NPPF.

Summary - Principle of Development
In summary, the proposal would be an appropriate redevelopment of a vacant commercial use and would not result in harm to the vitality and viability of Billingshurst High Street. The proposal is therefore considered acceptable in principle and would accord with HDPF Policies 3, 12 and 13, and BNP Policies BILL1 and BILL 7.

Surface Water and Flood Risk:
HDPF Policy 38 requires development to follow a sequential approach to flood-risk, giving priority to sites and layouts which minimise vulnerability to flood risk and the risk of increasing flooding elsewhere. NPPF Paragraph 181 additionally requires a site-specific flood-risk assessment for development on land at risk of flooding, including surface water flooding, and where development would introduce a more vulnerable use.

Environment Agency flood risk mapping identifies that the site would fall entirely within Flood Zone 1 and is therefore not at risk of fluvial flooding. Notwithstanding this, a large proportion of the sites area is at a high risk of surface water flooding, with an annual likelihood of flooding of 1 in 30. This includes the entire footprint of the building, site access, and front door access to all flats / dwellings. Environment Agency Long term mapping shows this surface water flooding at a depth of between 60cm and 90cm.

In this instance, the proposal seeks the change of use of the building and would not increase the overall level of built form or hardstanding. Officers are therefore satisfied that the proposal would not increase flood risk elsewhere. Notwithstanding this, the proposal would increase the flood risk vulnerability of the sites use from 'Less Vulnerable' use (financial service) to 'More Vulnerable' use (residential).

NPPF Paragraph 176 sets out that applications for a change of use should not be subject to Sequential or Exception test, however, a site-specific flood risk assessment should still be provided which should clearly demonstrated that the proposed layout, design, and mitigation measures would ensure that occupiers and users would remain safe from current and future surface water flood risk for the lifetime of the development.

In this instance, no site-specific flood risk assessment, or surface water drainage strategy has been provided with this application. It has therefore not been demonstrated that the proposal would remain safe from current and future surface water flood risk for the lifetime of the development, particularly given the extent of known surface water flooding and proposal to increase the vulnerability of the site's usage. The proposal is therefore considered contrary to HDPF Policy 38 and the paragraphs 170, 176, 181 and 182 of the National Planning Policy Framework (2024).

Design, Heritage and Site Layout:
HDPF Policy 34 relates to Cultural and Heritage Assets and states that applications should make a positive contribution to the character and distinctiveness of the area and ensure that development in Conservation Areas is consistent with special character of the area.

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

Draft Policy 2 of the Billingshurst Neighbourhood Development Plan states that development should be guided by the Billingshurst Parish Design Statement and should include soft landscaping, courtyard layouts, varying style of housing, and staggered layouts. Development should reflect the scale and vernacular of surrounding buildings, use materials that are in keeping with those of existing buildings, and should preserve and sensitively incorporate existing natural features.

Design and Heritage
The Council's Conservation Officer has noted that the existing building is of a modern design and construction which generates a degree of harm to the conservation area, and as such, the retention of the building will continue the harm within the conservation area. Some limited works are proposed to the building exterior including removing the faux dormers and the rear stairs and introducing new shop front. This is considered beneficial; however, it is noted that the proposal fails to substantially improve the appearance of the building and to enhance the character of the conservation area.

Should the application be approved, the Conservation Officer has requested a pre-commencement condition to secure final details of all external materials, windows, doors, rooflights, Balustrades and railings and details of the shopfront. With this condition in place the visual impact of the proposal on the Billinghurst Conservation area, townscape and heritage assets is considered acceptable in accordance with HDPF Policies 25, 33, and 34, and BNP Policy BILL2.

Site Layout
Whilst the proposals visual impact is considered acceptable, as set out above, HDPF Policy 32 also requires development to provide an attractive, **functional**, accessible, safe and adaptable environment. NPPF Paragraph 135 additionally requires development to function well over the lifetime of the development and create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users

In this instance the proposal seeks to retain the existing building and to work within the sites existing layout with all communal / amenity space to the rear of the building. As such the new communal bin store is proposed to the rear the building and approximately 40 metres from the roadside. HDCs Waste & Recycling Officer has raised an objection to this arrangement noting that this would require large communal bins to be dragged uphill between the bin-store and kerbside and breaching the 25m drag distance for loader operatives. Bins would include x1 1100L for bin for refuse, x1 1100L and x1 360L bins for recycling and a 140L bin for food waste collections. The Waste & Recycling Officer has therefore recommended the bin store be relocated to enable collections.

