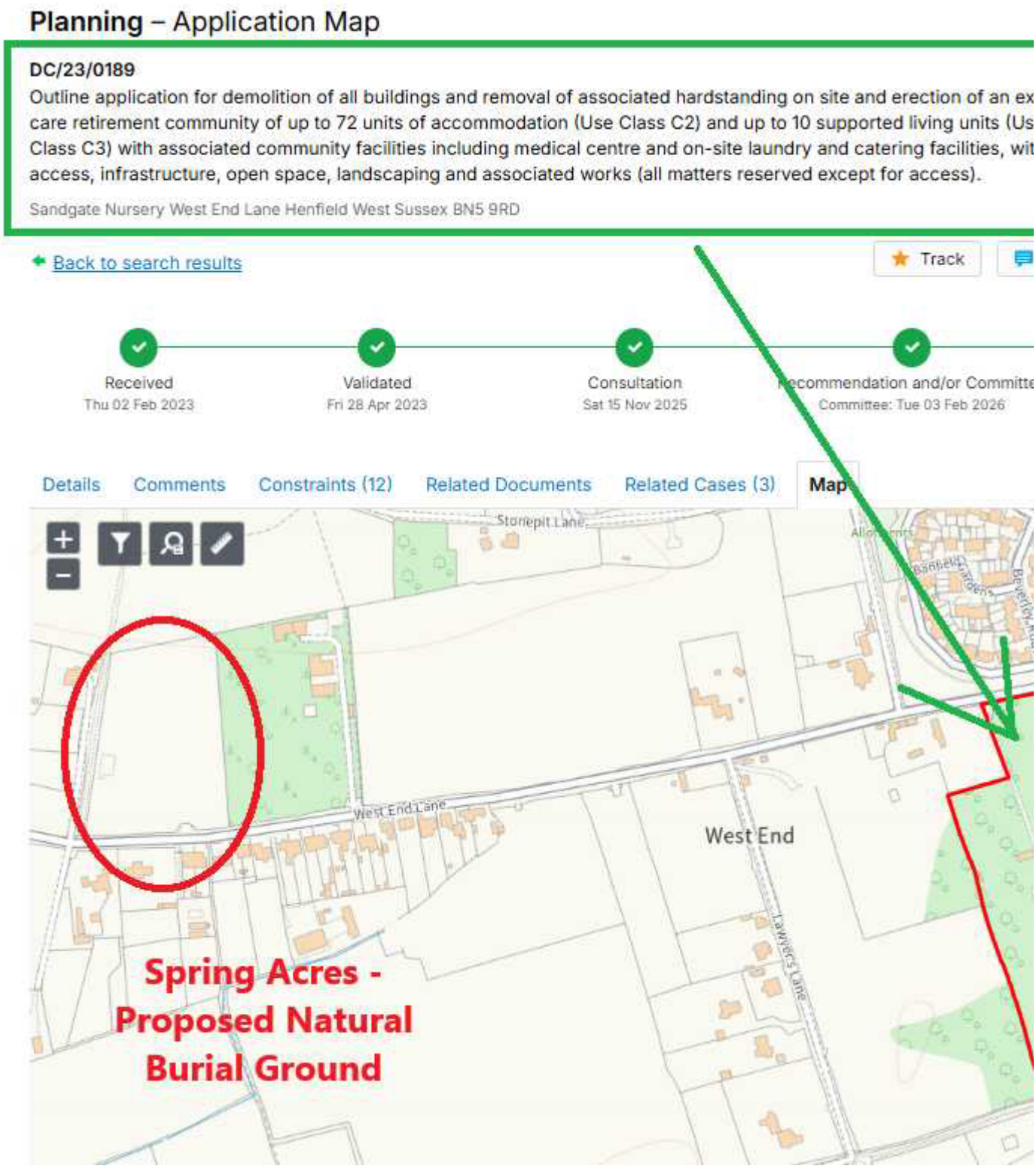
From: Phil Rowe [redacted]
Sent: 18 February 2026 17:54
To: East 2
Cc: Charlie Tingey; Sam.Whitehouse
Subject: RE: Planning Inspectorate APP/Z3825/W/25/3375037: Spring Acres, BN5 9RE - rebuttal comments ....
Attachments: OR - CTEE - PERMIT DC-23-0189 17.2.26.pdf

Dear PINS,

Further to my earlier email, It has just been brought to my attention that the following application was permitted at February Planning Committee; I attach the officer report approval.

The close proximity of the retirement community to the proposed natural burial ground is highlighted below.



Thank you in advance for your assistance.

Kind regards

Phil Rowe, BA Hons, BTP (Planning)
PROwe Planning Solutions

07946 641835

Melton Lodge,
Rusper Road,
Newdigate,
Surrey. RH5 5BX

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From: Phil Rowe
Sent: 18 February 2026 12:55
To: East 2 [redacted]
Subject: Planning Inspectorate APP/Z3825/W/25/3375037: Spring Acres, BN5 9RE - rebuttal comments ....

Dear PINS,

Our rebuttal comments are as follows:

Firstly, it is welcome and appreciated that the Council accept, "*1.3 It is noted that **all other aspects of the proposal are found to be either acceptable on balance, or could be made acceptable via the use of planning conditions***".

It is also agreed that there is a shortage of burial space and as such an unmet need. To this end the tilted balance at NPPF 11d ii are engaged which states, *"d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination"

Given the above and bearing in mind that the planning officer below he left indicated he was recommending approval, it would respectfully appear that the sole reason for refusal below is contrived. *On balance, we opted not to claim costs on the basis that this is always an option open to the Inspector, irrespective of whether any claim is made.*

Reason for Refusal 1

The proposed development, by reason of its rural location poorly related to an existing settlement, the nature of the proposed use, and anticipated scale and frequency of burial activity, in addition to that lack of availability of reasonable alternatives to the use of the private car, would result in a significant increase in activity in the countryside in a manner which would harmfully and unacceptably impact upon the
rural character of West End Lane, contrary to Policies 43 and 26 of the Horsham District Planning Framework (2015).

Comments

Rural location – On any rational analysis natural burial grounds are going to be located in the rural area as opposed to the urban area.

Relationship to settlement – Again such concerns simply do not stand up to scrutiny; notwithstanding the vehicle movements that would be associated with the extant stabling permission the attached Highway comments in relation to a Proposal for up to 9 houses on the same site below confirm, "**No highway objection on traffic generation or sustainability terms given the level of existing development in the area and proximity to Henfield**".

Anticipated scale and frequency of burial activity – **We are agreeable to the suggested Planning conditions.** Up to 3 services a day outside peak hours would be the maximum. I have reattached the Highways Technical note that accompanied the application which concluded '**that safe access can be provided to the public highway, the proposals accord with relevant local and national policy. Therefore, the development should not be resisted on transport grounds'**.

Lack of availability of reasonable alternatives to the use of the private car – The nearest bus stop and Henfield itself are within a reasonable walking distance – much of the route has pavements. That said the nature of burials is that typically people will car share to comfort each other and also the car will be more practical for continuing on to a food reception elsewhere locally after the actual burial.

When *suited and booted* to pay respects it is highly unlikely that people would cycle to a funeral. Similarly, particularly in inclement weather people are unlikely to walk.

Significant increase in activity in the countryside in a manner which would harmfully and unacceptably impact upon the rural character - Nowhere in the Council evidence is the 'significant' point cogently evidenced. Given the combined above points and the calm, quiet, respectful nature of burials there would be no harmful impacts.

The proposed glass pavilion building is no larger than the minimum necessary for a burial gathering. The bulk of the site will be wildflower meadow and landscaping which would clearly be consistent with the rural area together with associated biodiversity and ecology enhancements.

