Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/24/1740
Rushfold , Wheatsheaf Road, Henfield, West Sussex, BN5 9AT

DESCRIPTION:

Change Of Use of outbuilding formed to provide additional accommodation for existing dwelling to form an Air BnB building.(Retrospective).

RELEVANT PLANNING HISTORY:

DC/23/0497	Erection of a single storey rear extension, first floor side extension and erection of rear terrace/balcony.	Application Permitted on 15.05.2023

DESCRIPTION OF THE SITE

The application site is located on the northern side of Wheatsheaf Road. The main property is a two storey semi-detached dwelling with a detached outbuilding situated at the bottom of the rear garden. The main property is not a listed building nor does the site fall within a conservation area. However, the application site is positioned outside of any define built up area within the rural countryside.

DESCRIPTION OF THE APPLICATION

The proposal seeks planning permission for the change of use of an outbuilding formed to provide additional accommodation for existing dwelling to form an Air BnB building. (Retrospective).

RELEVANT PLANNING POLICIES

The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (2015):
Policy 11 - Tourism and Cultural Facilities
Policy 30 - Protected Landscapes
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
Policy 41 - Parking

Henfield Neighbourhood Plan 2017-2031
Policy 1 – A Spatial Plan for the Parish
Policy 4 – Transport, Access and Car Parking

Horsham District Local Plan (2023-40) (Regulation 19):
Strategic Policy 9: Water Neutrality
Strategic Policy 14: Countryside Protection
Strategic Policy 16: protected Landscapes
Strategic Policy 19: Development Quality
Strategic Policy 20: Development Principles

Policy 25: Parking
Strategic Policy 34: Tourism Facilities and Visitor Accommodation

Parish Design Statement:
Henfield Parish Design Statement 2008

REPRESENTATIONS AND CONSULTATIONS RESPONSES

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

Consultations:

Natural England

22.07.2025 -
No objection – subject to appropriate mitigation being secured

07.01.2025 -
Further information is required to determine impacts on designated sites.
The application could have potential significant effects on Arun Valley Ramsar site, Special Area of Conservation (SAC), Special Protection Area (SPA), as well as Amberley Wild Brooks Site of Special Scientific Interest (SSSI) and Pulborough Brooks SSSI. Natural England requires further information in order to determine the significance of these impacts and the scope for mitigation.

In order to mitigate these adverse effects and make the development acceptable, the following mitigation measures are required / or the following mitigation options should be secured:

• Robust information demonstrating how the proposed development will not result in increased levels of abstraction within the Sussex North Water Supply Zone.

Without this information, Natural England may need to object to the proposal. Please re-consult Natural England once this information has been obtained.

HDC Environmental Health: *There are no EH comments on this application.*

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.*

PUBLIC CONSULTATIONS:

Representations:

There was 1 no. objection received during neighbour consultation making the following comments:

- *It has always been self-contained accommodation, including the bedroom and shower room and never been a home office, nor any other permitted type of development.*
- *The location plan is misleading as it shows the position of an old shed, which was demolished.*
- *The red line on the location excludes the house on the plot.*
- *The water calculations for usage fail to take into account the additional laundry needed for linen and towels in a short-term holiday let.*
- *The deck had a direct view straight over the existing 180cm fence into our garden, loss of privacy was unacceptable.*
- *The nearest bus stop is over a mile away, along a 60mph road with no footpath.*
- *3rd space in the parking area was designed by the previous owners to ensure that they could turn round and not have to reverse out onto the road.*

- *Sight lines towards the east are particularly problematic in the summer with the trees in the neighbouring field over hanging the view and foliage the other side obscuring the further view round the corner.*
- *The electronic gate at Rushfold is not set back far enough for vehicles to wait off the road.*
- *Not believe that there is adequate, safe, parking for this additional rental property to be used in the proposed way.*
- *Would significantly impact the enjoyment of our garden, even when guests are indoors, it is only a wooden structure and the sound travels significantly.*
- *Not a change of use application, has never been anything other than a fully equipped lodge with bedroom, bathroom and kitchen and occupied by the owners from autumn 2023 to spring 2024.*
- *There is no justification for additional holiday rentals in this remote area.*
- *It is in an unsuitable location, lacks safe parking, there is no fire service access, not water neutral and the additional wastewater will only add to the groundwater issues in the area.*
- *The additional noise, comings and goings etc will negatively impact on our enjoyment of our property.*

Parish Comments:

