PLANNING COMMITTEE REPORT

TO:	Planning Committee South
BY:	Head of Development and Building Control
DATE:	19th November 2024
DEVELOPMENT:	Conversion of Lodge to 2No 2-bedroom flats and associated alterations. Erection of 2No. detached 3 bedroom dwellings, and erection of a detached garage building with office above. Associated landscape works.
SITE:	Wood Grange, Henfield Road, Cowfold, West Sussex, RH13 8DT
WARD:	Cowfold
APPLICATION:	DC/24/0511
APPLICANT:	**Name:** Mr Kevin Shaw **Address:** KJS Property Holdings Ltd

REASON FOR INCLUSION ON THE AGENDA: More than eight persons in different households have made written representations within the consultation period raising material planning considerations that are inconsistent with the recommendation of the Head of Development and Building Control.

RECOMMENDATION: To approve full planning permission subject to appropriate conditions and subject to the completion of the necessary section 106 agreement within four months of the decision of this Committee, or such longer period as is agreed by the Director of Place acting reasonably and properly.

1. THE PURPOSE OF THIS REPORT

1.1 To consider the planning application.

DESCRIPTION OF THE APPLICATION

1.2 The application seeks full planning permission for several works within the grounds of Grade II listed Wood Grange. These works comprise:

- The construction of two detached 3-bedroom dwellings in the rear garden of Wood Grange. Both dwellings would be one and a half storeys with pitched roofs, modern tall fenestration and a mixture of external claddings including metal cladding, brick, and vertical metal cladding. Both dwellings would have balconies with glass balustrade.
- The construction of a new garage building with office above between Wood Grange and the two new dwellings. The garage would serve the main dwellinghouse at Wood Grange and provide an office space within the roofspace. The roof would have two pitched dormers and consist of horizontal timber boarding and slate tiles.
- The conversion and remodelling of the garage/studio and one-bedroom flat known as Wood Grange Lodge into two 2-bedroom flats with a separate small ground floor workshop. As

part of the conversion works the render would be removed and replaced with lime render to the non-designated heritage part of the building. The existing fenestration would be replaced with windows framed in metal and painted black. The external surfaces will be vertical oak cladding and standing seam metal cladding. The roof would be remodelled to have three flat roof dormers to the principle roof slope and two small rooflights to the rear roofslope.

1.3 The proposals include associated works including hard and soft landscaping and parking for eight vehicles (excluding the two spaces within the proposed garage).

DESCRIPTION OF THE SITE

1.4 The application site consists of a Grade II listed dwellinghouse located on the west side of Henfield Road known as Wood Grange. Immediately north of Wood Grange, and within its curtilage lies Wood Grange Lodge which comprises a double garage at ground floor and a one bedroom flat at first floor. A section of the Wood Grange Lodge in closest proximity to the main road is considered a non-designated heritage asset. The application site is within the defined built up area boundary of Cowfold.

1.5 The residential dwellings of Bulls House and Bulls Bridge House sit immediately south of the site, beyond which is the boundary of the built-up area boundary of Cowfold and a watercourse. Bulls House is Grade II listed. A recently completed cul-de-sac of houses sits to the rear/west, on the street known as Summer Meadow. The reference for this permission is DC/17/2352. A car showroom sits immediately north of the site, with further properties opposite Henfield Road to the east.

1.6 The site falls within Flood Zone 1, albeit just north of Flood Zone 2 which follows the route of the watercourse.

2. INTRODUCTION

STATUTORY BACKGROUND

The Town and Country Planning Act 1990.

RELEVANT PLANNING POLICIES

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

National Planning Policy Framework

Horsham District Planning Framework (HDPF 2015)
Policy 1 - Strategic Policy: Sustainable Development
Policy 2 - Strategic Policy: Strategic Development
Policy 3 - Strategic Policy: Development Hierarchy
Policy 9 - Employment Development
Policy 15 - Strategic Policy: Housing Provision
Policy 16 - Strategic Policy: Meeting Local Housing Needs
Policy 24 - Strategic Policy: Environmental Protection
Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
Policy 31 - Green Infrastructure and Biodiversity
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
Policy 35 - Strategic Policy: Climate Change
Policy 36 - Strategic Policy: Appropriate Energy Use
Policy 37 - Sustainable Construction
Policy 38 - Strategic Policy: Flooding

Policy 40 - Sustainable Transport
Policy 41 - Parking

Horsham District Local Plan (2023-40) (Awaiting examination)
Policy 1: Sustainable Development
Policy 2: Development Hierarchy
Policy 3: Settlement Expansion
Policy 6: Climate Change
Policy 7: Appropriate Energy Use
Policy 8: Sustainable Design and Construction
Policy 9: Water Neutrality
Policy 10: Flooding
Policy 11: Environmental Protection
Policy 12: Air Quality
Policy 13: The Natural Environment and Landscape Character
Policy 17: Green Infrastructure and Biodiversity
Policy 19: Development Quality
Policy 20: Development Principles
Policy 21: Heritage Assets and Managing Change within the Historic Environment
Policy 23: Infrastructure Provision
Policy 24: Sustainable Transport
Policy 25: Parking
Policy 37: Housing Provision
Policy 40: Improving Housing Standards in the District

Cowfold Neighbourhood Plan (Post-examination)
The Cowfold Neighbourhood Plan (CNP) was subject to Examination in February 2021. The Examiner's Report was published on the 19 April 2021 and recommended that (subject to some minor amendments) that the plan should proceed to Referendum. The Council's Decision Statement was published on 23rd September 2021 and concluded that all recommended amendments are accepted and that the plan can proceed to Referendum. A date for a Referendum has not been announced yet. Despite not being formally 'made', the CNP has been through the relevant public consultation phases and independent Examination (confirming the plans meets the 'basic conditions') and is therefore considered to carry significant weight in decision making.

