



DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/26/0575

The Willows, The Street, Cowfold, West Sussex, RH13 8BW

DESCRIPTION:

Erection of 1 no dwellinghouse in the garden of Cowfold Stores. (Full Application).

RELEVANT PLANNING HISTORY:

DC/26/0576	Erection of 1 no dwellinghouse in the garden of Cowfold Stores. (Listed Building Consent).	Pending
DC/23/1281	Internal and external alterations to create a garden flat from the rear of the consented retail unit under DC/20/0018. External alterations to refurbish the existing timber sash windows on the east and north elevations to replace existing single glazing with 12mm slimline double glazed units. Replace the consented dormer windows under DC/20/0018 to the east and west elevations with conservation style rooflight in the internal clay tiled roof valley on the west elevation (Full Application)	Application Permitted on 05.12.2023
DC/23/1282	Internal and external alterations to create a garden flat from the rear of the consented retail unit under DC/20/0018. External alterations to refurbish the existing timber sash windows on the east and north elevations to replace existing single glazing with 12mm slimline double glazed units. Replace the consented dormer windows under DC/20/0018 to the east and west elevations with conservation style rooflight in the internal clay tiled roof valley on the west elevation (Listed Building Consent)	Application Permitted on 12.12.2023

DESCRIPTION OF THE SITE

This site is located within the built-up area boundary of Cowfold, which is identified as a medium village in the Horsham District Planning Framework (2015). The Willows, at 'Cowfold Stores' is located on the main through road in Cowfold, within the Cowfold Conservation Area. The site lies directly on the mini roundabout within the village centre and backs onto the Grade 1 Listed church St Peters. This site was formerly the village store before this re-located to the nearby Coach House. It is believed the upper floors were previously one residential unit. Since the relocation of the village retail centre in 2014 the building is now a kitchen store at ground floor level with four residential flats (DC/20/0018). The Willows adjoins 'Willows Cottage' residential dwelling which is positioned to the south.

DESCRIPTION OF THE APPLICATION

This application seeks full planning permission for the erection of one detached dwellinghouse within the southern portion of the rear garden area of Cowfold Stores.

The initial plans received indicated a dwelling in the western portion of the garden area associated with Cowfold Stores, proposing a chalet bungalow with two pitched dormers on the front elevation. Following initial comments from the HDC Tree Officer the proposed location of the dwelling was repositioned to the south of the garden area. The elevations were also amended, proposing elevations with a mansard style roof.

The proposed development comprises the construction of a one-and-a-half storey, two-bedroom dwelling positioned within the southern corner of the rear garden. The dwelling would provide approximately 100 square metres of internal floorspace and would measure approximately 11.9 metres in width by 6.7 metres in depth, with a maximum ridge height of approximately 6.2 metres.

The proposed dwelling would be served by a private garden area and would be constructed using the following materials

- Rendered and painted elevations with corbelled flanks to front elevation mirroring listed building
- Capped parapet and recessed to 60 degrees
- Mansard roof covered in clay roof tiles. Concealed
- Gutters and internal downpipes.
- Traditional timber with sliding sash Georgian glazed ground floor windows with Georgian glazed casements in mansard.
- Timber Front door with Georgian glazed top light

The development would be heated by an air source heat pump and includes measures intended to achieve water neutrality. No on-site vehicle parking is proposed, with the application supported by a parking assessment which considers the availability of public parking within the locality.

The proposal is submitted as a windfall residential development located within the defined Built-Up Area Boundary of Cowfold and is accompanied by a Heritage Statement, Parking Statement and Water Neutrality Statement. The application also requires assessment of the impact of the development upon the setting of the Grade II Listed Cowfold Stores and the adjacent Grade I Listed Church of St Peter.

