DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/24/1980
Brookfield Homelands , Horsham Road, Cowfold, West Sussex, RH13 8AJ

DESCRIPTION:
Conversion of residential property to a 7no. bedroom nursing suite, including front and rear single storey extensions.

RELEVANT PLANNING HISTORY:

DC/24/0434	Conversion of the existing residential property to a 7no. bedroom nursing suite, including front and rear single storey extensions.	Application Refused on 18.09.2024

DESCRIPTION OF THE SITE
The application site is to the north of Cowfold outside of the built up area boundary and accessed along a private access track to the west of Horsham Road (A281). The existing residential dwellinghouse consists of a one storey modest detached dwelling with an amenity space to the rear and double garage. Homelands nursing home is on the adjacent side of the access track.

DESCRIPTION OF THE APPLICATION
This application is for the proposed conversion of the dwellinghouse to a 7 bedroom nursing suite, including front and rear single storey extensions. The existing garage is proposed to be converted and fenestration and rear access changes would be required to accommodate the change of layout. No changes to the access are proposed as a part of this proposal.

RELEVANT PLANNING POLICIES
The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (2015):
Policy 1 - Strategic Policy: Sustainable Development
Policy 3 - Strategic Policy: Development Hierarchy
Policy 7 - Strategic Policy: Economic Growth
Policy 9 - Employment Development
Policy 10 - Rural Economic Development
Policy 15 - Strategic Policy: Housing Provision
Policy 16 - Strategic Policy: Meeting Local Housing Needs
Policy 18 - Retirement Housing and Specialist Care
Policy 24 - Strategic Policy: Environmental Protection
Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
Policy 26 - Strategic Policy: Countryside Protection
Policy 31 - Green Infrastructure and Biodiversity
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
Policy 34 - Cultural and Heritage Assets
Policy 40 - Sustainable Transport

Policy 41 - Parking
Policy 42 - Strategic Policy: Inclusive Communities

Neighbourhood plan
Cowfold Parish have produced a neighbourhood plan which have been subject to successful Examination but cannot proceed to Referendum because of the legal requirements in relation to Water Neutrality and the Habitat Regulations.

To progress the Cowfold Neighbourhood Plan, further work has been commissioned to address the issue of water. This work and the modifications to the Cowfold Neighbourhood Plan is subject to a focussed consultation which is currently in progress.

Horsham District Local Plan (2023-40) (Regulation 19):
Strategic Policy 1: Sustainable Development
Strategic Policy 2: Development Hierarchy
Strategic Policy 6: Climate Change
Strategic Policy 8: Sustainable Design and Construction
Strategic Policy 9: Water Neutrality
Strategic Policy 13: The Natural Environment and Landscape Character
Strategic Policy 14: Countryside Protection
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 27: Inclusive Communities, Health and Wellbeing
Policy 28: Community Facilities, Leisure and Recreation
Strategic Policy 37: Housing Provision
Strategic Policy 38: Meeting Local Housing Needs
Policy 42: Retirement Housing and Specialist Care

REPRESENTATIONS AND CONSULTATIONS RESPONSES
Where consultation responses have been summarised, it should be noted that Officers have had consideration of the full comments received, which are available to view on the public file at www.horsham.gov.uk

Consultations:
HDC Environmental Health: No objection, subject to conditions within last consultation under previous comments under DC/24/0434.

WSCC Highways: Little detail within the submission, however it would not have unacceptable impact on highway safety or operation of the highway network

Fire and rescue: Comment. The nearest fire hydrant is some distance further than the 90 metres distance required for a commercial premises. If an alternative supply of water for firefighting is to be considered it will need to conform with the details identified in recommended documents stated in full consultation advice.

Southern Water: Comment. There are no public foul and surface water sewers in the area to serve this development. The applicant is advised to examine alternative means of foul and surface water disposal. General advice and comments in regards to rainwater harvesting and guidance on soakaways.

Natural England: No objection subject to appropriate mitigations outlined within Water neutrality statement

Representations:
None received.

Parish Comments:
Cowfold Parish Council makes a neutral return in respect of this planning application predicated by the need identified by WSCC Fire & Rescue Service for a fire hydrant to be installed within 90m of the proposed property conversion

Member Comments:
None received

HUMAN RIGHTS AND EQUALITY:
The application has been considered having regard to Article 1 of the First Protocol of the Human Rights Act 1998, which sets out a person's rights to the peaceful enjoyment of property and Article 8 of the same Act, which sets out their rights in respect to private and family life and for the home. Officers consider that the proposal would not be contrary to the provisions of the above Articles.

The application has also been considered in accordance with Horsham District Council's public sector equality duty, which seeks to prevent unlawful discrimination, to promote equality of opportunity and to foster good relations between people in a diverse community, in accordance with Section 149 of the Equality Act 2010. In this case, the proposal is not anticipated to have any potential impact from an equality perspective.