The relevant Policies in the emerging CNP are:
Policy 1: Ground Water and Surface Water Flood Risk
Policy 2: Green Infrastructure
Policy 9: Residential Development Principles
Policy 10: Windfall Housing
Policy 13: Housing Mix
Policy 15: Communications
Policy 16: Car Parking Provision

PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/21/2798	Replacement of existing UPVC windows, lowering of first-floor ceiling and conversion of loft space above. Installation of conservation rooflight (Householder Application).	Permitted on 25/02/2022
DC/21/2799	Replacement of existing UPVC windows, lowering of first floor ceiling and conversion of loft space above. Installation of conservation rooflight (Listed building consent).	Permitted on 02/03/2022

DC/21/1270 & DC/21/1271	Householder Planning and Listed Building Consent for Extensions, alterations and refurbishment works including removal of existing side conservatory and rear extension and erection of single storey side and rear extensions. Re-roofing of existing roofs, creation of a rear log store, replacement of rear dormers, alterations and replacement of various windows, repair works to main access door, re-rendering and repointing to exterior of building, repair works to chimney and internal alterations, repairs and re-configuration works.	Permitted on 02/09/2021

3. OUTCOME OF CONSULTATIONS

3.1 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

3.2 **HDC Arboricultural Officer: No Objection**

[In full] '*The site has been subject of recent pre-emptive tree felling works (principally mature ash) that has opened the site up to views from the relatively new development to the NW. Subject to an appropriate scheme of landscape mitigation planting that is commensurate to the size and scale of development proposed, I raise no arboricultural concerns.*

The submitted arboricultural report recognises that the centrally positioned mature Thuja is in decline and of limited longer term potential as a feature of merit. It has very limited public visual amenity from the main thoroughfare to the frontage of the property. It is proposed for removal to facilitate the levels change required for the new garage building. Conditions required in relation to tree protection and landscape details.'

3.3 **HDC Conservation**: No Objection

[In full] '*The accompanying heritage statement provides a comprehensive description of the significance of Wood Grange and its setting. Following discussions with the applicant and their agent I am satisfied the design of the proposed development has been improved. However, the development of the site will result in less than substantial harm. A house of this quality, size and age deserves a generous garden area and space in which to be appreciated as more than just a village dwelling. The proposal will significantly reduce the area of garden accessible to any future occupant. I appreciate that the area to the west and behind the house has not always been directly linked with the house. In seeking to redevelop this part of the site thought has been given to ensuring a proportionate area of garden remains usable to the occupants. I am satisfied this retained area is proportionate and will not result in a material detriment to future occupants thereby reducing the perceived value of the house as a family home.'*

The proximity of the new buildings and the conversion of the Wood Grange Lodge will result in a perception of density, within the setting of the listed building, not readily experienced at the moment. However, Wood Grange is experienced as a dwelling in the village and there are a number of neighbouring dwellings arranged with a similar density to the west and south of the site. The design of the new houses reflects an architecture of the twenty first century but with subtle reflection of a vernacular form. The garage is more reflective of a traditional ancillary building in this context. I am also comfortable that the later extension of the former coach house will be remodelled to reflect a contemporary style.

It will still be possible to experience Wood Grange without the new houses concealing or interfering with significant views. Wood Grange will remain recognisable as one of the grander dwellings in the village. I am satisfied that the proposed development will have an impact and this impact will result in harm. The level of harm is less than substantial and at the lower end of that scale. I recognise that public benefit will arise through the creation of housing in this sustainable location. I am satisfied that this public benefit outweighs the harm to the setting of the listed building and for this reason raise no objection on heritage grounds. If you are minded to approve the application I have suggested conditions'.

3.4 **HDC Environmental Health:** Comment
[In full] '*Commercial or agricultural buildings can be subject to significant contamination risks arising from their use, construction and storage of machinery equipment fuels or other chemicals. Potentially hazardous materials may also be incorporated in made ground, yards and hard standings.*

To ensure the application is properly determined a preliminary environmental risk assessment should be provided. If the asbestos register for the building to be converted is not available then an asbestos survey undertaken in accordance with HSG264 should also be provided.

To achieve water neutrality for the development both rainwater harvesting and water offsetting at a property outside the district are proposed. The rainwater harvesting system is to supply water for toilet flushing and washing machine. Water used in washing machines will require treatment in accordance with the DWI Technical Guidance.'

3.5 **WSCC Highways:** Advice
[In full] '*This application is supported by a Highways Technical Note prepared by Motion. Following an inspection of the submitted application documents, WSCC in its role as Local Highway Authority (LHA) raises no highway safety concerns for this application*.

Access and Visibility
The existing vehicular access point on Henfield Road is to be utilised for this development, with no alterations to this arrangement proposed. Visibility splays of 2.4m x 43m have been demonstrated in both directions for the existing access point, in accordance with Manual for Streets (MfS) parameters for a 30 mph speed restriction. An existing boundary wall will be reduced in height to 0.6m to facilitate the northern visibility splay.
Access and egress of the existing access point has been demonstrated for a private car via swept path tracking to the satisfaction of the LHA.

An inspection of collision data provided to WSCC by Sussex Police from a period of the last five years reveals no recorded injury accidents attributed to road layout or defect within the vicinity of the site. Therefore, there is no evidence to suggest the existing access has been operating unsafely or that the proposals would exacerbate an existing safety concern.