Henfield Parish Council: Objection

- *Not a strategic site in the Local Plan*
- *Not a nominated site in the Neighbourhood Plan*
- *Not within an existing built-up area*
- *Not allocated in the Local Plan or Neighbourhood Plan, and does not adjoin and existing settlement edge*
- *Does not demonstrate that car parking requirements can be accommodated within the immediate surroundings of the buildings*
- *Does not improve local facilities*
- *Does not protect, conserve or enhance the landscape or townscape character of the District; or as does not protect, conserve or enhance the setting of the South Downs National Park*
- *The site lies outside built-up area boundaries and does not support the needs of agriculture or forestry; does not enable the extraction of minerals or disposal of waste; or provide for quiet informal recreational use or enable the sustainable development of a rural area*
- *Does not conserve or enhance the natural environment*
- *Does not complement the distinctive characters and heritage of the area*
- *There is loss of amenity to the neighbouring property; or the design is not sensitive to surrounding buildings, as the proposal is out of keeping and unsympathetic with the built surroundings and in that it does not respect the character of the surrounding area. This Committee was not convinced by the Water Neutrality statement.*

Member Comments:

None received

HUMAN RIGHTS AND EQUALITY:

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

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

PLANNING ASSESSMENT

Principle of Development:

Policy 11 of the Horsham District Planning Framework (HDPF) states that measures which promote tourism and enhance local cultural facilities, including recreation based rural diversification, will be encouraged. Any development should be of a scale and type appropriate to the location, and should increase the range, or improve the quality of accommodation, attraction and experiences, for tourists, day visitors, business visitors, and residents in the District. Support will particularly be given to proposals which: reinforce the local distinctiveness and improve existing facilities; focus major tourism and cultural facilities in Horsham town centre; seek to ensure that facilities are available within the towns and villages in the district and are in keeping with their relationship with the urban area and countryside around them; develop the opportunities associated with rural diversification and rural development initiatives, particularly when they assist farm diversification projects, benefit the local economy, or enable the retention of buildings contributing to the character of the countryside; and do not result in the loss of a cultural resource.

Additionally, Policy 26 of the HDPF (2015) seeks to ensure that the rural character and undeveloped nature of the countryside will be protected against inappropriate development. Developments outside the built-up area boundaries must be essential to its countryside location by demonstrating that the proposal meets one of the following criteria:

1. Support the needs of agriculture or forestry;
2. Enable the extraction of minerals or the disposal of waste;
3. Provide for quiet informal recreational use; or
4. Enable the sustainable development of rural areas.

Furthermore, this policy requires that development be of a scale that is appropriate to its countryside character and location and should not lead either individually or cumulatively to a significant increase in the overall level of activity in the countryside.

The proposal relates to the provision of an outbuilding to provide a holiday-let unit. Policy 11 aims to encourage local tourism within the district, the application site is located within the countryside where the development would need to meet the objective of sustainable tourism that supports rural diversification. The site would be in reasonable proximity to nearby public footpaths which lead to Henfield, which itself benefits from services and amenities.

While it is acknowledged that the application is for holiday let accommodation, it is not considered that this is distinct from a new dwelling. It is accepted that a holiday let can be conditioned to restrict certain aspects of its usage, however its C3 use class, and the facilities it affords will, to all intents and purposes, be used as any other residential dwelling. It is not considered that the provision of the development would result in an intensification of activity that would detract from the countryside location, and would be reasonably connected to the local area. The development would contribute to the sustainable development of the rural area and would support the needs of tourism within the District. For these reasons, the development is considered acceptable in principle, subject to all other material considerations.

Design and Appearance:

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

This area is characterised by semi-detached dwellings situated on lengthy plot sizes. The rear gardens are generally open and spacious with mixed vegetation as well as fences forming the boundary treatment.

It is acknowledged that the existing outbuilding appears as a subservient addition to the main dwelling. The design, scale and form of the building is considered to reflect an ancillary building expected within a residential area. The building is considered to sit comfortably within the curtilage of the site, and would not appear out of character. For these reasons, the development is considered to acceptable on design and appearance grounds.

Residential Amenity:

Policy 32 of the HDPF states that development will be expected to provide an attractive, functional, accessible, safe, and adaptable environment that contribute a sense of place both in the buildings and spaces themselves. 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.

The outbuilding is located at the bottom of the rear garden at a distance from the nearby properties. Given the scale of the development, and it's intended use, it is not considered that the development would result in a greater level of activity, noise, or disturbance than any other residential use. It is not therefore considered that the development results in harm through overlooking, loss of privacy, or disturbance, in accordance with the above policies.

Highways Impacts:

Policy 40 of the HDPF seeks to direct development to areas which are integrated with sustainable transport networks, encourage sustainable transport choices and ensure that new development is safe for all modes of transport, including vehicles, cyclists and pedestrians. Policy 41 of the HDPF aims to ensure that developments are served by adequate parking facilities including provision for cycle, motorcycle, low emission vehicles and the mobility impaired.