- **Permission in Principle for the erection of up to 9no. self-build dwellings.**

Spring Acres West End Lane Henfield West Sussex
Ref. No: DC/26/0041 | Validated: Mon 12 Jan 2026 | Status: Registered

WEST SUSSEX COUNTY COUNCIL CONSULTATION

TO:	Horsham District Council FAO: Hannah Darley
FROM:	WSCC – Highways Authority
DATE:	5 February 2026
LOCATION:	Spring Acres West End Lane Henfield West Sussex
SUBJECT:	DC/26/0041 Permission in Principle for the erection of up to 9no. self-build dwellings.
DATE OF SITE VISIT:	n/a
RECOMMENDATION:	Advice

I refer to your consultation in respect of the above planning application and would provide the following comments. No technical information has been provided with the application, therefore these are comments are in relation to the principle of residential development in this location. Whilst, the site location is not sustainable in transport terms ie very limited public transport options and no footways, ***this is to be expected in a rural location such as this.***

Residents will be dependent on the private car, however given the likely low traffic volumes walking and cycling into Henfield could be an option for some residents. No access arrangements have been proposed. It is not assumed that the existing hardstanding will become the access to the site. The access will need to be designed in accordance with WSCC standards and allow for visibility along West End Lane in accordance with existing 85%ile speeds.

Turning in and out of the site will need to be fully considered given that West End Lane is relatively narrow. Vehicle tracking plots should show this on the design drawings and land within the site may be required to ensure safe egress/ingress. Consideration for pedestrians and cyclist should be included within the design of the vehicular access along with possible connections to the local Public Right of Way network. ***No highway objection on traffic generation or sustainability terms given the level of existing development in the area and proximity to Henfield****. No comments can be given at this point on highway safety elements of site access at this point.*

Debbie Farrell West Sussex County Council – Planning Services

CONCLUSION

Plainly none of the alleged impacts of approving the application would significantly and demonstrably outweigh the benefits.

Kind regards

Phil Rowe, BA Hons, BTP (Planning)
PROwe Planning Solutions

07946 641835

Melton Lodge,
Rusper Road,
Newdigate,
Surrey. RH5 5BX

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From: East 2 <[redacted]k>
Sent: 17 February 2026 10:59
To: Phil Rowe [redacted]>
Subject: FW: 1 of 2 (part a) - Planning Inspectorate APP/Z3825/W/25/3375037: Spring Acres, BN5 9RE

I am re-sending this in two parts as the original email 1 of 2 was too large to send.

Regards

Planning Inspectorate

Neil Devereux (He/Him)
Appeals Case Officer, Team East 2
Planning Inspectorate
T 0303 444 5290
www.gov.uk/pins

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From: East 2
Sent: 17 February 2026 10:50
To: Phil Rowe [redacted]
Subject: 1 of 2 - Planning Inspectorate APP/Z3825/W/25/3375037: Spring Acres, BN5 9RE

The Planning Inspectorate (England)
Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN

http://www.planningportal.gov.uk/planninginspectorate
Twitter: @PINSgov

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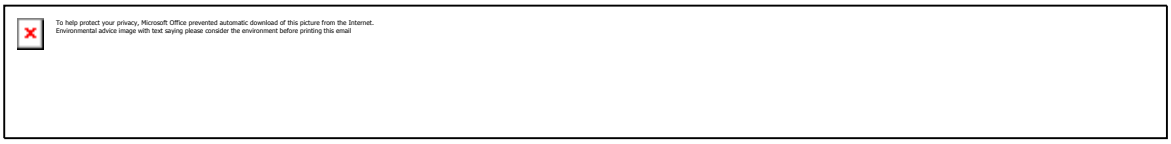
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DPC:76616c646f72



PLANNING COMMITTEE REPORT

TO:	Planning Committee
BY:	Head of Development and Building Control
DATE:	3rd February 2026
DEVELOPMENT:	Outline application for demolition of all buildings and removal of associated hardstanding on site and erection of an extra care retirement community of up to 72 units of accommodation (Use Class C2) and up to 10 supported living units (Use Class C3) with associated community facilities including medical centre and on-site laundry and catering facilities, with access, infrastructure, open space, landscaping and associated works (all matters reserved except for access).
SITE:	Sandgate Nursery, West End Lane, Henfield, West Sussex, BN5 9RD
WARD:	Henfield
APPLICATION:	DC/23/0189
APPLICANT:	**Name:** Sandgate Henfield Developments Ltd **Address:** C/O Agent

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.

By request of Councillors Josh Potts and Gill Perry

RECOMMENDATION: To approve outline 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

To consider the planning application.

DESCRIPTION OF THE APPLICATION

1.1 This is an Outline application for site redevelopment for up to 72 no. self-contained Extra Care housing units (Use Class C2), and up to 10 no. 2 bed supported living homes (Use Class C3) with associated community facilities including a medical centre, with access, open space, landscaping and associated infrastructure works. The application includes the demolition of all buildings and removal of hardstanding on the site to facilitate the proposals.

Contact Officer: Matthew Porter **Tel: 01403 215561**

1.2 All matters are reserved except for site access. Details of the Appearance, Layout, Scale and Landscaping of the proposal are therefore not for consideration under this application.

1.3 The proposed 72-unit accommodation is presented in the application submission as being Extra Care housing, a specialist type of older person age restricted housing that offers help with personal care and household chores and is suitable for those with a higher level of/ or changing care needs. As presented in the submission, the Extra Care housing would be serviced with a team of carers, including management and 24-hour cover, along with on-site heavy-duty laundry and kitchen and catering facilities housed within a stand-alone medical centre building on-site (approx. 320sqm).

1.4 Your Officers accept that based on the above services presented in this proposal alongside other provisions including entry qualification to occupation of the 72 no. units (as detailed out later in this report), to be secured by legal agreement that would accompany any planning permission, the Extra Care Housing in this instance would qualify as Planning Use Class C2 rather than C3.

1.5 As also applied for, the application seeks outline permission for 10 no. supported living units (Planning Use Class C3) which is presented by the applicant as affordable care accommodation with staff support (ranging from a few hours to 24 hours a day). The supported living units would be given over to a Registered Provider. These 10 units were originally submitted as open market starter homes but following consultation with WSCC adult care department (Jan 2025) raising concerns, the housing type product was amended to supported living units, as WSCC adult care department advised (verbally) there was need for this type of housing and that this could be supported.

1.6 The application is accompanied by a Parameter plan (ref SNH/P23/102) showing the area extent of proposed built form, which subsequent Reserved Matters applications would need to demonstrate broad compliance with. Full details of the means of access into and out of site have also been provided. The application is supported by a suite of technical documents, including a supporting Design and Statement. Together, these model the maximum impact of the development and sets out how the development could come forward. An illustrative Site Layout Plan (SNH/P23/02 Rev B) shows indicatively how the proposal could be configured. An Alternative Site Layout drawing has also been submitted. The application is screened out of EIA development.

1.7 The above submission material shows the proposed residential development to be located centrally across the site, with separation distance between new built form and Grade II listed Dears Farmhouse, and landscaping buffers to all site boundaries (more extensive on the north and east). Key design principles identified include:

- A central green space for the medium centre, community activities and light recreation (formal gardens, boules, and traditional orchard)
- Private and communal amenity provision in the form of private gardens and communal amenity areas and perimeter footpath (flowering lawns, meadows and native shrubs)
- A two-storey scale to the development across the entire site, with proposed dwellings arranged as semi-detached and terraced buildings with individual plots and parking within driveways, parking courts and on street.
- Sustainable Urban Drainage in the form of 4 no. detention basins (2 no. to the south boundary and 3 no. north boundary).

1.8 The housing mix of dwellings will be considered and controlled as part of a Reserved Matters application and based on the most up to date need at that time. The application submission

does however detail that the 72-unit accommodation would indicatively comprise 43 x 2 bed and 29 x 3 bed units and the supported living units would comprise 10 x 2 bed units.

1.9 Car parking spaces for both the extra care units and dwellings (supported living) is indicatively at two spaces per unit, along with 1 cycle space for each (C2) dwelling; 1 cycle space for each 2 bed (C3) dwelling; 2 cycle stands (4 spaces) for each 3 bed C3 dwelling and a further 2 cycle spaces for visitors

1.10 The submission is accompanied by Heads of Terms to be secured by legal agreement, for various works and financial contributions considered to meet the CIL Regulations tests, to mitigate and compensate for impacts and harms and to deliver benefits.