It is noted that the submitted plan indicates an indicative 'bin day collection point' in front of the building. It is not clear, however, who would be responsible for transferring communal bins to this collection point, particularly given bins would be communal between residents, including potential elderly residents, the scale / weight of bins, the slope of the site, and required drag distance. It also remains unclear if sufficient space for kerbside collection is available or the impact this may have on the conservation area. The indicative provision of a collection point is therefore not considered sufficient to ensure appropriate waste collections are met.

In this instance, as the site layout is highly constrained it is unclear where an alternative bin store could be located without changes to the site layout and quantum of development proposed. It is therefore not considered appropriate to secure details of bin storage via planning condition. In addition, whilst the applicant has noted refuse could be collected privately, no details of this have been forthcoming, and it remains unclear how this would be secured for the lifetime of the development.

Summary - Design, Heritage and Site Layout:
In summary, whilst the visual impact of the proposal on the Billinghurst Conservation area, townscape and heritage assets is considered acceptable, the proposals would fail to provide a functional site layout for the provision for Waste & Recycling collections so as to accord with HDPF Policy 32 and NPPF (2024) Paragraph 135.

Internal layout and Space Standards:
The Council's Environmental Health Officer has outlined the need to accord with Housing Standards legislation. Whilst the matters raised by the officer would primarily fall under separate legislation, include building regulations, the applicant has provided a revised internal layout addressing the matters raised.

This layout has been assessed against nationally described space standard which require dwellings to have a sufficient Gross internal Area (GIA), ceiling height bedroom size, and storage provision. Whilst it is noted that dwellings are constrained, each is considered to meet space standards:

- Flat 1 (42 sqm), Flat 4 (41 sqm) and Flat 5 (41.7 sqm) each meet minimum space standards or a single person 1 bedroom flat.
- Flat 2 (55 sqm), Flat 3 (51.5 sqm) and Flat 6 (51 sqm) meet the space standards two-person 1 bedroom flat.

Each flat is also considered to provide appropriate levels of natural light and means of escape and ventilation. It has been outlined by the applicant that bathrooms and kitchens are capable of being mechanically ventilated. All additional matters raised within the officer's comment would not fall under the remit of planning. Dwellings are therefore considered to accord with nationally described space standards and would provide an appropriate quality of living accommodation for future residents.

Residential Amenity:
HDPF Policy 32 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. HDPF 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.

Due to the change is ground levels, it is not considered that first floor windows on the western elevation would pose unacceptable impacts of overlooking towards neighbouring dwellings. It is noted that the addition of a first-floor window on the southern elevation raises the potential for overlooking into the residential garden / private amenity space of adjacent dwelling '92 Highstreet'. Should permission be granted, obscured glazing can be secured within this window by way of a suitably worded planning condition. With this condition in place it is not considered that the proposal would result in any unacceptable overlooking or loss or privacy.

The Councils Environmental Protection Officer has raised concerns regarding proposed class E use of the shop / commercial unit. Given the broad scope Class E, the officer has recommended that that uses with the potential to impact on the amenity of future occupiers are restricted via condition. Restricted uses would include E(b), E(d), E(f), Eg(ii), E(g)(iii). This would not restrict the premises from operating as a shop or financial / commercial / professional service.

With the above conditions in place the proposal is not considered to result in the unacceptable loss of neighbouring amenity and would accord with HDPF Policy 32 and 33.

Ecology:
HDPF Policy 31 states that development proposals will be required to contribute to the enhancement of existing biodiversity and should create and manage new habitats where appropriate. The Council will support new development which retains and /or enhances significant features of nature conservation on development sites.

The Council's Ecologist highlights the potential for impacts to bats which are a statutory protect species. This is as works are required to the roof of the existing with introduction of roof lights. The building has additionally been vacant since November 2017. It is noted that at the time of the site visit a built up of vegetation was present, including a small tree / scrub to the south west of the site which is understood to be removed.

The application is not accompanied by any ecology information or site-specific surveys. It has therefore not been possible to ascertain, with certainty, the likely ecological impacts of the proposal, including the presence or otherwise of protected species or the extent that they may be affected by the proposal. The Authority's Ecologist has emphasised that the that this should be established prior to the granting of the planning permission as detailed within the ODPM Circular 06/2005.