PLANNING ASSESSMENT

Background

A preceding application on the site, for the same proposal, was refused under ref: DC/24/0434 for the following reason: -

> *Insufficient information has been provided to demonstrate with a sufficient degree of certainty that the development would not contribute to an existing adverse effect upon the integrity of the internationally designated Arun Valley Special Area of Conservation, Special Protection Area and Ramsar sites by way of increased water abstraction, contrary to Policy 31 of the Horsham District Planning Framework (2015), Paragraphs 179 and 180 of the National Planning Policy Framework (2021), thus the Local Planning Authority is unable to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority Habitats & Species).*

This current submission includes amended information in respect of water neutrality, seeking to address the above reason for refusal.

Principle of Development:

Policies 2 and 3 of the Horsham District Planning Framework (HDPF) sets out the main growth strategy, focusing development within existing main settlements which have defined built-up area boundaries (BUAB). Policy 26 protects the countryside against inappropriate development unless it is considered essential and appropriate in scale; whilst also meeting one of four criteria. The criteria are: supporting the needs of agriculture or forestry; enabling the extraction of minerals or the disposal of waste; providing for quiet informal recreational use; or enabling the sustainable development of rural areas.

Policy 18 of the HDPF states that proposals for development which provide specialist care housing will be encouraged and supported where it is accessible by foot or public transport to local shops, services, community facilities and the wider public transport network. Policy 16 particularly encourages schemes that meet identified local needs for those on lower incomes and provide affordable accommodation for rent or shared ownership/equity.

Policy 42 of the HDPF supports and encourages proposals which create a socially inclusive and

adaptable environment for a range of occupiers to meet their long-term needs. This includes the needs of an aging population, particularly in terms of housing and health, and people with additional needs.

The preceding application on the site (for the same proposed use) did not identify any concerns in respect of the principle of the use in this location.

The application site is located outside of any BUAB therefore it does not accord with policies 2 and 3 of the HDPF. However, the proposed change of use would provide a positive contribution towards meeting the needs of dementia care needs within the district such that it would be considered to meet the needs of the district in terms of the provision of specialist care housing. This would be acceptable in regard to policies 18 and 42 of the HDPF. The proposed development is considered to be a C2 use rather than C3(b) by virtue of those residing there not forming a single household as there will be the requirement for shift staff working at the site to provide care for the occupants with dementia.

Furthermore, the change of use is proposed to provide additional accommodation in conjunction with the existing Homelands Nursing Home and therefore is an ancillary development, appropriate in scale and essential in its location within the countryside and enabling the sustainable development of rural areas in accordance with the requirements of policy 26 of the HDPF. It is also noted that the dwellinghouse was previously a residential care facility prior to being converted to use as a residential dwellinghouse, therefore these is some historic use of the site with care provision.

In light of the site context, being in close proximity to another existing care home, the nature and character of the proposed use would not result in an intensification of use in light of the objectives of policy 26 of the HDPF. The proposal would also be in accordance with policies 18 and 42 of the HDPF in regard to providing needed specialist care housing. Accordingly, the proposal is considered to be acceptable in principle. It is further noted that the property was previously a residential care facility prior to being converted to use as a residential dwellinghouse, therefore these is some historic use of the site with care provision.

Design and Appearance:

Policy 32 and 33 of the HDPF seeks to ensure that the development in the district promotes high standard/high quality design in order to enhance and protect locally distinctive characters such as landscaping (both within a scheme and having regard to the impact on surrounding landscapes) and considerations on the local, social, and environmental characteristics. It also seeks to ensure that the scale, massing and appearance of the development and layout (where relevant) relates sympathetically with the built surroundings, landscape, open spaces and routes within and adjoining the site, including any impact on the skyline and important views.

The increase in built form would be modest in scale and the materials would be coursed brickwork to match the existing dwelling such that the character of the site would not be significantly altered. The resultant dwellinghouse would not have an unacceptable impact on the character of the area and overall, the proposal accords with the requirements of policies 32 and 33 of the HDPF.

Residential Amenity:

Policy 33 of The Horsham District Planning Framework states that permission will be granted for development that does not cause unacceptable harm to the amenity of the occupiers/users of nearby properties and land.

The proposed conversion from 3-bedroom dwellinghouse to 7-bedroom nursing suite would likely result in some increase in the level of noise and activity within the site, but this would not be out of keeping with the existing residential and care home uses, and it would be limited such that it would be unlikely to have an unacceptable impact on the neighbouring properties in close proximity to the application site.

The increase in built form would be limited to the ground floor and modest in scale such that it is not considered to result in a loss of outlook or light to neighbours.

Overall, the proposal would not be unacceptable in regard to neighbouring amenity impact in accordance with policy 33 of the HDPF.