Capacity
The Technical Note includes trip generation data ascertained from the TRICS Database. The data suggests that the proposed development would generate 16 daily vehicular movements. Of these movements, two would be during the morning peak and one during the evening peak. The LHA is satisfied that the local highway network can accommodate these additional movements without adverse impact.

Parking and Turning
The plans demonstrate eight car parking spaces and two carport spaces, shared between both the proposed new residential units as well as the existing dwelling. The LHA is satisfied that the proposed parking provision has been provided in accordance with WSCC Parking

Standards for a development of this size and location. On-site turning has been demonstrated via swept path tracking to the satisfaction of the LHA.

Regarding cycles, each of the proposed residential units will be provided with secure cycle parking provision in accordance with WSCC Parking Standards.

Sustainability
The site is situated in Cowfold Village, which does provide some local services and amenities within walking/cycle distance of the site. Bus stops located nearby along the A281 provide hourly services towards Horsham and Brighton.'

Recommend conditions in regards to cycle parking and vehicle parking and turning.

3.6 **WSCC Fire and Rescue:** Comment
[summary] Recommend that an additional fire hydrant is installed within 150metres of the development.

3.7 **Ecology Consultant:** No Objection
[summary] No objection subject to relevant conditions

3.8 **Southern Water:** Comment
[summary] The proposed development is located approximately 260 metres from the Cowfold Wastewater Treatment Works. Due to the potential odour nuisance from a Wastewater Treatment Works, no sensitive development should be located within the 1.5 OdU odour contour of the WWTW. An Odour Assessment will need to be carried out by a specialist consultant employed by the developer to a specification that will need to be agreed in advance with Southern Water to identify and agree the 1.5 OdU contour. The service we provide to review the assessment and/or complete a site survey is chargeable, more information regarding our fees can be found on our website;

Southern Water would not support the proposals for a Private Treatment Plan in the presence of public foul sewerage network in the close vicinity of the development site. The foul sewerage shall be disposed in accordance with Part H1 of Building Regulations hierarchy. It may be possible for the foul flows from the proposed development to be connected to a nearby public sewer, and the applicant shall investigate this option.

3.9 **Natural England (Water Neutrality)**: No Objection
[In full] '*We concur with the conclusion of your authority's HRA appropriate assessment insofar that we have No objections subject to the: delivery, management and maintenance of measures identified in the water neutrality statement to achieve water neutrality'*.

3.10 **NatureSpace:** No objection [Summary]
The ecological report submitted suggests undertaking Precautionary Working Methods to minimise risk to great crested newts. It is considered that this is an appropriate approach for the site and the scale of works. These should be secured via condition.

3.11 **Drainage:** More information required (Summary)
The proposals result in an increased area requiring drainage. Therefore, we recommend the applicant provides the further information, for the proposed drainage system, to ensure compliance with the West Sussex LLFA Policy for the Management of Surface Water Drainage (2018), Building Regulations Part H and Sewage Sector Guidance. This would comprise the following

- A detailed drainage layout, showing pipe sizes, materials, gradients, and outfall location
- Confirmation of permission to connect to a private/public sewer, if applicable, should also be provided

- The applicant must confirm the method of surface water disposal for all impermeable development runoff, in line with the drainage hierarchy (Building Regulations Part H*).

3.12 **Lead Local Flood Authority**: No objection subject to the inclusion of relevant conditions.
The applicant has provided a Flood Risk Assessment (FRA) to account for the local flood risk issues and surface water drainage at this location. Following a review of the submitted documents, the details are in accordance with NPPF and local planning policy.

We have no objection subject to conditions being attached to any consent if this application is approved, and the Applicant is in agreement with pre-commencement conditions.

PUBLIC CONSULTATIONS

3.13 **Cowfold Parish Council**: Objection
The design and development density of two additional houses is wholly inappropriate given the proximity to a listed building. In addition access/egree onto the already over-parked Henfield Road when amplified by additional vehicles belonging to the proposed properties and conversion will create further congestion and increase the likelihood of accidents and incidences occurring.

3.14 **Representations**
17 representations have been received, from 10 different addresses (one letter from outside the district), objecting on the following grounds:
-Design
-Overdevelopment
-Landscaping
-precedent
-Biodiversity
-Harm to heritage asset
-Flooding being increased around the application site and in general

4. HOW THE PROPOSED COURSE OF ACTION WILL PROMOTE HUMAN RIGHTS

4.1 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.

4.2 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.

5. HOW THE PROPOSAL WILL HELP TO REDUCE CRIME AND DISORDER

5.1 It is not considered that the development would be likely to have any significant impact on crime and disorder.

6. PLANNING ASSESSMENTS

Principle of Development

6.1 The site is within the built-up area of Cowfold which is identified by the Horsham District Planning Framework as being a medium sized village, with a moderate level of services and facilities and community networks, together with some access to public transport. These (medium sized) settlements provide for some day to day needs of residents but rely on small market towns and larger settlements to meet a number of their requirements. Policy 3 of the HDPF states that development will be permitted within towns and villages which have defined built-up areas, with infilling and redevelopment of an appropriate nature and scale to maintain the characteristics and function of the settlement. Policy 10 of the Cowfold Neighbourhood Plan (CNP) supports development on unidentified sites within the defined built-up area boundary of Cowfold subject to compliance with other development plan policies. As the proposals fall within the defined built-up area boundary of Cowfold, the principle of development accords with Policies 2 and 3 of the HDPF and Policy 10 of the CNP, subject to all other material considerations as discussed below.