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 12 - Strategic Policy: Vitality and Viability of Existing Retail Centres
- Policy 13 - Town Centre Uses
- Policy 15 - Strategic Policy: Housing Provision
- Policy 16 - Strategic Policy: Meeting Local Housing Needs
- Policy 24 - Strategic Policy: Environmental Protection
- 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 - Flooding
- Policy 40 - Sustainable Transport

Policy 41 - Parking Policy

Cowfold Neighbourhood Plan (2025):

Policy 4: Conservation Area

Policy 9: Residential Development Principles

Policy 13: Housing Mix

Policy 16: Car Parking Provision

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 year. 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 10: Flooding

Strategic Policy 11: Environmental Protection

Strategic Policy 17: Green Infrastructure and Biodiversity

Strategic Policy 19: Development Quality

Strategic Policy 20: Development Principles

Policy 21: Heritage Assets and Managing Change within the Historic Environment

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:

Shaping Development in Horsham (SDPAN)

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:

INTERNAL CONSULTATIONS

HDC Arboricultural: Comment: -

Immediately adjacent to the Northern boundary of the property, within the churchyard, are two mature sycamore trees subject of a Tree Preservation Order (Ref: TPO/0296). The trees make a positive contribution to the landscape character and are worthy of consideration as constraints on potential development of the subject property.

The trees are of fair form and condition for the species. Some minor deadwood is present in the crowns with ivy growth obscuring parts of the main stem structures. The revised dwelling position, tight against the south and eastern boundaries, removes the foundation requirements from within the recommended root protection areas (RPA's) of the two trees.

Two areas of "no-dig" new hardstanding are proposed within the RPA' of the larger multi-stemmed sycamore. The extent of new above ground level hardstanding is marginally greater than the maximum extent of new hardstanding recommended by the relevant design standard (BS5837). On the Eastern boundary it butts up to the existing dwelling which could be an issue in terms of conflict with the damp course that above ground permeable engineering imposes.

The extent/position of hardstanding could be reduced/re-configured to comply with the standard in this respect and not pose a potential indirect issue to the adjacent property. Access to the site is from the north within the RPA of the larger tree. The submitted information and Tree Protection Plan does not satisfactorily assess the realistic impacts of the associated development process or provide appropriate protection from the foreseeable development process.

Whilst some "no-dig" surfacing could be installed with additional ground protection measures, the concept of a fence across the entire width of the site as proposed would make implementation somewhat difficult. The relationship of the trees to the site is relatively poor. The Council would not ordinarily consider that trees of the condition, size and stature of the sycamores would be appropriately pruned to give 5m height clearance over the domestic curtilage of existing properties. This desire appears to be related as much to the operational working space required as opposed to future recreational usage of the garden space.

No detail of where or how services connections would be made have been submitted. Trenching through the key rooting area of the trees would not be condoned.

HDC Conservation: (Original Comments): -

A modest dwelling in this location would not be unexpected. There are a variety of buildings that bound the church yard and add to the character of the conservation area. As long as this building reinforced and reflected a traditional building in terms of materials, detailing and proportions I am satisfied it would not appear out of place and would not harm the character of the conservation area. The details could be dealt with by condition. However, the close proximity to the listed building would result in a cramped plot. There are examples of large outbuildings within the grounds of listed buildings in Cowfold, but the scale of this proposed building will result in harm to the setting of Cowfold Stores. This harm would be less than substantial and at the low end of the scale.

The scale of the building means there will be little garden space for the existing and proposed residence. Although this is not necessarily a heritage concern, am mindful of the potential for conflict and the desire for privacy and how this might manifest physically, would not want to see residential boundary treatments such as close boarded fences or similar.

Final Comments: -

Following revision to the location of the dwelling on the site and substantial changes to the design the harm caused will be greater than previously stated and am no longer able to support the principle of the proposal. The proximity and design of the proposed building gives no opportunity to experience it as one might experience a historic service or ancillary building. The proposed dwelling will crowd the listed building and interfere with opportunity to appreciate it as intended from the rear garden. The design is utilitarian and massive. It is poorly proportioned and does not reflect the sophistication of a classically inspired building that is trying to be presented.

The scale and position of the building means there will be a need to share recreational space between the existing and proposed residence. Although this is not necessarily a heritage concern, am mindful of the potential for conflict and the desire for privacy and how this might manifest physically and would not want to see residential boundary treatments such as close boarded fences or similar.

This harm will be less than substantial harm at the higher end of the scale.

OUTSIDE AGENCIES

Archaeology Consultant: The site is within an Archaeological Notification Area DWS8548– The Historic Market Village of Cowfold. The proposed dwelling has the potential to disturb archaeological remains associated with the historic development of the village and so a programme of archaeological monitoring and recording during construction to be secured by a planning condition is advised.

Southern Water: No Objection, conditions / informatives recommended.

WSCC Highways: 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.