The site is located on Wheatsheaf Road, a B-classified road subject to a speed restriction of 40 mph in this location. The site is served by an existing vehicular access point fronting the site on Wheatsheaf Road. From inspection of WSCC mapping, there are no apparent visibility concerns with the existing point of access on Wheatsheaf Road. The proposed change of use would not be anticipated to give rise to a significant material intensification of use of the existing access point.

Vehicular parking will be accommodated within the existing driveway, and this is deemed acceptable for the proposed use.

Following consultation with the Local Highways Authority, it is not considered that the development would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network. The development is therefore considered to accord with the above policies.

Water Neutrality:

The application site falls within the Sussex North Water Supply Zone as defined by Natural England 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.

The proposal seeks to change the use of an existing outbuilding to provide additional accommodation for existing dwelling to form an Air BnB building. The submitted water neutrality statement details that the proposed development would comprise a water demand of 109.80 l/d. Through the use onsite efficiencies, the proposed water demand would be reduced to 83.64 litres per day.

The proposal incorporates offsetting the remainder of the water demand by retrofitting the main dwelling with water efficiency fittings therefore reducing the existing water demand from 271.9 l/day to 177.7 l/day which is a reduction of 94.2 l/day. This would meet the outstanding needs of the proposed dwelling.

It is noted that the demand arising from the washing machine has not been included within the Part G Calculator. This is a requirement, where the standard figure of 8.17 should be used. With this included in the overall calculation, the resulting water demand would be no greater than the savings achieved from the retrofitting.

It is therefore considered that subject to conditions securing the strategy as proposed, the approach outlined above would be sufficient to ensure that the proposal would not result in an increased water consumption at the site. An Appropriate Assessment was undertaken in accordance with the strategy provided, and Natural England have raised no objection to the above conclusions, with a condition recommended to ensure the agreed strategy is adhered to.

Biodiversity Net Gain (BNG):

Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) mandates that every development must achieve at least a 10% Biodiversity Net Gain (BNG (unless the development qualifies as exempt under the Biodiversity Gain Requirements (Exemptions) Regulations 2024) and that every planning permission granted for the development of land in England shall be deemed to have been granted subject to the condition that development must not be begun unless a Biodiversity Gain Plan has been submitted to the planning authority and the planning authority has approved the Plan.

The Biodiversity Gain Plan must show how the development will achieve the required minimum 10% BNG using the statutory biodiversity metric tool, and must demonstrate how the habitats will be managed and maintained for 30 years, starting from the date the development is completed. Off-site gains and significant on-site enhancements will be secured over this period by way of a Legal Agreement.

The Applicant has demonstrated that the development is exempt from the requirement to achieve a minimum 10% BNG by reason of-

- The application relates to a retrospective development.

Conclusions:

The proposal is considered to comply with relevant local and national planning policies and is therefore 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	0	39	0

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.

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 permitted shall be undertaken in full accordance with the water neutrality strategy (CGS Civils Consulting Civil Engineers dated 17th July 2025). 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. 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 179 and 180 of the National Planning Policy Framework (2021), 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**: Within 1 month of the date of the permission hereby granted, cycle parking facilities to serve the development shall be provided within the garden area of the approved building. The facilities shall thereafter be retained for use at all times. 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).

5 **Regulatory Condition**: The residential accommodation hereby permitted shall be occupied and managed in accordance with the following: -

(a) The accommodation shall be occupied for holiday and short-term let purposes only;
(b) The accommodation shall not be occupied as a person's sole, or main place of residence;
(c) The accommodation shall not be occupied by any one person for a period exceeding 28 days in any calendar year;
(d) The accommodation shall at all times be managed and supervised by Rushfold, Wheatsheaf Road;
(e) The owners / operators shall maintain an up-to-date register of the names of all owners / occupiers of the accommodation on the site, and of their main home addresses, and shall make this information available to the Local Planning Authority upon request.

Reason: To maintain the availability of the site as short term holiday tourist accommodation in accordance with Policies 10, 11 and 26 of the Horsham District Planning Framework (2015).

7 **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, D, E, F or G of Part 1 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 preserve the local landscape character in accordance with Policies 25 and 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/24/1740

Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Elevation & Floor plan	Proposed Floor Plan, Roof Plan, Elevations, Cross Section A-A. Location Plan and Block Plan.	RPA.1482024/01.	08.11.2024
Location plan	Location Plan	NONE	08.11.2024
Supporting Docs	Water Neutrality Report by cgs civils dated 17.07.2025	C3712 Rev P4	17.07.2025

DELEGATED

Case Officer sign/initial Halima Chowdhury Date: 02.09.2025

Authorising Officer sign/initial Tamara Dale Date: 11.09.2025