Design, Appearance and Heritage Impacts

6.2 Policies 25, 32, and 33 of the HDPF promote development that protects, conserves and enhances the landscape character from inappropriate development. Proposal should take into account landscape 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.

6.3 Policy 34 of the HDPF states that the Council will sustain and enhance its historic environment through positive management of development affecting heritage assets. Development affecting the setting of a listed will not be permitted which would have an adverse impact on the setting or special architectural character or appearance of a listed building.

6.4 Section 66 of the Planning (Listed Building and Conservation Areas) Act 1990 places a statutory duty of decision makers to '*have special regard to the desirability of preserving the* [listed] *building or its setting or any features of special architectural or historic interest which it possesses.'* Consistent with this statutory requirement, the NPPF recognises the importance of heritage assets and their irreplaceable nature, and so seeks to conserve these in a manner appropriate to their significance. The NPPF seeks to avoid the loss of or harm to the significance of a designated heritage asset, including from development within its setting (paragraphs 201 and 203). Paragraph 208 states that '*Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal'*.

6.5 In high-level design terms, the surrounding area comprises a variable layout including recent housing development to the west on Summer Meadow. In this context there would be no overriding concerns in respect of introducing backland development on this particular site, with the proposals considered well designed, scaled and sited within the site and their own respective plots/curtilages, allowing for appropriate outdoor amenity space. The resultant impact would be in keeping with the existing residential properties within the vicinity which all differ in terms of designs, built forms and plot sizes. The permission for this was DC/17/2352 and included 8 new dwellings with parking, access and landscaping. This has been built out, with the resultant two storey dwellings varying in roof form. The proposed resultant garden amenity spaces would be a comparable size and whilst it includes one pair of semi detached, the remainder of the dwellings are detached.

6.6 Wood Grange is a Grade II listed dwellinghouse which dates from the eighteenth century. The building was altered in the mid to late nineteenth century most notably on its principal elevation, with further twentieth century extensions and alterations. The property reflects a provincial classicism and reinforces an appreciation of the polite architectural style, particularly relevant to its position on the road to Brighton. Wood Grange is a large house but it is not disproportionate in the street scene, being recognisable as a family dwelling. It is noted that Bulls House, which is Grade II listed is the immediate neighbour to the South of the application site.

6.7 The introduction of development to the rear of Wood Grange would inevitably impact on its heritage setting, with the Councils Conservation Officer identifying that the loss of openness to the rear curtilage would result in less than substantial harm to the setting of Wood Grange, at the lower end of the scale. The NPPF states, at paragraph 208, that where a development will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal. The public benefit derived from the scheme would derive from the provision of 2 new dwellings and 2 flats within a sustainable built-up area, these benefits would though be modest and it would be necessary to ensure any backland development is of a sufficient quality as to minimise any impact on the principal listed building.

6.8 The proposed dwellings are unashamedly contemporary in appearance, comprising a pair of detached one-and-a-half storey houses with large contemporary black framed fenestration, a mix of vertical timber and vertical metal cladding to the walls, and standing seam metal cladding to the pitched roofs. The garage would be more traditional in form and finish, comprising an oak frame with slate roof above. The re-modelling of the Lodge would result in a more contemporary finish with oak cladding and a standing seam metal cladding to the walls, and a standing seam metal clad roof, whilst retaining its more historic frontage to Henfield Road.

6.9 Overall, the proposed form and finish of the various aspects of these application proposals would be of a high quality such that whilst harm to the setting of the listed buildings would occur, the Council's conservation officer is satisfied that this would not amount to an objection, with the public benefits of providing additional housing capable of outweighing the less than substantial harm identified. Officers concur that in this instance, the public benefits of the additional housing is sufficient to outweigh the harm to the setting of Wood Grange.

6.10 On this basis, the proposed development is considered to accord with Policies 25, 32, 33 and 34 of the Horsham District Planning Framework (2015), and Paragraphs 208 and 209 of the NPPF.

Impact on Landscape and Trees

6.11 Policy 33 of the HDPF states that development should presume in favour of the retention of existing important landscape and natural features, for example trees, hedges, banks and watercourses. Development must relate sympathetically to the local landscape and justify and mitigate against any losses that may occur through the development.

6.12 Some landscape information has been submitted as part of the plan titled 2 401WO_R0_003 but this is considered indicative, outlining where trees are to be retained and where some new trees will be planted. The Landscape plan does not include mention of the species of the trees or hedging mixes and it is considered that further information would be required as part of a landscape condition. The Council's Arboriculture officer has been consulted during the course of the application and noted that there was some pre-emptive tree felling prior to the application being submitted but overall, there would be no objections to the proposal based on the submitted plans and Arboricultural impacts and method statement, subject to the inclusion of relevant conditions regarding the trees. Tree number 6 would be felled to ground level and no other pruning of the retained trees would occur. There are a number of

trees within the site to be retained. There are therefore no objections to the landscape impact of the proposals based on policy 33 of the HDPF.