No vehicle access is associated with this site, whilst pedestrian access will be achieved via the existing route from The Street. The LHA would not consider that the proposal for a single residential dwelling would give rise to a significant material intensification of movements on the local highway network.

No vehicular parking is proposed and as such, any parking associated with the development would have to be accommodated on-street. The LHA does not anticipate that this would lead to a highway safety concern, but the LPA may wish to consider the potential impacts on on-street parking from an amenity point of view. I do note that the Planning Statement refers to a parking survey undertaken for a previous application at this site, which suggests that there is capacity to accommodate the anticipated parking demand.

No details regarding cycle parking provision have been provided. The LHA would request that secure and covered cycle parking be provided for this development, to promote sustainable transport methods. It is also unclear if the current proposals may result in the loss of cycle parking for a previously consented scheme at this site, so replacement cycle parking should be sought if this is the case.

Representations:

5 representations have been received, objecting to the application on the following grounds:

Highways, Parking and Access

- Concerns that the proposal provides no on-site parking and would add to existing parking pressures within Cowfold village centre.
- Assertions that the parking survey submitted by the applicant is outdated and no longer reflects current parking demand.
- Concerns that future occupiers would be likely to own one or more vehicles given the limited public transport provision and local employment opportunities.
- Concerns regarding construction access, including the restricted width of the side access, the ability to deliver materials to the site, storage of construction materials, contractor parking, and potential disruption to the highway network during construction.
- Concerns that no emergency vehicle access can be obtained directly to the proposed dwelling.

Residential Amenity

- Concerns regarding loss of privacy and overlooking between the proposed dwelling and neighbouring properties, including windows serving The Willows/Cowfold Stores and adjoining residential properties.
- Concerns regarding loss of daylight and sunlight to neighbouring properties, particularly No. 4 Yew Tree Close.
- Concerns regarding the proximity, height and scale of the proposed dwelling and its impact on outlook from neighbouring properties.
- Concerns regarding potential noise and disturbance associated with the proposed dwelling.

Design and Character / Overdevelopment

- Concerns that the proposal represents overdevelopment of the site and would constitute a cramped form of development.
- Concerns that the dwelling would be out of character with the established pattern, spacing and form of development within the locality and Conservation Area.

Heritage and Conservation

- Concerns regarding the impact of the proposal upon the setting of the Grade II listed Cowfold Stores and the adjacent Grade I listed Church of St Peter.
- Concerns regarding the visual impact of the dwelling when viewed from the churchyard and Conservation Area.
- Concerns regarding potential damage to historic features, including the church setting and historic pathway, during construction.
- Concerns that the site lies within an Archaeological Notification Area and insufficient information has been provided regarding archaeological investigation or mitigation.

Trees, Ecology and Drainage

- Concerns regarding the presence of mature trees, including a yew tree within the churchyard.
- Concerns regarding bats and other wildlife associated with the churchyard.
- One representation raised concerns regarding flooding and requested that an appropriate condition be imposed should planning permission be granted.

Additional Issues

- Concerns regarding the potential future subdivision of the dwelling into two flats or use as a house in multiple occupation.
- Concerns regarding alleged inaccuracies in the naming of neighbouring properties (e.g. references to Yew Tree Close/Paddock Oaks).
- Concerns regarding errors in address descriptions.
- Allegations regarding amendments to Land Registry plans or ownership plans.
- Concerns relating to private boundary maintenance arrangements.
- Concerns regarding the potential impact of construction activities on the structural integrity of neighbouring buildings.
- Concerns regarding compliance with conditions attached to previous planning permissions at the site.
- Concerns regarding the internal layout of the dwelling, including the provision of ensuite bathrooms.

Parish Comments: Object: -

This application is for a two-bed house in a Conservation Area with no provision for parking. The parking references of the 2020 report are completely out of date and do not reflect the resident and commercial parking requirement in 2026. Recent central Cowfold business expansion has further reduced available parking in the village.

CPC question the assumption made in the 2020 report that eight car parking spaces were possible in the forecourt of the old stores - Councillors believe that six is the maximum. Since 2020 more grown-up children are living with parents in Cowfold resulting in some households with 3 -4 cars each.

Partridge Green surgery has recently closed resulting in more daytime vehicles parking in Cowfold to visit the Doctors Surgery. Elevation plans appear to be incorrect direction. This could mean that the property would be overlooked by other properties.