1.11 The application has been amended in negotiations with Officers to address matters raised, including by consultees. This includes substitution of the original intended 10 no. starter (First) homes with the supported living housing now proposed, revised parameter and indicative plans have been submitted, along with updated technical supporting documents. Off-site, a package of additional highway improvements and active travel enhancements is now proposed.

Access

1.12 Access for assessment under this outline proposal relates to the accessibility of site for vehicles and sustainable travel (including walking, wheeling and cycling), in terms of the positioning and treatment of the access and how it fits into the surrounding highway and footpath/bridleway network. A Transport Statement and associated technical notes demonstrate how the Access proposals will integrate with the local highway network. Associated highway works are proposed where necessary.

1.13 It is proposed to create a single point of vehicular access to serve the residential development. The proposed access would be sited centrally in the site and would be taken from West End Lane. The access would comprise priority T junction. The proposed site access achieves visibility splay of 2.4 metres by 49 metres (to the left) and 2.4 metres by 42 metres (to the right). Swept path tracking indicates that refuse collection and fire appliance vehicles can manoeuvre this access. Cycle access from West End Lane would be on-carriageway using the T junction access.

1.14 Pedestrian access from West End Lane would be via a new dedicated footway from West End Lane, positioned at the northeast corner of the site. This will connect into the existing footway on the south side of West End Lane. In order to provide a continuous footway along the section of West End Lane between the site access and the junction with Hollands Road, a single-lane chicane arrangement would be adopted, whereby the westbound traffic would give-way to oncoming vehicles. This allows the carriageway of West End Lane along this section to be narrowed to 3.7 metres and the provision of a two metres wide footway on the south side. A speed table would be provided on the western side of this section of West End Lane. This arrangement provides a pedestrian connectivity but also regulates traffic speeds for all road users.

1.15 Separate to this, a secondary pedestrian and cycle access will be provided in the southeast corner of the site taken from Holland's Drive to connect into the existing pedestrian footway along that street. This means of access will also secure an emergency vehicle access, by way of automatic bollards. This access would provide a link to the Bridleway on Hollands Lane, and onto the Downs Link (National Cycle Route 223).

1.16 The above matters have been the subject of detailed negotiations between Officers and the applicant, with various technical matters addressed in material submission from the applicant's consultant Magna Transport Planning Ltd and considered by the Local Highway Authority (WSCC/West Sussex County Council). Access arrangements have been designed

with satisfactory entry/exit and forward visibility splay requirements, and subject of path analysis and Road Safety Audit. A travel plan statement is submitted with the application, setting out a range of measures and initiatives to promote and publicity of walking, cycling and use of public transport.

1.17 In addition to the off-highway mitigation works necessary to make site access acceptable in planning terms, negotiations with Officers have resulted in a Highways Improvement Package for off-site sustainable travel enhancements to a total estimated cost of £32,000 that now accompanies this application, as set out below:

- *Public Seating*

Installation of a securely fixed wooden bench either at the corner of West End Lane / Hollands Road junction or Upper Station Road / Station Road junction or on Upper Station Road in between the junctions with Fabians Way and Broomfield Road. Estimated cost: £2,000

- *Dropped Kerbs and Tactile Paving*

Provision of dropped crossings with tactile paving at the following locations, at estimated cost £8,000:
• Northern end of Hollands Road approach to West End Lane junction,
• Across Parsonage Road approach to Church Street
• Across Martyn Close approach to Church Street

- *Public Right of Way (PRoW) Improvements*

Financial Contributions paid to WSCC towards

- Surfacing and widening of the PRoW (Route 2557) linking Hollands Road with Cagefoot Lane via Broomfield Road, improving accessibility for mobility scooter and wheelchair users. Estimated cost: £2,500
- Surfacing of PROW (Route 2583) to the unmade length of this bridleway (Hollands Lane) between Hollands Road and Lawyer's Lane. Estimated cost: £2,000.

- *Bus Stop Infrastructure Upgrades*

Improvements to bus shelters along West End Lane and within Henfield village centre, such as new shelters, seating, and accessibility features, to support uptake of public transport by residents. Estimated cost: £17,500 (uplifted to absorb allowance previously identified for vegetation trimming).

DESCRIPTION OF THE SITE

1.18 The application site (approx. 3.76ha), lies adjacent to but outside of the defined Built-up Area Boundary of Henfield and is therefore located within the countryside. The site lies immediately to the west of the settlement of Henfield, which is defined within Horsham District Council's adopted settlement hierarchy as being a small town and larger village. The Built-up Area Boundary abuts the east and north boundaries of the application site and sits to the rear gardens of dwellings fronting Holland Road, before crossing Hollands Lane to the south where it wraps around and includes an area of commercial development. The immediate character of the area to the north (granted under appeal for 160 dwellings), and to the east of the site is largely residential, whilst the wider area to the north, and immediately south and west is open countryside with a matrix of fields and hedge boundaries, and sporadic residential dwellings with agricultural / farm holdings characteristic of the rural area.

1.19 The site is broadly rectangular in shape, the topography of the site is such that land slopes north to west by approximately 4m, and between 3-4 metres east to west. It is largely open and bounded by West End Lane to the north, and Hollands Lane to the south, the site boundaries exclude the northeast and northwest corner areas, which are occupied by the residential dwellings of Lawfield House and Dears Farm (Camellia Cottage - which is Grade II listed) respectively.

1.20 There is a dense evergreen screen of hedgerows and trees surrounding the listed building, and whilst inter-visibility between the site and the listed building and its surrounds is limited the listed building can be experienced from within the application site and the West End Lane site frontage. This together with the relationship and historic connection between the asset (a historic farmstead) and the surrounding fields means that the application site is located within the setting of Dears Farmhouse.

1.21 The site comprises land with a historical use for purposes of horticultural nurseries which is now largely overgrown, having been vacant for several years. Several centrally located buildings/structures (in severe disrepair), and areas of hardstanding formerly associated with the previous horticultural use remain on site.

1.22 The site has dual access points, one from an existing gated access onto the northern frontage of West End Lane (a single lane carriageway, with two-way traffic) and the other from onto the southern frontage onto Hollands Lane. The site is bounded by a heavy screen of trees and hedgerows along the north, south and west boundaries, and domestic fencing to the rear gardens associated with dwellings along Hollands Road to the east. Hollands Lane industrial site is located to the southeast of the site.

1.23 There is an extensive network of Public Rights of Way, namely bridleway 2583/7 that follows a path east to west along the southern boundary. The bridleway of Hollands Lane is un-made and has a rural characteristic. Footpaths 2562/1 and 2561/4 connect with this bridleway, the topography also falls toward the south of the site.

1.24 The site is within the Amber Impact Risk Zone of suitable habitat for likelihood of Great Crested Newts. The site is located within Flood Risk Zone 1. The site is abutted on the southwest corner by a priority habitat of deciduous woodland. The root protection area of an off-site Veteran tree (Ash) extends into the southwest corner of the site.

1.25 Henfield is classed as a tier 2 settlement in the current local plan (HDPF Policy 2). These are '*settlements with a good range of services and facilities, strong community networks and local employment provision, together with reasonable rail and / or bus services. These settlements act as hubs for smaller villages to meet their daily needs but also have some reliance on larger settlements / each other to meet some of their requirements*.' Henfield High Street is within close walking distance from the site (circa 1km / 15 minutes). The High Street includes several shops and facilities.