Amenity Impacts

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

6.14 Wood Grange benefits from a large garden which would be significantly reduced as a result of the proposed development. Nevertheless, there would remain some amenity space sufficient for a dwelling of this size. The proposal would create two 3-bedroom dwellings and two 2-bedroom flats with sufficient sized rooms and outlook throughout. There would be some small amenity space for each of the dwellings, although it would not be anticipated that the flats would require amenity space given the nature of development. The proposal would result in sufficient accommodation for future occupiers. It is acknowledged that there would be some degree of mutual overlooking from the proposed dwellings, Wood Grange and the flats, however this would be anticipated on an infill development within the built up area and would not be to such an extent that it would be considered to result in an unacceptable impact in privacy or outlook of the future occupiers. It is noted that the separation distances between the dwellings would be modest, but the ground floors of both are open plan with multiple aspects and due to the placement of the first floor windows, no habitable rooms would be unacceptably impacted through lack of access to light. The proposal would not therefore result in harmful or intrusive overlooking of adjoining properties.

6.15 There are residential neighbours to the west and south of the site which would have potential to result in loss of privacy from the development, however in this instance the dwellings are sat forward within their plots such that the overlooking would not be immediate given the dwellings amenity space would result in some distance from the neighbours. Additionally, the openings within the side elevations would be positioned in such a way that the views over Wood Grange would be obscured given the garage and the western most dwelling would be at such an angle that it would only directly overlook onto the road.

6.16 It was noted that Southern Water have objected to the application on the basis of insufficient information with regards to impact of odour from the nearby Waste Treatment Works, requesting that an Odour Assessment be undertaken by the applicants. Since this comment, clarification has been sought in regards to the Southern Water comment received, with Southern Water recommending that the developer contacts Southern Water to discuss the scope of the odour assessment before any works can begin. It is considered that this comment amounts to a recommendation for a pre-commencement condition given that a pre-commencement condition could request an odour assessment is provided prior to development commencing. Additionally, Environmental Health have raised no objection in this regard and have noted that given the distance between the treatment works, its scale and the other residential dwellings in the surrounding locality and their closer proximity to the treatment works it would be unlikely that the odour from the works would be unacceptable to the future occupiers of the development and no mitigation or condition is required on this basis. On this basis, the proposed development is considered to be in accordance with Policies 32 and 33 of the HDPF.

Highways Impacts

6.17 Policy 40 of the Horsham District Planning Framework states that transport access and ease of movement is a key factor in the performance of the local economy. The need for sustainable transport and safe access is vital to improve development across the district. Policy 41 of the Horsham District Planning Framework states that development that involved

the loss of existing parking spaces will only be allowed if suitable alternative provision has been secured elsewhere. Adequate parking facilities must be provided within the developments to meet the needs of the anticipated users.

6.18 It is noted that letters of representation and an objection from the Cowfold Parish Council have been received, with concerns over the development resulting in harm to the highways network including highway safety, increased traffic and insufficient parking within the site.

6.19 The plans shows provision for eight care parking spaces and an additional two within carports which will be divided between the new development and the existing. Highways have not commented on the submitted plans where there are an additional three spaces in advance of the car port which would allow the existing property to have potentially 5 spaces. It is noted however they have not objected in regards to parking. WSCC parking guidance standards provides a table to demonstrate for Parking behaviour 1 zone that for new development of this size and number of bedrooms (2x2 bedroom and 2x 3 bedrooms) that 7.8 spaces would be required. Eight spaces are provided for the new homes as confirmed by Highways, with 2 additional serving the existing home. There is some on street car parking, however given the proximity to public transport whereby the occupiers of the dwellings could also have reasonable access to public transport, the provision of parking is not expected to result in an unacceptable level of on street parking that would make for an unsafe of arrangement. Additionally, in accordance to WSCC parking standards, a condition would be attached such that the secure cycle parking provision would be required on site.

6.20 The concerns have been noted and the Highways Authority have assessed the Highways Technical Note submitted by the applicant. The Highways Authority have raised no concern with visibility issues at the point of access onto the main road, confirming that they are compliant with Manual for Streets (MfS) parameters for a 30 mph speed restriction. An existing boundary wall will be reduced in height to 0.6m to facilitate the northern visibility splay.

6.21 Additionally, whilst traffic creation has been noted as a concern by the Parish, the Highways authority do not consider that the development would result in an increase of vehicular movements that would result in unacceptable traffic creation. From the information submitted, the proposed development would generate 16 daily vehicular movements. It is considered that the existing highway network can accommodate the additional 16 movements without adverse impact.

6.22 Overall, it is considered that the development would not result in unacceptable safety concerns for users of the adjoining highway and parking is considered sufficient within the site. The proposal is acceptable in terms of Policies 40 and 41 of the HDPF and Paragraph 115 of the NPPF.

Ecology

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

6.24 The application site is within a red zone for the Great Crested Newt and it is noted that there is a pond to the west of the site approximately 54.5 metres away. Given that the development would be some distance away and would not have unobstructed access to the pond given that there is a row of development along Summer Meadows, the proposal is not considered to increase the chance of Great Crested Newts being impacted. NatureSpace have been consulted and have no objections subject to the recommendations outlined within the Preliminary Ecological Assessment submitted. Additionally, the Ecology Officer has been consulted as part of the application and has no objections to the proposal subject to the

inclusion of relevant conditions to ensure the mitigation measures outlined within the submitted Preliminary Ecological Assessment (Sylvatica Ecology Ltd., March 2024).

6.25 It is noted that the application was validated prior to Biodiversity Net Gain being submitted. As such, the proposal is not subject to Biodiversity Net Gain requirements which came in to be applicable for all relevant development after 2nd April. Overall, the proposal would be in accordance with policy 31 of the HDPF.

Water Neutrality

6.26 The application site falls within the Sussex North Water Supply Zone as defined by Natural England which draws its water supply from groundwater abstraction at Hardham. Natural England has issued a Position Statement for applications within the Sussex North Water Supply Zone which states that it cannot be concluded with the required degree of certainty that new development in this zone would not have an adverse effect on the integrity of the Arun Valley SAC, SPA and Ramsar sites.