There is concern over the welfare of the grade 1 church pathway as construction traffic will need to access the site across the path. The plans for the original conversion of Cowfold Stores DC/20/0018 and DC/20/0019 included windows to the rear of the property. Although these have yet to be added, on the assumption that the approved plan will be adopted as agreed, these will overlook the property proposed in the application

Member Comments:

Cllr Joanna Knowles, object: -

This application is for a two-bed house in a Conversation Area with no provision for parking in a village with limited bus services and very limited parking.

A new business, a kitchen shop, has opened on the ground floor of this building and customers and staff use the parking spaces in front of the building with customers of the adjoining restaurant using spaces in the evening.

The 2020 report is out of date with parking a constant issue within Cowfold Village centre. The report claims there are 8 spaces in front of The Stores but share CPC's view that there are 6.

The windows in the new plan appear to overlook the existing properties and missing windows from the original conversation plans will overlook the latest application house in the garden.

The WSCC Highways notes that no off-road parking is available and that on street will be used. There is no nearby on street parking. It will not be possible to drop off children, babies or less mobile people at the house. Parking can't be guaranteed in the often-full Allmond centre carpark 300 meters away or on the A281 which has no parking spaces, only width restricting parking which limits the road to one lane.

This is a poor-quality application and represents overdevelopment in a conservation area adjoining a Grade One listed Church and Church Yard.

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:

Policy 3 of the HDPF states that development will be permitted within towns and villages which have defined Built-Up Area Boundaries (BUABs), where proposals are of an appropriate nature and scale that maintain the characteristics and function of the settlement. Policy 2 of the HDPF also seeks to make effective use of previously developed land and sustainable locations.

The application site lies within the defined BUAB of Cowfold, which is identified as a Medium Village within the settlement hierarchy. Cowfold contains a range of services, facilities and public transport opportunities which meet a proportion of residents' day-to-day needs and is therefore considered an appropriate location for additional housing growth.

The proposal would provide one additional dwelling within the built-up area on a site surrounded by existing development. As such, the proposal represents a windfall residential development within a sustainable location. In this regard, regard is also had to Policy 10 of the Cowfold Neighbourhood Plan which supports residential development on unidentified windfall sites within the defined BUAB, subject to compliance with other development plan policies. The principle of an additional dwelling in this location is therefore considered acceptable, subject to detailed considerations.

Design and Appearance:

Policies 32 and 33 of the HDPF seek to secure high quality design that responds positively to local character and distinctiveness. Development should be sympathetic to its surroundings, contribute positively to the townscape, and demonstrate appropriate scale, massing, layout and appearance.

The application site occupies a constrained area of land to the rear of Cowfold Stores, within the historic core of the village. Whilst residential development within the site is not objectionable in principle, the acceptability of the proposal is dependent upon whether the scale, siting and design of the dwelling would integrate successfully within its surroundings without appearing cramped or overdeveloped.

The proposed dwelling would be positioned within the rear curtilage of the listed building and, notwithstanding the amendments made during the course of the application, would occupy a substantial proportion of the available space. In visual terms, the relationship between the proposed dwelling, the existing listed building and the surrounding development would result in a cramped and contrived form of development that fails to reflect the spacious and informal character currently experienced within this part of the site.

The proposal was considered to be utilitarian in appearance, poorly proportioned and lacking the architectural quality expected within such a sensitive historic context. The siting of the building would also prevent it from being perceived as a subordinate structure within the curtilage of the listed building, instead appearing as a competing form of development.

The development would therefore result in a pattern of development that would appear visually intrusive and symptomatic of overdevelopment. The limited separation distances between the proposed dwelling, existing buildings and site boundaries, together with the restricted areas of remaining open space, reinforce this conclusion.

The dwelling would be visible from parts of the churchyard and public footpath network to the north and would fail to respond appropriately to the character, grain and spatial qualities of the site and its surroundings. As a consequence, the development would not constitute high quality design and would fail to make a positive contribution to local character or sense of place, contrary to the above policies.

Heritage

Policy 34 of the HDPF seeks to sustain and enhance the District's historic environment through the positive management of development affecting heritage assets. Development within a Conservation Area will only be permitted where it preserves or enhances its character or appearance, whilst development affecting the setting of a listed building should not adversely affect its significance, special architectural interest, or setting.