The application site also falls within approximately 4.7km east of The Mens Special Area of Conservation (SAC) and 10.1km east of Ebernoe Common SAC where proposal should be assessed for significant impacts or severance to flightlines of the Barbastelle bat. In the absence of any ecological information, it has not been possible to undertake a positive Habitats Regulations Assessment (HRA) Appropriate Assessment.

Insufficient information has therefore been submitted to demonstrate the proposal's potential impact on statutory protected species, or to suitably assess the potential impact on the The Mens and Ebernoe Common Special Areas of Conservation. The proposal is contrary to Policy 31 of the Horsham District Local Plan (2015).

Highways and parking:
HDPF Policy 40 states that development will be supported if it is appropriate and in scale to the existing transport infrastructure, including public transport; is integrated with the wider network of routes, including public rights of way and cycle paths, and includes opportunities for sustainable transport. HDPF Policies 40 and 41 promote development that provides safe and adequate access, suitable for all users. BNP Policy Bill 14 requires suitable off-street parking in accordance with accordance with the West Sussex Residential Parking Demand Calculator, and for secure parking of bicycles.

The proposal seeks to use the existing access along the southern elevation of the building. WSCC Highways Authority have reviewed this access, and whilst they note the access is narrow, no concerns have been raised from a highways safety perspective. In addition, it is not considered that the 6 dwellings or commercial unit would result in a 'severe' level of vehicle trips or impact on operational capacity of nearby road network.

The submitted plans include 15 parking spaces, of which 10 would be tandem spaces. This provision is sufficient to provide 2 spaces to the commercial unit, 2 spaces per flat, and 1 visitors space. It is noted that the parking arrangement would be constrained and would likely require considerable manoeuvring from drivers in order to make use of all 15 spaces. Notwithstanding this, an overprovision of parking is proposed, and parking arrangements have been reviewed by WSCC Highways Authority to no objection. The proposal also includes secure cycle store for up to 12 bicycles located to the rear of the building.

It is additionally noted within public representations that neighbouring residents currently use the site for informal parking. This would cease following the proposal and Residents have raised

concerns this may increase parking difficulties elsewhere. Whist this is noted, the use of the site for residential parking is an informal arrangement whilst the site lays vacant. It is therefore not considered to result in the loss of formal parking provision.

The proposal is therefore not considered to have an unacceptable impact on highway safety or result in 'severe' cumulative impact on the highway network. Sufficient vehicle and bicycle parking is proposed, and this could reasonably be secured via a suitably worded planning condition. The proposal therefore accords with HDPF Policies 40 and 41 and BNP Policy Bill 14.

Contaminated Land:
The proposal seeks to reuse an existing building which has the potential to contain asbestos. The Councils Environmental Protection Officer has therefore any potential asbestos is identified, appropriately removed and disposed of, this measure can be secured via way of a suitably worded pre-commencement condition.

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.

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. Natural England standing advice raises no objection to this approach.

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 s.70 of the Conservation of Habitats and Species Regulations 2017, HDPF Policy 31, and paragraph 193 of the NPPF.

Archaeolgy:
The proposal has been reviewed by the Councils Archaeologist who has noted that no significant below ground disturbance is proposed and so no archaeological concerns have been raised.

Conclusion and Planning Balance:
The proposal would be an appropriate redevelopment of a vacant commercial use and would not result in harm to the vitality and viability of Billingshurst High Street. The principle of development is

therefore considered to accord with HDPF Policies 3, 12 and 13, and BNP Policies BILL1 and BILL 7.

Whilst the proposal would not result in significant enhancements to the setting of the Billinghurst Conservation are, the visual impact of the proposal is considered to conserve the setting and would be in accordance with HDPF Policies 25, 33, and 34, and BNP Policy BILL2.

The proposal seeks to introduce a 'more vulnerable' use to the site within a known area of significant surface water flooding. No site-specific flood risk assessment, or surface water drainage strategy has been provided and it has therefore not been demonstrated that the proposal would remain safe from current and future surface water flood risk for the lifetime of the development. The proposal is therefore considered contrary to HDPF Policy 38 and paragraphs 170, 176, 181 and 182 of the National Planning Policy Framework (2024).