6.27 Natural England advises that plans and projects affecting sites where an existing adverse effect is known will be required to demonstrate, with sufficient certainty, that they will not contribute further to an existing adverse effect. The received advice note advises that the matter of water neutrality should be addressed in assessments to agree and ensure that water use is offset for all new developments within the Sussex North Water Supply Zone.

6.28 A dedicated Water Neutrality Statement (WNS) has been submitted which outlines that the workshop/ 1 x bedroom flat, known as 'The Lodge' is on a separate water meter to the Grade II listed building known as Wood Grange. This forms the baseline water usage. Water at Wood Grange is excluded from this figure. The WNS outlines from an average of the water bills submitted that the baseline use of 'The Lodge' is 275.14 litres per person per day.

6.29 Based on average occupancy rates the development would be occupied by 8.7 persons, with 3.76 persons within the flats and 4.94 persons within the houses. A Part G calculator has been completed for the flats and houses setting out their proposed water consumption. Both the flats and the houses would benefit from a rainwater harvesting system to serve the toilets, washing machines and outside consumption. The Part G calculator for the flats indicates that the water consumption would be 86.07 litres per person per day (after rainwater harvesting 56.47 litres per day per person). For the three bed dwellings, the Part G calculator indicates that the consumption would be 91.08 litres per person per day (after rainwater harvesting this would be 61.47 litres per person per day).

6.30 The resultant water consumption from the development would therefore 773.54 litres per day, some 240.83 litres over the existing baseline. As such, without further mitigation measures the proposal would not be water neutral. Mitigation measures are therefore proposed off-site.

6.31 The applicant owns a House in Multiple Occupancy (HMO) property outside of the district within Crawley Borough and proposes to fit the fixtures and fittings within this property with flow restrictors to achieve the required water saving. The property is limited to 6 people occupancy. It is noted the proposed flow restrictors would be within all bathrooms. The Water Neutrality Statement details that the existing HMO property uses 834.07 litres per day which was established through a flow survey of the existing fittings and fixtures of the bathrooms and is outlined in Appendix N of the submitted Water Neutrality report. A part G calculator has been submitted to outline the usage of each person for the existing fixtures and fittings for each of the bathrooms. The bathrooms are allocated to the bedrooms such that bathroom one is considered to be limited to two of the occupants of the HMO, bathroom 2 is used by a further 2 occupants and the third bedroom is occupied by the last two occupants. The Part G calculator for bathroom 1 outlines that each person using it uses 144.02 litres per person per day. The part G calculator for bathroom 2 indicates a usage of 128.99 litres per person

per day. The part G calculator indicates that bathroom 3 uses 144.02 litres per person per day.

6.32 After fittings flow restrictors the two occupants using bathroom 1 and 3 would use 183.23 litres per day. The two occupants using bathroom 2 would use the same of 201.81 litres per day.

6.33 Overall, the flow restrictors to the property would be installed reducing the usage of this property to 568.27 litres per day. The off-site mitigation measure would need to be secured by legal agreement to ensure that the fitting of the HMO property in Crawley Borough with flow restrictors is carried out and secured in perpetuity. Discussion has been had with HDC legal and they have confirmed that the principle of securing a legal agreement outside of the district is acceptable.

6.34 The Council have undertaken an Appropriate Assessment, where it is considered that with the proposed mitigation and off-setting measures, the development would not have an Adverse Effect on the Integrity of the Arun Valley SAC/ SPA /Ramsar site, either alone or in combination with other plan and projects. Natural England have been consulted on the application and have concurred with the conclusions reached.

6.35 Subject to the mitigation and off-setting measures proposed, which would be secured by condition and legal agreement respectively, it is not considered that the development would result in a significant impact on the Arun Valley SAC, SPA and Ramsar sites, either alone or in combination with other plans and projects. The grant of planning permission would not therefore adversely affect the integrity of these sites or otherwise conflict with Policy 31 of the HDPF, NPPF paragraph 186 and the Council's obligations under the Conservation of Habitats and Species Regulations 2017.

Climate Change

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

6.37 The following measures to build resilience to climate change and reduce carbon emissions are secured by condition:
- Requirement to provide full fibre broadband site connectivity
- Dedicated refuse and recycling storage capacity
- Cycle parking facilities
- Electric vehicle charging points

6.38 Subject to these conditions, the application will suitably reduce the impact of the development on climate change in accordance with local and national policy.

Drainage

6.39 The Council's drainage consultant has commented that further information is required to support the development in regards to Building Regulations Part H by way of foul drainage disposal. Additionally, the drainage consultant has stated that should Rainwater be used for storm water control or attenuation, further evidence would be required and for the system to evidence that it is suitable for daily demand water supply.

6.40 In response to this comment, the Foul Drainage disposal requirements are considered under Building Regulations. Given planning should not duplicate the requirements of other legislation it is considered that this matter would be better considered at building regulation

stage. It is considered that the granting of this permission would not negate Building Regulations requirements and would not be a reason to refuse the granting of this permission. Furthermore, the comment in regards to the Drainage officer requiring evidence that the rainwater harvesting system can supply sufficient water to the proposal is not a relevant Drainage matter and is considered separately in the water neutrality section. No information submitted as part of this application has suggested that the Rainwater Harvesting system would be used for Stormwater attenuation and therefore the comment requesting additional information for this use is not considered reasonable for the purposes of determining this application as it reflects a theoretical use that has not been included in the course of this application.