2. INTRODUCTION

STATUTORY BACKGROUND

2.1 The Town and Country Planning Act 1990.
Section 66 (1) and 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990

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

National Planning Policy Framework (Dec 2024)

Consultation draft National Planning Policy Framework published (Dec 2025)
Having regard to its content and nature of this proposal, and as consultation is at a very early stage with the draft subject to potential significant change, Officers are satisfied no prejudice would arise by basing decisions on the extant 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 4 - Strategic Policy: Settlement Expansion
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 35 - Strategic Policy: Climate Change
Policy 36 - Strategic Policy: Appropriate Energy Use
Policy 37 - Sustainable Construction
Policy 38 - Strategic Policy: Flooding
Policy 39 - Strategic Policy: Infrastructure Provision
Policy 40 - Sustainable Transport
Policy 41 - Parking
Policy 42 - Strategic Policy: Inclusive Communities
Policy 43 - Community Facilities, Leisure and Recreation

Henfield Neighbourhood Plan (HNP 2021):
Policy 1 – A Spatial Plan for the Parish
Policy 2 – Housing Site Allocations
Policy 4 – Transport, Access and Car Parking
Policy 5 – Utility Infrastructure
Policy 8 – Broadband Infrastructure
Policy 9 – Community Infrastructure
Policy 10 – Green Infrastructure and Biodiversity
Policy 12 - Design Standards for New Development.

Horsham District Local Plan (2023-40) (Regulation 19)
Strategic Policy 1: Sustainable Development
Strategic Policy 2: Development Hierarchy
Strategic Policy 3: Settlement Expansion
Strategic Policy 6: Climate Change
Strategic Policy 7: Appropriate Energy Use
Strategic Policy 8: Sustainable Design and Construction
Strategic Policy 9: Water Neutrality
Strategic Policy 10: Flooding
Strategic Policy 11: Environmental Protection
Strategic Policy 12: Air Quality
Strategic Policy 13: The Natural Environment and Landscape Character
Strategic Policy 14: Countryside Protection
Strategic Policy 16: Protected Landscapes
Strategic Policy 17: Green Infrastructure and Biodiversity
Strategic Policy 19: Development Quality
Strategic Policy 20: Development Principles
Policy 21: Heritage Assets and Managing Change within the Historic Environment
Strategic Policy 23: Infrastructure Provision
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 39: Affordable Housing
Policy 40: Improving Housing Standards in the District
Policy HA9 HNF1: Land at Sandgate Nurseries, 3.8 hectares (55 homes)

West Sussex Joint Minerals Local Plan (WSCC, 2018 Revised 2021)
Policy M9 - Safeguarding Minerals

West Sussex Waste Local Plan (2014, Reviewed 2019**)**

Supplementary Planning Guidance:
HDC Planning Obligations and Affordable Housing Supplementary Planning Document (2017)
Community Infrastructure Levy (CIL) Charging Schedule (2017)
WSCC Supplementary Planning Guidance (September 2020) - revised county parking standards and transport contributions methodology
Revised county parking standards and transport contributions methodology (September 2020)

Other Guidance:
HDC Sports, Open Space and Recreation Assessment (2014)
HDC Open Space, Sport & Recreation Review (2021)
Air Quality and Emissions Mitigation Guidance for Sussex (2020)
HDC Planning Advice Note: Shaping Development in Horsham District (Sept 2025)
HDC Planning Advice Note: Biodiversity and Green infrastructure (2022)

Parish Design Statement:
Henfield Parish Design Statement (2008)

PLANNING HISTORY AND RELEVANT APPLICATIONS

In relation to the application site itself:

DC/14/0588	Demolition of existing vacant garden nurseries and associated structures and the redevelopment of the site to provide 72 units comprising 6 x 1-bed, 17 x 2-bed, 6 x 3-bed (29) affordable units and 9 x 2-bed, 15 x 3-bed and 19 x 4-bed (43) market residential units with associated car parking spaces, hard and soft landscaping and new access arrangements from West End Lane and Hollands Lane.	Refused 25.11.2014 RECOVERED APPEAL DISMISSED 12.12.2016
DC/21/0908	Outline application for the construction of 51 dwellings comprising 100% affordable housing for key workers and the erection of a community centre, associated access and landscaping with all matters reserved.	Refused 20.12.2021

In relation to the north side of West End Lane, near opposite the application site:

DC/13/0787	Development of 160 residential dwellings (comprising 10 x 5-bed, 49 x 4-bed, 24 x 3-bed, 67 x 2-bed and 10 x 1-bed) together with associated landscaping, open space and access	Refused 22-08-2013 APPEAL ALLOWED 02-06-2014
DC/16/1877	Removal of condition 15 under DC/13/0787 (Development of 160 residential dwellings comprising 10 x 5-bed, 49 x 4-bed, 24 x 3-bed, 67 x 2-bed and 10 x 1-bed) together with associated landscaping, open	Permitted 20-12-2016

space and access) Relating to pre-commencement requirement for traffic calming scheme

BACKGROUND TO ABOVE PREVIOUS REFUSED APPLICATIONS

DC/14/0588.
This proposal for 72 dwellings (29 no. affordable and 43 no. open market) was refused planning permission by Horsham District Council in 2013 and was recommended for refusal by an Inspector at a subsequent appeal which, in 2015 was recovered for the Secretary of State's determination (via a public inquiry in 2016). The Secretary of State agreed with the appeal Inspector's conclusions and agreed with his recommendation to dismiss the appeal.

The Secretary of State agreed with the appeal Inspector's that there was harm identified to the landscape character and appearance of the area and less than substantial harm to the setting of a listed building.

At that time, Horsham District Council was able to demonstrate adequate housing land supply provision in the Secretary of State's view and, due in part to design considerations and the impacts above, the proposal was not considered sustainable development from the environmental viewpoint. There were some public benefits to the scheme when considering the harm to Listed Camelia Cottage. These also weighed in favour of the proposal in the overall planning balance; largely the boost to housing supply including much needed affordable units.

In addition, the roads and junctions were agreed to be capable of catering for the traffic generated in terms of safety and capacity and none of the other miscellaneous matters raised by third parties weighed against the proposal.

The Secretary of State therefore concluded that there are insufficient material considerations that indicated that the appeal should be determined other than in accordance with the development plan.

DC/21/0908.
This proposal for 51 dwellings comprising 100% affordable housing and a community centre was refused due to insufficient evidence pertaining to access, water neutrality, ecology, and drainage, and lack of a s106 legal agreement. The proposal was also not supported based on there being insufficient evidence to demonstrate the 100% discount housing sales and rental properties for key workers in this location would meet HDPF policy criteria.

The application was determined (Dec 2021) under circumstances in which Horsham District Council was unable to demonstrate a 5-year housing supply therefore the 'tilted balance' under Paragraph 11(d) of the NPPF was engaged in decision making. The recently made Henfield Neighbourhood Plan (made 23rd June 2021) though provided the necessary site allocations to overcome the tilted balance under paragraph 14 of the NPPF where conflict with the plan was identified. Nevertheless, the identified adverse impact of the development on the encroachment into the immediate setting of Listed Camelia Cottage (Deer Farm) constituted a clear reason to refuse under paragraph 11(d)i. Accordingly, for this development proposal, the harm that would be afforded by it significantly outweighed the benefits, therefore the proposal was judged not sustainable development.

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 (subject to conditions)

3.3 **HDC Conservation:** Objection
[Summary] *C*urrent application has sought to create a clear physical and visual buffer between the proposed development and the listed building. This will ensure some perception of separation between the suburban development and the historic farmhouse. However, there will be some impact within the wider setting of the listed building and this will result in less than substantial harm at the lowest end of that scale. The public benefits of the proposal should be weighed against this harm.

3.4 **HDC Drainage Engineer:** No Objection

3.5 **HDC Environmental Health:** No Objection (subject to conditions).

3.6 **HDC Housing**: No Objection
Support this application.

3.7 **HDC Landscape Architect:** No landscape objection, subject to recommendations
[Summary] As previously concluded, from a landscape perspective, accept the principle of development on the site.

OUTSIDE AGENCIES

3.8 **Archaeology Consultant:** No Objection (subject to conditions)

3.9 **Ecology Consultant:** No Objection (subject to conditions)

3.10 **Natural England:** No Objection (subject to appropriate mitigation being secured)

3.11 **Southern Water:** Advice
Additional flows may lead to a minor increased risk of impact on sewer network.

3.12 **WSCC Highways:** No Objection (subject to conditions)

3.13 **WSCC Lead Local Flood Authority:** No Objection (subject to conditions)

3.14 **WSCC Minerals and Waste Authority:** No Objection

3.15 **WSCC Public Rights of Way:** Advice
Impact on Bridleway 2583 must be considered

3.16 **WSCC Fire and Rescue:** Advice
Additional fire hydrant(s) to ensure all dwellings within 150 metres of fire hydrant.