It is noted that the Council's Environmental Health Team has recommended a number of conditions relating to removal of clearance debris / construction waste, dust control measures, to prevent burning of materials, and to control hours of construction activities. It is though considered that the scale and nature of the development, which would not be expected to create significant potential for harmful or significant levels of dust or waste, would require mitigation through the planning process to protect neighbouring amenity. It is therefore considered that in planning terms no unacceptable harm would arise and no such conditions are necessary. The submitted plans do not indicate any external plant or lighting.

Highways Impacts:

Policies 40 and 41 of the HDPF state that development should provide safe and adequate access and parking, suitable for all users.

WSCC Highways have reviewed the submission and note that little information has been submitted with the application, however given that there is no objection to the development and given the existing vehicular access arrangement would remain, the proposed change of use is not anticipated to give rise to a significant material intensification of use of the existing access point and would be acceptable in highways terms. The proposals would therefore be in accordance with policies 40 and 41 of the HDPF.

Water Neutrality:

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.

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.

An amendment to the Water Neutrality Statement was requested during the process of the application to address queries in respect of water consumption and mitigation. A baseline has been submitted for the existing use of the property as a three-bedroom dwellinghouse, with flow surveys illustrating a use of 331.1 litres per day (allowing for an average occupancy of 2.47 people).

The proposed development would create a 7-bedroom nursing home with 2 staff members, with an occupancy of 1 resident per bedroom expected. A Part G Calculator has been provided for fixtures and fittings which indicates consumption of approximately 97.16 litres per day per resident, with approximately 50 litres accounted for each member of staff. This equates to a proposed consumption of 780.1 litres / day throughout the property, and an increase of approximately 449 litres / day.

To mitigate this increased consumption, and achieve water neutrality, a series of mitigations have been proposed. This includes rainwater harvesting for non-potable use, which would provide 108.3 litres / day and reduce the increased consumption to approximately 340 litres / day. The additional mitigation would occur off site at the adjoining 31-bed nursing home and seeks to retrofit existing shower fittings for more efficient shower fittings, reducing the rate from 12 litres per minute to 8 litres flow rate, saving 528.24 litres / day. This level of saving would, together with rainwater harvesting, be sufficient to achieve water neutrality. As the rainwater harvesting would only serve toilets, a non-potable use, it is not considered that further details of treatment / testing / sampling are necessary on this occasion.

The existing nursing home is included within the red line boundary of the application site, and it is therefore possible to secure the identified mitigation through condition, with this approach sufficient to

ensure no 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 180 and the Council's obligations under the Conservation of Habitats and Species Regulations 2017.

Biodiversity Net Gain (BNG):

Biodiversity Net Gain (BNG) is mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). This requires that development must achieve at least 10% BNG on all habitats within the development site.

The Applicant has not submitted a biodiversity metric, stating within the Application form that it would be an exemption from biodiversity net gain given it would form a small site exception and it is considered that the proposal would impact less than 25 square metres of on-site habitat such that the exemption is applicable.

Other Considerations:

The change of use would require Building Regulations approval, and this requirement is considered sufficient to ensure the comments of the Fire Officer would be addressed by other legislation. It is not considered necessary to duplicate this separate regime through the planning process as part of this application.

Conclusions:

The proposal is considered to accord with relevant local and national planning polices and is therefore recommended for approval.

Recommendation: Application Permitted

Conditions:

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-Occupation Condition**: The development hereby approved shall not be occupied until evidence has been submitted to and been approved in writing by the Local Planning Authority to demonstrate that the approved Water Neutrality Strategy (by Energy test, dated (25 April 2025) for the development has been implemented in full. The evidence shall include the specification of fittings and appliances used, evidence of their installation, completion of the as built Part G water calculator or equivalent and evidence of the installation of the rainwater harvesting system, including technical details of its installation and maintenance. 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), Paragraph 193 of the National Planning Policy Framework (2024), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

4 **Regulatory Condition:** The materials and finishes of all new external walls, windows and roofs of the development hereby permitted shall match in type, colour and texture those of the existing building.

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

POSITIVE AND PROACTIVE STATEMENT

Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received, in order to be able to, where possible, grant permission.

Plans list for: DC/24/1980

(The approved plans will form Condition 1 on the Decision Notice of all Permitted applications)

Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Location plan		NONE	20.06.2025
Site plan		00890707-0242A5	20.12.2024
Elevation plan	Existing	1002 REV A	20.12.2024
Floor plan	Existing	1001 REV A	20.12.2024
Elevation plan	Proposed	1004 REV A	20.12.2024
Floor plan	Proposed	1003 REV A	20.12.2024
Supporting Docs	Horsham Dementia Statistics	NONE	20.12.2024
Supporting Statement	Planning	NONE	20.12.2024
Supporting Statement	Water Neutrality	NONE	29.04.2025

DELEGATED

Authorising Officer sign/initial Guy Everest Date: 28.07.2025