6.41 The application site is within a Flood Zone 1 and the applicant has submitted a Flood Risk Assessment to address the risk of flooding from surface water. The Lead Local Flood Authority have reviewed the information submitted and have no objections to the proposal subject to the inclusion of conditions that would mitigate potential flood risk is not increased as a result of the proposal. The list of recommended conditions is extensive and is considered to suitably address potential flood risk such that it is considered that the conditions are relevant and necessary. There are no objections to the proposal due to an increase in the risk of flooding subject the inclusion of relevant conditions.

Other Matters:

6.43 WSCC Fire Service have recommend that an additional fire hydrant is installed within 150 metres of the development. Given that there are other residential dwellings within the locality, it is understood that there would be potential for the development to comply with the Fire Service's recommendations. The applicant is advised to make an application to the Fire service in this regard.

6.44 Some permitted development rights would need to be removed to prevent unacceptable visual amenity, protect the character of the designated heritage assets and to protect the amenities of the nearby residential dwellings. The proposed dwellings are such a scale and appearance that further extensions would require consideration from the Local Planning Authority.

Planning Balance and Conclusion

6.45 The application seeks full planning permission for 2x 3 bedroom dwellings and the conversion to 2x 2 bed flats within the built up area boundary of Cowfold. The principle of development is acceptable in this location in accordance with Policy 3 of the HDPF and Policy 10 of the post-examination Cowfold Neighbourhood Plan, and would not result in unacceptable form of development in terms of design, harm to neighbouring properties, character of the surrounding area, ecology or water neutrality.

6.46 It is acknowledged that the proposed development would result in less than substantial harm (at the lower end of the scale) to the designated heritage assets of Wood Grange and Bulls House through the loss of appropriate amenity space and setting. In accordance with Paragraph 208 of the NPPF this harm requires balancing against the public benefits of the development. In this instance, the public benefit would be the provision of 2 x new 3 bedroom dwellings and 2 x 2 bedroom flats in a development that is of a high design quality. As such, officers conclude that these public benefits are sufficient in this instance to outweigh the harm identified.

6.47 The Council is currently unable to demonstrate a five year supply of deliverable housing sites, with the supply currently calculated as being 2.9 years. The presumption in favour of development (the 'tilted balance' within Paragraph 11d) of the NPPF applies in the consideration of this application. Within this policy context, the application is recommended for approval.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

Horsham District Council has adopted a Community Infrastructure Levy (CIL) Charging Schedule which took effect on 1st October 2017.

It is considered that this development constitutes CIL liable development.

Use Description	Proposed	Existing	Net Gain
District Wide Zone 1	654.21	198.3	455.91
		Total Gain	
		Total Demolition	

Please note that the above figures will be reviewed by the CIL Team prior to issuing a CIL Liability Notice and may therefore change.

Exemptions and/or reliefs may be applied for up until the commencement of a chargeable development.

In the event that planning permission is granted, a CIL Liability Notice will be issued thereafter. CIL payments are payable on commencement of development.

7. RECOMMENDATIONS

7.1 To approve the application subject to the following conditions and the completion of a legal agreement to secure the off-site water neutrality off-setting measures.

Conditions:

1 **Approved Plans**

2 **Standard Time Condition**: The development hereby permitted shall begin before the expiration of three years from the date of this permission.

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

3 **Pre-Commencement Condition**: No development shall take place, including any works of demolition, until the following construction site set-up details have been submitted to, and approved in writing by, the Local Planning Authority.

i. the location for the loading and unloading of plant and materials, site offices, and storage of plant and materials (including any stripped topsoil)
ii. the provision of wheel washing facilities (if necessary) and dust suppression facilities

The approved details shall be adhered to throughout the construction period.

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

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

i) Roof details including sections through:
- roof ridge
- valleys
- eaves
- verges
- dormers

ii) Porches
iii) Rainwater goods to be cast iron or cast aluminium

Reason: As this matter is fundamental to enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality that preserves the special architectural and historic interest of the heritage asset in accordance with Policies 33 and 34 of the Horsham District Planning Framework (2015).

5 **Pre-Commencement (Slab Level) Condition**: No development above ground floor level will begin until a detailed surface water drainage scheme for the site has been submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme must prioritise the use of source control Sustainable Drainage Systems (SuDS) in consideration of the Non-Statutory Technical Standards for SuDS and demonstrate no increase in flood risk as a result of the Proposed Development with sufficient supporting evidence provided to support its viability including supporting calculations for the 1 in 1, 1 in 30(3.33%), 1 in 30 plus Climate change, the 1 in 100 (1%) and the 1 in 100 (1%) plus climate change critical storms.

The details of the scheme to be submitted for approval shall include:

I a timetable for its implementation,

II details of SuDS features and connecting drainage structures and maintenance requirement for each aspect

III details of SuDS features and connecting drainage structures and maintenance requirement for each aspect

IV a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason: To ensure the flood risk is adequately addressed and not increased in accordance with NPPF.

6 **Pre-Occupation Condition**: Prior to first occupation of any part of the development, a Biodiversity Enhancement Layout, providing the finalised details and locations of the enhancement measures contained within the Preliminary Ecological Assessment (Sylvatica Ecology Ltd., March 2024) shall be submitted to and approved in writing by the Local Planning Authority.

The enhancement measures shall be implemented in accordance with the approved details prior to occupation and all features shall be retained in that manner thereafter.

Reason: As these matters are fundamental to safeguard the ecology and biodiversity of the area in accordance with Policy 31 of the Horsham District Planning Framework (2015), and

to enhance Protected and Priority Species/habitats and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority Habitats & Species).