3.17 **Environment Agency**: No Objection (subject to conditions)

3.18 **Nature Space** (Newt Officer): Advice
Reasonable Avoidance Measures recommended.

PUBLIC CONSULTATIONS

3.19 **186 no. representations received in total**. This figure includes multiple submissions and recipience from individuals of the same household, meaning of these 123 no. representations have been received from individual property addresses. This includes representation from the Campaign to Protect Rural Henfield. The 123 no. representations are broken down into:
- 122 no. Objections

- 1 no. neither objection/support.

3.20 The 122 no. Objections are summarised below:

Overdevelopment

- *Site not allocated in neighbourhood plan.*
- *Overdevelopment and would increase urban footprint of the village and suburbanisation of countryside. Brownfield sites should be considered first.*
- *Not appropriate to scale and function of settlement type; development is outside the build-up area boundary. Specifically, with two existing retirement properties in the village, there is no need for a third, and that previous application on this site was refused due to excessive density (40 units, which is less that what is now proposed).*
- *As speculative application, may conflict with HDPF Policy 4 and Policy 26, which protect the countryside from inappropriate, unallocated development.*

Highways Access and Parking

- *Recent developments in area resulted in congestion and safety issues in areas due to a lack of pavements, cycle lanes, or street lighting. Addition of another 72 dwellings may mean 144 plus cars which will exacerbate the issue.*
- *Nep Town and Church Street, too narrow for free-flowing traffic.*
- *Against narrowing of the road as it will create a bottleneck at the narrow entrance to London Rd / High Street and Church Street and intensify traffic movement in the busy area of the Downslink and the Old Railway Public House, creating an increased risk of accidents. Addition of double speed humps will slow traffic to a crawl which will lead to a further congestion of traffic in opposite direction. Road is often used by delivery and farm traffic, which often carry large trailers.*
- *Due to rural location of the site, inappropriate for an ageing demographic to be moved into the area as they cannot walk to the centre and will be stranded. They note one bus service at 6.*45am with the *next nearest public transport half a mile away and operates Monday to Saturday, terminating at 6:30pm.*
- *West End Lane is a dead-end road, making it inappropriate for emergency access in the event of road closure.*
- *Parking is an existing issue in the area such as at the junction of Church Street and London Road, Nep Town Road, and Blackgate Lane intersection. The development will exacerbate these issues. Prevention measures should be put in place to stop Hollands Lane from being used for overflow parking, as it will impact the existing residents.*
- *Access to site is via single lane which is often flooded and is an unlit country lane.*
- *Poor visibility of existing current development, making the access to the new development opposite ill placed. If developed it would create accident blind spot.*

Infrastructure

- *Unacceptable strain on infrastructure (including existing medical facilities, local community services). Insufficient support available for another retirement community in the nearby village.*
- *Sewage - Hollands Lane pumping station is already overloaded. It is prone to failure and has previously pumped raw sewage into the watercourse adjacent to it. Without improvement this issue will be exacerbated. Additionally, Lower Station Rd has a significant drainage issue. During 2023 instances where tankers had to manually assist the removal of waste, on one occasion for a period of six continuous weeks.*
- *Existing issues with power and water pressure, water pressure has decreased in recent years, and that there have been an increasing number of power cuts; there is a worry that further development will increase this issue unless service improvements are made.*
- *A high voltage cable runs across the site; this has been considered?*

Trees, Landscaping and BNG

- *Will see naturally rewilded area with habitats for birds, bats, animals, newts, reptiles and insects destroyed. Natural England's standing advice requires surveys where development may affect breeding birds, with this site meeting these criteria.*
- *Ecological assessment does not cover the presence of deer or Brown Hairstreak Butterflies. No mitigation plan for Cuckoo, Tubular Water-dropwort and Brown Hairstreak Butterfly and detailed habitat protection for foraging bats is not sufficient.*
- *No planned wildlife buffer on right edge of the site, even though soprano pipistrelle bats seen hunting there.*
- *Biodiversity opportunity area, offsetting the loss elsewhere will not save the rare species present on site, including 184 different species of flora and fauna currently on the proposed site.*
- *Wilder Horsham Project classifies Hollands Lane and West End Lane to be significant wildlife corridors. These would be disrupted by this development.*
- *Root protection area of T33 on Rye House Land affected by foundations and drainage.*
- *Loss of veteran oak tree not addressed.*
- *Applicant has not provided Green Infrastructure Plan.*
- *PEA Page 9 shows deciduous woodland on the neighbouring property and not extending to the proposal site, however not the case.*
- *Concerns regarding compliance with water neutrality. Sussex North Water Neutrality Strategy prioritises allocated sites.*

Drainage
- *Site sees annual flooding, particularly southwestern corner. Drainage into Hollands Lane and Lawyers Lane will flood the bridleway/footpath making it inaccessible. Last winter, runoff from the Sandgate site blocked the Hollands Lane Bridal Path for more than six weeks, forcing pedestrians, cyclists, and horse riders to use the adjacent fields.*

Privacy Light and Noise
- *Impact of pollution, noise and light pollution on existing residents.*
- *Upper floors of new development will intrude on the privacy of Camellia Cottage an existing building.*

Heritage and Design
- *Would urbanise the village, changing rural character. Conflicts with Policies 25 and 26 of the HDPF.*
- *Site in close proximity to listed building (Camelia Cottage/Deer Farm), new development would harm the setting of the building.*
- *Hollands Lane is part of a Horsham District Council heritage trail. The increased traffic through this area would be harmful to its authenticity.*
- *Archaeological Report states that there is the potential for early prehistoric remains across the site.*
- *Plans lack parking for visitors and staff.*
- *Some comments raise that Henfield is above the national average for detached and semi-detached dwellings. The need is for multi-bedroom flats and terraced housing for elderly residents seeking to downsize, and for younger people to move into. Plans lack affordable housing. Other representations state that starter homes are unnecessary and that more family homes are needed.*
- *Representations raise issues with the positioning of the SuDs , which is planning to be located near the highest point of the site. The soil permeability test indicates that water absorption is very slow.*

Loss of General Amenity
- *Green space used for dog walking, walking and jogging.*
- *View from the South Downs impacted by the development.*

Other

- *Viability concerns – 2017 Parish Council Housing Needs Assessment does not identify any demand for this scale of development.*
- *Nearest village struggles to attract and retain care staff, with no local pool of employees. Attracting employees from further afield is difficult due to lack of public transport.*
- *Land in Hollands Lane is contaminated. A Land survey should be undertaken to see if the contamination has spread to the proposed site.*

3.21 1 no. representation neither in support/objection, summarised below:

- *Will cater for growing older element for the community.*
- *Nothing is being done to address traffic issue along Upper Station Road and West End Lane. Scheme must allow traffic to exit via Hollands Lane (one way only) to take pressure off West End Lane.*

3.22 Parish Comments:

Henfield Parish Council: Objection (4th consultation response dated July 2025)

Reiterates objections that this application fails to comply with:

Henfield Neighbourhood Plan (HNP) 2021
Policy 1: A Spatial Plan for the Parish. P1.2 The proposed development is outside the Built-Up Area Boundary (BUAB) and does not conform to HDPF policies. The site is outside BUAB, does not meet the criteria for development in the countryside to justify its location

Policy 10: Green Infrastructure and Biodiversity. P10.2 The proposed development does not seek to maintain or increase biodiversity. P10.3 The proposed development does not enhance the amenity value of the existing landscape. It does not enhance the site and its surroundings, nor positively contribute to the landscape character of the area.