Regarding Ecology, insufficient information has been provided so as to demonstrate the proposal's potential impact on statutory protected species, or to suitably assess the potential impact on the The Mens and Ebernoe Common Special Areas of Conservation. The proposal is contrary to Policy 31 of the Horsham District Local Plan (2015) and Paragraph 193 of the NPPF (2024).

The proposal would additionally fail to provide an acceptable and functional site layout so as to allow for the collection of Waste & Recycling by council operative contrary to HDPF Policy 32 and paragraph 135 of the NPPF (2024).

Notwithstanding this, all other aspects other proposal is considered acceptable, or could reasonably be made acceptable by way of a suitably worded planning condition. This includes matters of Highways safety, Water Neutrality, Neighbouring amenity, and accordance with nationally prescribed space standards.

Tilted Balance
This report has acknowledged that the Council is unable to demonstrate a full 5-year housing land supply, and it is recognised that this forms a material consideration in decision making which triggers the application of the 'tilted balance' at Paragraph 11d of the NPPF. In accordance with Paragraph 11d, the Council is required to grant permission unless either (or both) of the following limbs apply:

> '(i) the application of policies in this Framework that protect areas or assets of importance provides a clear reason for refusing the development proposed; or
>
> (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination '

NPPF footnote 7 further expands that NPPF Paragraph 11(d)(i) includes the application of policies pertaining to 'areas at risk of flooding'.

As set out above, the proposal would increase the vulnerability of development with a known area of significant surface water flooding, without a site-specific flood risk assessment and without a drainage strategy. The proposal would therefore be contrary to paragraphs 170, 176, 181 and 182 of the National Planning Policy Framework (2024).

In addition, the proposal has failed to decorate the potential impact on statutory protected species or to the Mens and Ebernoe Common SACs. The proposal is therefore also contrary to paragraph 194 of the National Planning Policy Framework (2024).

Conflict with these Framework policies provides a clear reason for refusing the proposal, as recognised at footnote 7 to Paragraph 11(d).

Benefits and final planning balance
It is noted that the considerations set out above should be balanced against the benefits of the proposal, in this instance the provision of a new commercial unit and 6x 1-bed flats which would generate a modest benefit towards local housing supply. It is not considered that these benefits outweigh the harms identified above. It is, therefore, recommended that planning permission be refused pursuant to Policies 31, 32 and 38 of the Horsham District Planning Framework (2015) and Paragraphs 11(d)(i), 135, 170, 176, 181, 182 and 193 of the National Planning Policy Framework (2024).. The precise reasons for the Council's refusal are provided below.

Recommendation: Application Refused

Reason(s) for Refusal:

1. The proposed development would result in the introduction of a residentaial use within a known area of surface water flooding without the submission of a site-specific flood risk assessments or sufficient information to demonstrated to the satisfaction of the Local Planning Authority that the proposed development would prove safe for its lifetime. The proposal therefore fails to accord with Policy 38 of the Horsham District Planning Framework (2015) and 170, 176, 181 and 182 of the National Planning Policy Framework (2024).

2. Insufficient information has been submitted to demonstrate the potential ecology impact of the proposed development including the potential impacts on statutory protected species, the Mens Special Area of Conservation or the Ebernoe Common Special Area of Conservation. The proposal therefore fails to accord with Policy 31 of the Horsham District Planning Framework (2015) and 193 of the NPPF 2024.

3. The proposal fails to provide a functional site layout so as to facilitate domestic waste collections for the life time of the development. The proposal therefore fails to accord with Policy 32 of the Horsham District Planning Framework 2015 and paragraph 135 of the National Planning Policy Framework (2024).

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/25/1141
(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

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

Plan Type	Description	Drawing Number	Received Date

Elevation & Floor plan	Proposed Layouts & Elevations	1451-03 REV J	15.10.2025
Location & Block plan	Existing	1451-01 REV C	08.07.2025
Block plan	Proposed Block Plan	1451-04 REV F	15.10.2025
Supporting Statement	Planning, Design and Heritage	NONE	08.07.2025
Supporting Statement	Water Neutrality	NONE	08.07.2025
Elevation & Floor plan	EXISTING LAYOUTS & ELEVATIONS	456-02	08.07.2025
Details plan	Bin and Cycle Store Details	1456-05	15.10.2025

DELEGATED

Case Officer sign/initial Sam Whitehouse Date: 05.01.2026

Authorising Officer sign/initial J Hawkes Date: 05.01.2026