The application site lies within the Cowfold Conservation Area and forms part of the curtilage of the Grade II listed building known as Cowfold Stores, described as:

"L-shaped late C17 or early C18 block, refaced with cement. Two storeys. Originally 6 windows. Long and short quoins. Modillion eaves cornice. Hipped roof of Horsham slabs. Projecting bay at south end replaces the 2 original south windows. Modern shop front on ground floor."

The site is also located adjacent to the Grade I listed Church of St Peter and its churchyard, both of which contribute significantly to the historic character and significance of the area.

A modest dwelling within this sensitive historic location would not appear unexpected, with a variety of buildings currently bordering the churchyard and contribute positively to the character of the Conservation Area. However, the proposed development, as identified above, would crowd the listed building and this would erode the ability to appreciate the historic relationship between the principal building and its curtilage. The development would fail to read as a subordinate ancillary structure, with the design failings of the scheme set out in the preceding section.

The development would result in less than substantial harm towards the higher end of the scale to the significance of Cowfold Stores through harm to its setting. Whether there is any public benefit which would outweigh this harm is considered elsewhere in this report.

Archaeology

The application site is located within Archaeological Notification Area DWS8548, identified as the Historic Market Village of Cowfold. The Council's Archaeologist has advised that the site has the potential to contain archaeological remains associated with the historic development of the village. Whilst no objection is raised to the proposal in principle, it is recommended that, should planning permission be granted, a programme of archaeological monitoring and recording during construction be secured by planning condition.

Trees and Landscaping

Policy 33 of the HDPF requires development to respect and, where possible, enhance the landscape and environmental qualities of a site and its surroundings. In addition, the application site lies within the Cowfold Conservation Area, where mature trees make an important contribution to local character and appearance.

Immediately adjacent to the northern boundary of the site, within the churchyard of St Peter's Church, are two mature sycamore trees protected by Tree Preservation Order TPO/0296. The Council's Tree Officer advises that these trees are of fair condition and make a positive contribution to the character of the Conservation Area.

Following the submission of a measured tree survey and amended plans, the revised siting of the dwelling removes the main foundation works from within the root protection areas of the protected trees. The revised proposal is therefore capable, in principle, of being constructed without causing direct harm to the trees, subject to appropriate arboricultural protection measures.

There are though concerns regarding the practical implementation of the development. Access to the site is obtained through an area falling within the root protection area of one of the protected trees and insufficient information has been provided to demonstrate how construction activities, services installation, material storage and site operations could be undertaken without risk to the rooting environment. In particular, no details have been submitted in respect of service connections, and trenching through key rooting areas would not be acceptable. Furthermore, whilst areas of proposed "no-dig" hardstanding could potentially be accommodated, the extent and configuration of the hard surfaces within the root protection area exceed, to a small degree, that normally recommended by BS5837:2012 and may require further refinement.

There are also concerns regarding the relationship between the proposed dwelling and its associated amenity space and the adjacent protected trees. The majority of the proposed garden area would be located beneath, or in close proximity to, the canopy spread and rooting environment of the sycamores. As a result, future occupiers would experience the effects commonly associated with large mature trees, including shading, leaf fall, seed drop and aphid honeydew. The introduction of a further dwelling

within this constrained area would increase the likelihood of future pressure being exerted for pruning or removal works that would not otherwise be justified in arboricultural terms.

Overall, whilst the development could potentially be delivered without direct harm to the protected trees, the proposal would create a constrained relationship between future occupiers and important landscape features that contribute positively to the character of the Conservation Area. The proposal would therefore give rise to concerns regarding the long-term compatibility of the development with the retained trees.

Residential Amenity:

Policy 33 of the HDPF states that development should respect the amenities and sensitivities of neighbouring properties, taking account of the scale, massing, orientation and relationship between buildings. Development should not result in unacceptable harm by way of overlooking, overbearing impact, loss of outlook, or loss of daylight and sunlight.

The nearest residential receptors are the occupiers of the flats within Cowfold Stores, Willows Cottage, Nos. 3 and 4 Yew Tree Close, and Paddock Oaks.