Draw attention to Henfield Housing Needs Assessment (Reviewed October 2017) prepared for The Henfield Neighbourhood Plan 2017-2031. Given the significant forecast increases in people aged 75+, it is appropriate for policy to provide support for a significant quantum of sheltered 30 and extra care 31 housing as part of the delivery of new housing. This estimates, using LIN's housing calculator produces the following additional housing:

- *conventional sheltered housing units = 11 (rounded);*
- *leasehold sheltered housing units = 22 (rounded);*
- *enhanced' sheltered units, split 50:50 between those for rent and those for sale = 4*
- *extra care housing units for rent = 3 (rounded);*
- *extra care housing units for sale = 6(rounded);*
- *specialist dementia care homes = 1 (rounded)*

It is important to note that there is no obligation for these all to be provided within the parish itself and clearly in some cases, such as providing a single specialist dementia care dwelling, it would not be economically feasible to do so. As such, these 41 specialist dwellings need not be thought of as all needing to be provided within the neighbourhood plan housing target- rather, there will be some overlap between these dwellings and the target, depending on the number that could be provided within the parish itself.

Given the numbers of units that result from the HLIN analysis, there is a need for appropriate housing for older residents and a careful assessment should be undertaken as to the suitability of the settlement for development of this kind. Accessibility to key services is an important consideration, as well as sustainable transport connections that enable staff to come and go. For this reason, other settlements in the area, such as Steyning, Worthing, Lancing or Shoreham may be more appropriate locations.

Henfield currently has 5 retirement/sheltered housing locations, 2 nursing homes and a day centre giving dementia care.

Application contrary to Horsham District Planning Framework, Specifically HDPF policies:

- *Policy 1 as it is not an identified site in the current Local Plan or Neighbourhood Plan*
- *Policy 2 as it does not maintain the districts rural character; as not a strategic development; and does not focus development around Horsham*
- *Policy 4 as it is not allocated in the Local or Neighbourhood Plan and would be the expansion of an existing settlement*
- *Policy 18 'Retirement Housing and Specialist Care' as it will not cater to those on lower incomes. It does not accommodate a range of needs, include some affordable provision or an appropriate financial contribution, and contribute "appropriate services and facilities". Also there is no evidence of how an exclusively over 65 age policy will be administered or enforced (unlike other retirement premises).*
- *Policy 25 as it does not protect, conserve enhance the natural environment and landscape character; nor does it conserve or enhance the setting from the South Downs National Park to the south.*
- *Policy 26 as it is outside the BUAB; does not support the needs of agriculture or forestry or extraction of minerals or disposal of waste*
- *Policy 30 as there will be adverse impacts on the views from the South Downs National Park to the south*
- *Policy 32 as it does not complement locally distinctive character and heritage of the district; or integrate with the historic surroundings of Dears Farmhouse and Camelia Cottage*
- *Policy 34 as it does not make a positive contribution to the historic setting of Dears Farmhouse and Camelia Cottage.*
- *Policy 40 - Sustainable Transport. There has no access to public transport. The proposed development of a "retirement community of up to 72 units" has marked differences from that which is currently the standard for other retirement locations in Sussex.*

In the main retirement locations will be

- *Predominately apartments - the few cottages or bungalows have - 1½ floors and a ground floor bedroom (or study which could become a ground floor bedroom) or lift*
- *Adapted for changing needs e.g. wider doors to be wheel chair accessible if required*
- *Provide Communal gardens as opposed to private front and rear gardens*
- *Exclusively leasehold*
- *Provide one car park space per unit not two*
- *Have Age exclusive conditions*
- *Have access to public transport- as opposed to the one bus at start of day from the depot and*
- *one bus back to the depot at night as claimed by the applicant to be a bus service*
- *Provide onsite communal recreational facilities*

Question the on-site "medical centre" which is a support building as the real Medical Centre for appropriate NHS Health care is a mile away.

In previous planning application DC/21/0908 for 51 dwellings, states that 25 two-way trips in the morning and 23 in the afternoon. In the transport statement, 22/070/31A, Table 6C for 72 + 10 units gives 19 two-way trips in the morning and 17 in the afternoon.

On the plan SNH/P23/02 that every property has parking provision for two cars with 5 spaces at the medical centre. With 72 CCRC units, 10 starter homes and the medical centre that gives the total number of proposed parking space of 87.

The plans and transport statement dramatically underestimates the ownership, movements and impact of cars to an already congested road that leads to the main village centre. This

has already been proven with the construction of Bishops Park where cars overspill onto West End Lane causing traffic and congestion issues. With the infrequent public transport links to the village car use will be the primary mode of transport for most residents.

164 local resident objections to this planning application.

3.23 Member Comments:
I am aware that this proposed development has aroused a great deal of concern locally regarding the access through West End Lane, particularly via the village centre at the Church Street junction, about the potential surface water and drainage issues which currently affect Hollands Road and about wildlife/habitat loss near the Adur River Nature Corridor. This application will no doubt come to committee due to the number of contributors and comments, but I would request this opportunity for a full consideration at Committee anyway, given the level of public concern.

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

Background

6.1 Outline planning permission is sought. The proposal includes the detailed access to the site for vehicles and would include access for cycles and pedestrians. Matters relating to scale, appearance, layout and landscaping are reserved for subsequent reserved matters applications. Therefore, all details in relation to the site's layout, open spaces, building types and sizes, are shown for indicative purposes only to establish the ability of the site to accommodate the proposed development.

6.2 For this Outline application, considering the quantum and type of development proposed, the main matters to consider are:

- Acceptability of the site redevelopment having regard to national and local planning policies relating to development in the countryside and housing need (Existing and emerging Local Plan, 5-year housing supply, Neighbourhood Plan and Shaping Development guidance, elderly persons in the District and Affordable).
- Landscape Impact and the effect of the parameters of the proposed development on the character and appearance of the locality.
- Harm to the setting significance of the Grade II Listed Building (Camellia Cottage) balanced against public benefit.

- Highways Impact and Safety, Access, and Active Travel.
- Environmental issues including drainage and flooding and ecology; and
- Legal agreement.

Principle

The Development Plan and planning policy context

6.3 The Development Plan at the application site area comprises the Horsham District Planning Framework (HDPF, 2015) and the Henfield Neighbourhood Plan (HNP 2021); and the West Sussex Joint Minerals Local Plan (2018). In accordance with planning law, these documents form the statutory development plan and the starting point for the assessment of the development proposals.

6.4 More recently, the Council's own Local Plan Review has been subject to a further response from the Examining Inspector, acknowledging the Government's intended change to the 'Duty to Cooperate', and the formal withdrawal of Natural England's Position Statement on Water Neutrality. Therefore, the Emerging Local Plan (eLP) remains a material consideration in the determination of the application, albeit having limited weight. It is noted that the site forms allocation HA9 in the eLP for at least 55 homes.

6.5 The overall strategy of the HDPF is to direct development to the most sustainable locations (Policies 1 and 2) and, to that end, identifies a hierarchy of settlements (Policy 3). Henfield is a tier two 'small town and larger village' in this settlement hierarchy. Policy 4 explains settlement expansion outside Built-Up Area Boundaries can be supported where a proposal meets several provisos. This includes where new development adjoining an existing settlement edge, such as the case here, with the site abutting Hollands Road. Nonetheless, the application site is located outside of any Built-Up Area Boundary and is not allocated for residential development in either the HDPF or the HNP, therefore the proposal conflicts with HDPF Policy 4.

6.6 As the site is within the countryside, HDPF Policy 26 (Countryside Protection) requires development be essential to its countryside location and be of a scale appropriate to its character and location which does not lead to a significant increase in activity, with key landscape features and characteristics protected. This is generally consistent with National Plan Policy which sets out the need to recognise the intrinsic character and beauty of the countryside when considering new development. The proposal is not in itself essential to this countryside location, therefore failing to accord with Policy 26 also.

6.7 The Henfield Neighbourhood Plan 2017 - 2031 (HNP) was formally 'made' in 2021. It will remain 'in date' until June 2026. HNP Policy 2 sets out a series of site allocations to meet the Parish's identified housing need, thereby enabling Paragraph 14 of the NPPF to be triggered in decision making. The application site is not one of the sites allocated under Policy 2. The Neighbourhood Plan controls windfall development outside the Built-up Area Boundary (BUAB) under the provisions of Policy 1: A Spatial Plan, set out below:

*'**Policy 1: A Spatial Plan for the Parish***

P1.1 The Neighbourhood Plan defines the Built Up Area Boundary of Henfield (see page 23) and Small Dole (see page 24). Development proposals located inside these boundaries will be supported, provided they accord with the other provisions of the Henfield Neighbourhood Plan and the Horsham District Planning Framework (HDPF).