7 **Pre-Occupation Condition**: The development hereby permitted shall be undertaken in full accordance with the water neutrality strategy (by Motion, dated 27 March 2024 and received 02.04.2024). No dwelling hereby permitted shall be first occupied until evidence has been submitted to and been approved in writing by the Local Planning Authority that the approved water neutrality strategy for that dwelling has been implemented in full. The evidence shall include the specification of fittings and appliances used, evidence of their installation, and completion of the as built Part G water calculator or equivalent. In addition to evidence of the installation of the rainwater harvesting system shall include suitable storage tanks to provide a minimum 35 days storage capacity. The installed measures shall be retained as such thereafter.

Reason: To ensure the development is water neutral to avoid an adverse impact on the Arun Valley SACSPA and Ramsar sites in accordance with Policy 31 of the Horsham District Planning Framework (2015), Paragraphs 185 and 186 of the National Planning Policy Framework (2023), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

8 **Pre-Occupation Condition**: No part of the development hereby permitted shall be first occupied until full details of all hard and soft landscaping works shall have been submitted to and approved, in writing, by the Local Planning Authority. The details shall include plans and measures addressing the following:

- Details of all existing trees and planting to be retained including tree protection measures
- Details of all proposed trees and planting, including schedules specifying species, planting size, densities and plant numbers and tree pit details
- Details of all hard surfacing materials and finishes
- Details of all boundary treatments including gates
- Details of External lighting

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

Reason: To ensure a satisfactory development that is sympathetic to the landscape and townscape character and built form of the surroundings, and in the interests of visual amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015).

9 **Pre-Occupation Condition**: No part of the development hereby permitted shall be first occupied until the parking, turning and access facilities necessary to serve that dwelling have been implemented in accordance with the approved details as shown on plan 1809/01 rev and shall be thereafter retained as such.

Reason: To ensure adequate parking, turning and access facilities are available to serve the development in accordance with Policy 40 of the Horsham District Planning Framework (2015).

10 **Pre-Occupation Condition**: No part of the development hereby permitted shall be occupied until provision for the storage of refuse and recycling has been made for that dwelling (or use) in accordance with drawing number 1809/01 rev E. These facilities shall thereafter be retained for use at all times.

Reason: To ensure the adequate provision of recycling facilities in accordance with Policy 33 of the Horsham District Planning Framework (2015).

11 **Pre-Occupation Condition**: No part of the development hereby permitted shall be occupied until the cycle parking facilities serving it have been constructed and made available for use in accordance with approved drawing number 1809/01 rev E. The cycle parking facilities shall thereafter be retained as such for their designated use.

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

12 **Pre-Occupation Condition**: No part of the development hereby permitted shall be occupied until the necessary in-building physical infrastructure and external site-wide infrastructure to enable superfast broadband speeds of a minimum 30 megabits per second through full fibre broadband connection has been provided to the premises.

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

13 **Pre-Occupation Condition:** No dwelling hereby permitted shall be occupied until a fast charge electric vehicle charging point for that dwelling has been installed. As a minimum, the charge point specification shall be 7kW mode 3 with type 2 connector. The means for charging electric vehicles shall be thereafter retained as such.

Reason: To mitigate the impact of the development on air quality within the District and to sustain compliance with and contribute towards EU limit values or national objectives for pollutants in accordance with Policies 24 & 41 of the Horsham District Planning Framework (2015).

14 **Regulatory Condition**: The development hereby approved shall be carried out in strict accordance with the drainage strategy as shown on plan reference 1809/01 rev E.

Reason: As this matter is fundamental to ensure that the development is properly drained and to comply with Policy 38 of the Horsham District Planning Framework (2015).

15 **Regulatory Condition**: All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Assessment (Sylvatica Ecology Ltd., March 2024) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination. This includes the Precautionary Method Statement for reptiles in Section 7.0 Table 2 of the Ecological Briefing Note (CSA Environmental, March 2024)) which avoids impacts on protected species.

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

Reason: To conserve and enhance protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as

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

16 **Regulatory Condition**: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (and/or any Order revoking and/or re-enacting that Order no development falling within Classes A, AA, B and C of Part 1 or Class AD of Part 20 of Schedule 2 of the order shall be erected, constructed or placed within the curtilage of the development hereby permitted without express planning consent from the Local Planning Authority first being obtained.

Reason: In the interest of visual amenity and to protect the amenities of the adjoining neighbours in accordance with Policy 33 of the Horsham District Planning Framework (2015).

Informative:
Erection of flow control structures or any culverting of an ordinary watercourse requires consent from the appropriate authority, which in this instance is West Sussex Lead Local Flood Authority. It is advised to discuss proposals for any works at an early stage of proposals.

In December 2022 it was announced FEH rainfall data has been updated to account for additional long term rainfall statistics and new data. As a consequence, the rainfall statistics used for surface water modelling and drainage design has changed. In some areas there is a reduction in comparison to FEH2013 and some places an increase (see FEH22 - User Guide (hydrosolutions.co.uk)). Any new planning applications that have not already commissioned an FRA or drainage strategy to be completed, should use the most up to date FEH22 data. Other planning applications using FEH2013 rainfall, will be accepted in the transition period up to the 1st April 2023. This includes those applications that are currently at and advanced stage or have already been submitted to the Local Planning Authority. For the avoidance of doubt the use of FSR and FEH1999 data has been superseded by FEH 2013 and 2022 and therefore, use in rainfall simulations are not accepted.