The proposed dwelling would be positioned immediately to the west of Willows Cottage. Owing to its scale, height and proximity to the shared boundary, the development would introduce a substantial built form where there is currently open garden space. Given its position relative to the path of the sun, the proposal would result in a noticeable reduction in daylight and sunlight reaching windows and outdoor areas serving Willows Cottage during the afternoon and evening periods. The dwelling would also create a greater sense of enclosure and would diminish the currently open outlook enjoyed from the rear of the property.

A similar impact would arise in relation to the flats within Cowfold Stores. The proposed dwelling would occupy a significant proportion of the rear garden area and would be located in close proximity to windows serving the existing residential units. As a result, occupiers would experience a reduction in daylight and sunlight, particularly during the afternoon and early evening, together with a more constrained outlook across what is currently an open garden setting. The introduction of the dwelling would materially alter the relationship between the flats and their communal outdoor environment, creating an overbearing form of development when viewed from neighbouring properties.

The proposal would also result in the subdivision of the existing rear garden associated with Cowfold Stores. Whilst some communal amenity space would remain available to existing residents, the residual area would be limited in both size and functionality. Given the number of flats already approved within the building, it is considered that the remaining communal garden space would provide a poor standard of amenity for existing occupiers and would fail to adequately compensate for the loss of the majority of the current open space. In addition, amenity space associated with the proposed dwelling would principally be beneath a tree canopy, which would create less than desirable outdoor space.

Whilst the impacts upon Nos. 3 and 4 Yew Tree Close and Paddock Oaks would be less significant and are not considered to give rise to a refusal reason in their own right, the overall relationship between the proposed dwelling and surrounding properties reinforces the impression of a cramped and constrained form of development.

Taking all matters into account, it is considered that the proposal would result in an unacceptable loss of daylight, sunlight and outlook to existing occupiers, particularly those at Willows Cottage and Cowfold Stores, whilst also leaving an inadequate level of communal amenity space for residents of the existing flats. The proposal therefore conflicts with Policy 33 of the Horsham District Planning Framework.

In terms of privacy, the amended scheme has been designed to minimise opportunities for direct overlooking and it is not considered that the proposal would give rise to unacceptable overlooking impacts upon neighbouring properties.

Highways Impacts:

Policies 40 and 41 of the HDPF seek to ensure that development provides safe and suitable access arrangements and does not result in unacceptable impacts upon the operation of the highway network. Policy 16 of the Cowfold Neighbourhood Plan also seeks to ensure that new development provides appropriate parking provision.

The application proposes the erection of a two-bedroom dwelling with pedestrian access obtained via the existing access route from The Street. No vehicular access or on-site parking is proposed.

A number of representations, including comments from Cowfold Parish Council, raised concern regarding the absence of dedicated parking provision and the impact that future occupiers would have upon existing parking pressures within the village centre. Concerns have also been expressed that the parking survey submitted in support of the application is outdated and does not accurately reflect current parking conditions.

The Local Highway Authority has reviewed the proposal and raises no objection. It advises that the proposal would not result in a significant material intensification of movements on the local highway network and would not have an unacceptable impact on highway safety or lead to severe cumulative impacts on the operation of the highway network. The Highway Authority further advises that whilst any parking demand associated with the development would need to be accommodated on-street, it does not consider this would give rise to highway safety concerns.

The applicant relies upon a parking survey undertaken by Reeves Transport and Planning in March 2020 which identified 64 available parking spaces within 200 metres of the site, and which concluded that the proposed development could be accommodated without exceeding accepted parking stress thresholds. Whilst it is acknowledged that this survey is now several years old and may not fully reflect present parking conditions, no updated survey evidence has been provided by either the applicant or objectors to demonstrate that parking demand has increased to such an extent that a severe parking stress situation would arise.

It is considered that taking into account the available information, while the development would likely create demand for on-street parking this would not be of a magnitude which would adversely impact the highway network, highway safety or neighbouring amenity. It is not therefore considered that a refusal on the basis of inadequate car parking provision could be justified.

The concerns raised regarding construction access and deliveries are noted. However, construction impacts are temporary in nature and can be managed through separate legislation and site management practices, details of which could be secured through condition if necessary.

Should planning permission otherwise be forthcoming, a condition requiring the provision of secure and covered cycle parking would be necessary in the interests of promoting sustainable transport choices.

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.