P1.2 Development proposals outside of these boundaries will be supported where they conform, as appropriate to their location in the neighbourhood area, to national, HDPF and South Downs Local Plan policies in respect of development in the countryside.

P1.3 Development proposals within or affecting the South Downs National Park should conserve and enhance the natural beauty, wildlife and cultural heritage of the area'

Whether proposal accords with Policy 1 of the HNP

6.8 HNP Policy 1.1 defines the extent of the Built-up Area Boundary (BUAB) for Henfield. P1.2 explicitly supports development outside of the BUAB where this would conform, as appropriate to its location, with the development plan policies on management of development in the countryside. In this instance, the site comprises reuse of redundant horticultural nurseries to provide for specialist care housing; therefore, provided the proposal accords with the other policies in the development plan, then it will fall within the circumstance contemplated by P1.2, and thus it will accord with Policy 1 taken as a whole.

6.9 On whether the proposal accords with the other policies in the development plan. Firstly, this requires consideration of the development plan as a whole not just the HNP (i.e., including the HDPF). This is because P1.2 refers to the development plan, not solely the HNP. Secondly, policy P1.2 does not require compliance with each and every policy in the development plan. Instead, the question is whether the proposal complies with the other policies in the development plan, taken as a whole.

Whether NP places an upper cap on new development within the neighbourhood area

6.10 The HNP does not place an upper cap on new development within the designated neighbourhood area. The starting point is to recognise the HNP did not make any allocations for specialist care development within Planning Use Class C2 (only Use Class C3 housing for older and downsizing households). Policy 1 of the HNP does not control the amount of development; rather, it only seeks to control the location of development. The supporting text to Policy 1 confirms the spatial strategy in the HNP is based on a total number of houses that is 270 over the Plan period, but also concedes that as the policy allows for sustainable development proposals within the [HNP] boundary, the total number of dwellings consented over the plan period could be greater than the numbers resulting from the allocations within the HNP.

6.11 At Policy 2 the HNP allocates sites for residential development, but it does not contain any cap on development. None of the strategic policies in the HDPF seek to cap growth. There is no expressed target, quantum, or cap in HDPF Policy 18 which deals specifically with specialist care housing.

<u>HDPF Policy 18 (Retirement Housing and Specialist Care):</u>

6.12 Of key importance to this decision is HDPF Policy 18 which specifically addresses how applications for specialist care housing, such as the application proposals, are to be considered. This policy provides that:

Proposals for development which provide retirement housing and 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. The Council will particularly encourage schemes that meet identified local needs for those on lower incomes and provide affordable accommodation for rent or shared ownership / equity.

6.13 This policy does not restrict such sites to being within Built-Up Area Boundaries. The supporting text of the policy goes on to state that consideration be given to any site-specific constraints and the detail of the scheme.

6.14 HDPF Policy 18 sets out provisions whereby a need for accommodation for the elderly can be met outside settlement boundaries, applying locational criteria requiring that such sites be accessible by foot or public transport to local shops, services, community facilities and the wider public transport network.

6.15 The site is located adjacent to the nearest settlement of Henfield which has several services and facilities that are reflective of its second-tier designation as a small town/larger village – this is defined as a settlement with a good range of services and facilities, strong community networks, and also benefits from a reasonable public transport network. Henfield in this regard has a large range of shops and a doctor's surgery amongst other services and facilities. The centre of Henfield is approx. 1km from the application site.

6.16 The type of accommodation now proposed and consequently, the accessibility requirements of future residents, is of very different nature when compared to that of the appeal schemes for a new residential estate of general market or unfettered affordable housing (DC/14/0588 and DC/21/0908 refers). The Inspector's findings of DC/14/0588 on the site location for a general market housing scheme has reduced significance for a care home and age restricted housing, as day-to-day services would be provided on site and the residents, being aged people, would have less need to be close to schools and employment sites, for instance. The proposed care home would provide a number of onsite facilities for residents, further reducing the amount of travel. The care element of the proposal will also provide mainly for the frail not expected to leave a home unaccompanied. However, accessibility by means of travel other than private car remains relevant when considering the impact of trips by staff and visitor on sustainable development policy.

6.17 Convenient and safe access to the bus stop shelters provided along West End Lane allow for an appropriate level of transportation mode choice for future residents if they need or desire access to services outside of those planned for within the development. There are reasonably frequent daytime bus services to Henfield village centre and other local centres.

6.18 Additionally, improvements to existing pedestrian connectivity for future residents and their visitors to local services in Henfield village centre, and to enjoy and learn the special qualities of the wider countryside have been secured from the applicant.

6.19 On locale appropriateness, it is noted the site forms a draft allocation within the submission Horsham District Local Plan 2023 - 2040 (HDLP/Local Plan) under Policy HA9 Henfield Housing Allocations. The site assessments carried out were background evidence in the identification of the allocated site within the HDLP. Policies HA1: Strategic Site Development Principles and Policy HA9 Henfield Housing Allocations are relevant. Policy HA9 identifies Land at Sandgate Nurseries as an allocated site (HNF1) for provision of 55 homes. This policy states that in addition to meeting National and Local Plan requirements, development will be supported where proposals:

a) Have regard to the setting of the Grade II listed building (Dears Farmhouse)
b) Are supported by a landscape-led masterplan which should inform site layout, capacity, enhance existing boundary treatments, and promote high-quality design for the site; and
c) Ensure the site maximises connectivity from the site to Henfield Village centre through improvements to local pedestrian and cycling networks.

Summary on Principle

6.20 In summary on the matter of principle, it has been evidenced that there is compliance with HDPF 18 which allows for specialist care housing to come forward on sites outside of built-up area boundaries where sustainably located. Given the proposal's compliance with HDPF Policy 18, it follows that the proposal also accords with HNP Policy 1 (specifically Policy 1.2). The principle of this specific type of development on the site is therefore supported by the development plan.

<u>Housing Need - as Material Planning Consideration</u>

6.21 National Planning Policy/NPPF instructs Local Planning Authorities to ensure a sufficient amount and variety of land comes forward where needed, and that the needs of groups with specific housing requirements are addressed. The size, type and tenure of housing needed

for different groups in the community should be assessed and reflected in planning policies, including, but not limited to, older people. The NPPF glossary defines “Older people” as “People over or approaching retirement age, including the active, newly retired through to the very frail elderly; and whose housing needs can encompass accessible, adaptable general needs housing through to the full range of retirement and specialised housing for those with support or care needs.”

6.22 The number of Horsham District elderly residents is forecast to rise. Evidence of identifiable need for specialist older people housing in Horsham District for the elderly has, mostly recently, been established by the evidence gathered in the ICENI Northern West Sussex Strategic Housing Market Assessment (Nov 2019). This is a rigorous assessment of future demand and clearly demonstrates unmet need for elderly accommodation within Horsham District.

6.23 The ICENI report analysis concludes there will be a notable increase in the older person population, with the total number of people aged 65 and over projected to increase by 61% to 2039. This compares with overall population growth of 24%. The findings confirm that aged-related illnesses/disabilities (dementia and mobility problems) are expected to increase significantly in the future as the population grows. The proportion of older people expected to change is tabled below-

Table 57: Projected Change in Population of Older Persons (2019 to 2039) – Horsham

	2019	2039	Change in population	% change
Under 65	109,628	124,366	14,739	13.4%
65-74	17,125	23,432	6,306	36.8%
75-84	10,851	18,886	8,035	74.0%
85+	4,739	10,358	5,619	118.6%
Total	142,343	177,042	34,699	24.4%
Total 65+	32,716	52,676	19,960	61.0%

Source: Demographic Projections

6.24 Given the ageing population and higher levels of disability and health problems amongst older people there is likely to be an increased requirement for specialist housing options moving forward. The prevalence rates used in analysis are based on the Housing LIN Strategic Housing for Older People Analysis Tool (SHOP@). This sets out a series of baseline rates that form a starting point for assessing appropriate prevalence rates to apply. This analysis suggests a need for 140 units of accommodation per 1,000 population aged 75 and over in Horsham.