Drainage and Flood Risk:

Policy 38 of the Horsham District Planning Framework seeks to ensure that development is directed to areas of lowest flood risk and that proposals adequately address flood risk through appropriate assessment and mitigation. The policy requires development proposals to demonstrate that flood risk has been properly considered and that flood risk will not be increased elsewhere. Where there is potential for flooding, proposals should incorporate appropriate sustainable drainage measures and be supported by sufficient technical information to enable a full assessment of flood risk impacts.

The application site lies within Flood Zone 1 and is therefore located within an area of lowest fluvial flood risk. However, the Environment Agency's surface water flood mapping identifies parts of the site as being susceptible to surface water flooding, with some areas subject to a high probability of flooding, equating to a greater than 3.3% annual probability (1 in 30 year event).

Notwithstanding the identified surface water flood risk constraints, no Flood Risk Assessment, drainage strategy, or supporting technical information has been submitted with the application. Consequently, the Local Planning Authority is unable to adequately assess:

- The extent of surface water flood risk affecting the site;
- The vulnerability of the proposed dwelling to flooding;
- Whether the development would increase flood risk elsewhere;
- The suitability and effectiveness of any proposed surface water drainage measures;
- Whether Sustainable Drainage Systems (SuDS) could be appropriately incorporated within the development.

In the absence of this information, the Local Planning Authority cannot be satisfied that the proposal would be safe for its lifetime without increasing flood risk elsewhere, nor that it would adequately manage surface water runoff in accordance with the objectives of the development plan.

The failure to provide sufficient information to demonstrate that the development would appropriately address the identified risk of surface water flooding is therefore contrary to Policy 38 of the Horsham District Planning Framework, in particular criteria 1, 3 and 5, which require development to properly address flood risk and incorporate appropriate drainage measures where there is potential for increased flood risk.

Accordingly, insufficient information has been submitted to enable a full assessment of the flood risk implications of the proposal and this weighs against the development.

Climate Change:

Policies 35, 36 and 37 require that development mitigates 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.

The proposed development includes the following measures to build resilience to climate change and reduce carbon emissions:

- Heating provided by an electrically powered air source heat pump, avoiding the use of mains gas.
- Requirement to provide full fibre broadband site connectivity.
- Dedicated refuse and recycling storage capacity.
- Opportunities for biodiversity enhancement.
- Cycle parking facilities.
- Improved energy performance through compliance with current Building Regulations and the provision of a highly thermally efficient dwelling.

If necessary these measures could be secured through condition and would ensure compliance with the above policy.

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. Every planning permission granted for development in England is deemed to be subject to a condition requiring the submission and approval of a Biodiversity Gain Plan prior to the commencement of development unless an exemption applies.

The Biodiversity Gain Plan must demonstrate how the development will achieve the required minimum 10% BNG through use of the statutory biodiversity metric and how any biodiversity enhancements will be secured and maintained for a period of 30 years.

The applicant has stated that the development qualifies as 'de minimis' development under Regulation 4 of the Biodiversity Gain Requirements (Exemptions) Regulations 2024 and is therefore exempt from the requirement to deliver a minimum 10% Biodiversity Net Gain. However, the application site comprises an area of garden land and, in the absence of sufficient ecological information, the Local Planning Authority is unable to verify the extent or value of existing habitats that would be affected by the development or whether the proposal falls below the statutory de minimis thresholds. This would need to be resolved in the event that planner permission were granted.

Planning Balance and Conclusions:

The application proposes the erection of a single two-bedroom dwelling within the built-up area boundary of Cowfold. The site occupies a sustainable location within a Medium Village, and the principle of an additional dwelling is acceptable having regard to Policies 2 and 3 of the HDPF and Policy 10 of the Cowfold Neighbourhood Plan.

It is acknowledged that Horsham District Council is currently unable to demonstrate a five-year supply of deliverable housing sites and, as such, the presumption in favour of sustainable development set out within paragraph 11(d) of the NPPF is engaged. In these circumstances, planning permission should be granted unless the application of policies within the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development, or any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.

The proposal would result in less than substantial harm, towards the higher end of that spectrum, to the significance of the Grade II listed Cowfold Stores through harm to its setting. The presumption in favour of sustainable development does not apply if the application of specific framework policies protecting designated heritage assets provides a clear reason for refusing the proposed development. It is considered that the development would erode the ability to appreciate the historic relationship between the listed building and its curtilage, while also representing an unsatisfactory form of development in design terms. The scale, massing and siting of the dwelling would result in a cramped and contrived arrangement that would appear as overdevelopment of the site and would fail to respect the character and spatial qualities of its surroundings. This is considered to represent a level of harm which would demonstrably outweigh the benefits derived from the provision of a dwelling on this site.

This view is supported by the further harm identified in respect of the living conditions of existing occupiers, particularly those at Willows Cottage and the flats within Cowfold Stores, through the loss of daylight, sunlight and outlook. Furthermore, the subdivision of the existing garden would leave an inadequate area of communal amenity space for existing residents.

The application is further deficient in that insufficient information has been provided to adequately assess surface water flood risk and drainage impacts despite the site being identified as susceptible to surface water flooding.

Taking into account all relevant matters, it is considered that the public benefits associated with the delivery of a single additional dwelling do not outweigh the identified heritage harm. Furthermore, the cumulative harms arising from the proposal in terms of heritage impact, design quality, overdevelopment, residential amenity, and flood risk significantly and demonstrably outweigh the benefits of the proposal when assessed against the policies of the NPPF as a whole.

Accordingly, notwithstanding the presumption in favour of sustainable development arising from the Council's housing land supply position, the proposal is not considered to represent sustainable development. For these reasons and having undertaken the balancing exercise required by paragraph 11(d) of the NPPF, it is considered that the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits of the proposal. The application is therefore recommended for refusal.

Recommendation: Application Refused

Reasons for Refusal:

1. The development, by reason of its scale, massing, design and siting within the constrained rear curtilage of the Grade II Listed Cowfold Stores, would result in a cramped and intrusive form of development that would cause less than substantial harm to the significance of the listed

building through harm to its setting. The identified public benefits associated with the provision of a single additional dwelling are not considered sufficient to outweigh this harm. The proposal is therefore contrary to Policy 34 of the Horsham District Planning Framework (2015), Policy 4 of the Cowfold Neighbourhood Plan (2019-2031) and the National Planning Policy Framework.

2. The development, by reason of its scale, massing, layout and relationship with surrounding properties and land, would represent a cramped and contrived form of overdevelopment that would fail to respond positively to the character, grain and spatial qualities of the site and its surroundings. The development would not constitute high quality design and would fail to make a positive contribution to local character or sense of place. The development is therefore contrary to Policies 32 and 33 of the Horsham District Planning Framework (2015), Policies 4 and 9 of the Cowfold Neighbourhood Plan (2019-2031) and the National Planning Policy Framework.
3. The development, by reason of its siting, scale and proximity to neighbouring residential properties, would result in an unacceptable loss of light and outlook to occupiers of Willows Cottage and residential flats within Cowfold Stores. In addition, the subdivision of the existing garden would result in an inadequate provision of communal amenity space for occupiers of the existing flats, with the introduction of a further dwelling within this constrained area increasing the likelihood of future pressure being exerted for pruning or removal works that would not otherwise be justified in arboricultural terms. The proposal would therefore fail to provide or maintain an acceptable standard of residential amenity and is contrary to Policy 33 of the Horsham District Planning Framework (2015) and the National Planning Policy Framework.
4. It has not been demonstrated that the development would be safe from surface water flood risk for its lifetime, would not increase flood risk elsewhere, or that appropriate drainage and surface water management measures can be accommodated within the site. In the absence of a Flood Risk Assessment and supporting drainage information, the Local Planning Authority is unable to fully assess the flood risk implications of the proposal. The proposal is therefore contrary to Policy 38 of the Horsham District Planning Framework (2015) and the National Planning Policy 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/26/0575

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

Plan Type	Description	Drawing Number	Received Date
Elevation & Floor plan	Proposed plans and elevations 28.5.26	01	05.07.2026
Tree plan	Tree Constraints Plan	None	05.07.2026
Tree plan	Tree Protection Plan	None	05.07.2026
Tree plan	Arboricultural Impact Assessment	None	05.07.2026
Block plan	Proposed Block Plan 28.05.26	None	05.07.2026
Location & Site Plan	Location & Site Plan	7079/001	07.04.2026

DELEGATED

Case Officer sign/initial Daniel Holmes Date: 11/08/2026

Authorising Officer sign/initial Guy Everest Date: 18.08.2026