6.25 The table below/overleaf shows estimated needs for different types of specialist housing for Horsham linked to the Standard Method projections. The analysis shows a potentially high need for leasehold (market) accommodation in Horsham as well as a need for rented accommodation. Overall, the analysis in Horsham suggests a need for 2,087 additional units by 2039 (equivalent to 104 per annum).

Table 63: Older Persons' Dwelling Requirements 2019 to 2039 - Horsham

		Housing demand per 1,000 75+	Current supply	2019 demand	Current shortfall/ (surplus)	Additional demand to 2039	Shortfall/ (surplus) by 2039
Housing with support [37]	Rented	36	912	556	-356[38]	487	131
	Leasehold	67	968	1,050	82	919	1,001
Housing with care	Rented	16	97	244	147	213	360
	Leasehold	21	32	334	302	293	595
Total		140	2,009	2,183	174	1,912	2,087

Source: Derived from demographic projections and Housing LIN/HOPSR/EAC

6.26 The ICENI analysis demonstrates that high levels of care accommodation are likely to be needed. Given this, there is a clear need for accommodation of this kind, and that such a need is becoming more acute which helps demonstrate an exceptional need and a public interest associated with providing this type of specialised housing for the elderly.

6.27 On local demand, the HNP identifies using the 2011 census that 29% of the Parish population (1,552 people) are aged 65 and over compared to 19.4% across Horsham District and 16% across England. It also identifies, in its community views survey results, that a weakness of the Parish was a lack of sufficient lower cost housing options and smaller properties for older persons. Demand is evidenced by the presence of supported / independent older age accommodation in and near Henfield, including Red Oaks (Barchester Healthcare) and Saxon Weald (Fabiens Way and Sobell Court). All this goes to a demonstration of local demand and need of specialist accommodation for older people in and around Henfield.

6.28 In addition to its purpose to enhance landscape, the Local Planning Authority also has a duty to seek to foster the social and economic well-being of the community. This development would help to meet the need for specialist accommodation within the district and allow older people a greater degree of independence and flexibility in the way they live and chose to receive the care they need. It is also recognised that the development may have the potential for a contribution to the local economy by providing employment opportunities.

Housing Land Supply - as Material Planning Consideration

6.29 On the figures in the District Council's own Annual Monitoring Report 2024-2025, the District Council can demonstrate only 34% (1.7 years) Five Year Housing Land Supply. The HDPF was five years old in November 2020. National Policy instructs that relevant policies for the supply of housing should not be considered up to date if a five-year supply of housing land cannot be demonstrated, as is the case for Horsham District. This has consequences on the reliance that can be placed on those policies in reaching a decision. The proposal would provide for additional housing which in light of the housing land supply position must be afforded significant positive weight. The impact of the Council's housing land supply position on the balance of considerations is addressed in the conclusion of this report.

Loss of Employment land

6.30 HDPF Policy 9 seeks to protect employment sites to ensure there are sufficient local employment opportunities to meet the needs of the district. Outside key employment areas, the Policy requires proposals for the redevelopment of employment sites to demonstrate that the site/premises are no longer needed and/or viable for employment use. The site is no longer in use as horticultural nurseries (sui generis use). Employment sites are generally considered B1 (now E.g.(iii))/B2/B8) which this is not, but nevertheless the site if reopened as nurseries it would offer some employment more generally. Nonetheless, the proposal is expected to provide jobs on the site and will employ people into various types of jobs

including management, administration, carers, and support staff. It is likely that many of these jobs will be filled locally and therefore provide increased employment opportunities. Your Officers therefore consider the proposal would not conflict with HDPF employment policies, in particular Policy 9, as it provides a substitute viable employment use, for a quantity and quality of jobs in the care sector, which is a growth industry currently in demand.

Elderly Accommodation, Affordable Housing and Mix

6.31 The scheme would provide important niche market and affordable care accommodation within the district. The proposed mix of homes would cater for older residents enabling them to continue to live locally, which could potentially free up existing family size homes within the district. This in turn has the potential to alleviate the pressure elsewhere within rural locations to deliver general housing. There would also be benefits for elderly people currently living in unsuitable accommodation achieved through increased housing choice within the district.

6.32 The Extra Care element of the proposal would operate within Use Class C2. As such, this element would not be required to generate an affordable housing contribution and is £0 rated development for the purposes of the Authority's Community Infrastructure Levy (CIL) charging schedule. The Council considers the 10 no. supported living units would fall within Use Class C3 (dwellinghouse) and, as such, would attract a CIL charge.

6.33 Having drawn that distinction, your Officers are of the opinion that the proposed care element cannot be considered as providing C3 dwellings and thus HDPF Policy 16 (which seeks 35% affordable housing contributions to be secured on all proposals for residential developments above a certain scale) cannot apply. However, Policy 18 requires supported schemes to meet identified needs for those on lower incomes.

6.34 The Council's Housing Officer confirms the Housing Register in Henfield in 2023 had 126 households waiting for housing of which is broken down to 27 households in need of a 2-bedroom unit. The site proposes to deliver 10x2 beds the above shows that there is demand for these units in Henfield. All 10 supported living units will be prioritised in marketing for those with a local connection. This means a person with a connection with the administrative area of Horsham District Council by means of residence, employment, or family connection. Regards will be paid to the residents of Parishes of Henfield in a cascade system before moving onto residents of Horsham District Council and then the wider area.

6.35 It is likely that many people seeking to move into this type of accommodation in later life will choose a location where they have previously lived or where family connections exist rather than moving somewhere completely new. In your Officer's opinion, the significant and growing need within the district makes it likely that residents of the district would occupy most of the units.

6.36 It is noted that Policy 18 does not provide further information on the percentage and type of affordable housing such development should provide. Likewise, the Council's Planning Obligations and Affordable Housing SPD provides no further relevant detail. In the absence of such information, officers are of the view that the affordable housing offer is acceptable to meet the requirements of Policy 18.

Heritage

6.37 Section 66 of the Town and Country (Listed Buildings and Conservation Areas) Act 1990 provides a statutory requirement for decision makers to have special regard to the desirability of preserving a listed building or its setting. The NPPF seeks to positively manage changes to the historic environment to ensure sufficient flexibility whilst conserving the important and irreplaceable nature of the designated asset, requiring decision-makers to consider whether a development proposal would lead to 'substantial' or 'less than substantial' harm to a

designated heritage asset. 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 including, where appropriate, securing its optimum viable use (NPPF paragraph 208).

Below ground assets

6.38 Archaeological fieldwork to the immediate north of the site on the Land North of West End Lane, Henfield development recorded archaeological finds, and it is possible that this activity extends into the application site. The Council's consultant archaeologist is satisfied that the potential to impact on archaeological remains can be safeguarded by the implementation of a programme of archaeological work in accordance with a written scheme of investigation submitted and approved by the District Council.

Above ground assets

6.39 The NPPF advises that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. HDPF Policy 34 recognises heritage assets are an irreplaceable resource. The NPPF goes on to instruct 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 including, where appropriate, securing its optimum viable use. This is key when determining whether the changes proposed within the setting of any listed building would be acceptable.

6.40 The applicant's Heritage Statement advises the significance of Grade II listed Camellia Cottage (formerly Dears Farmhouse) is derived from its historic and architectural interest as a timber framed house dating from the 16th Century, with the architectural interest being derived from its vernacular form and appearance which has survived relatively intact despite having been extended. It is further advised the setting of Camellia Cottage have changed over time. Camelia Cottage is set within a large and mature garden, with well-established physical and visual separation by trees between the garden and the application site. Views of the farmhouse and garden setting from within the application site are limited, with some filtered views in winter. Notably the farmstead at Dear's Farm changed when the barn and the outbuildings to the west were separated and converted to residential use, with a separate curtilage. A new car port has been constructed to the east of Camelia Cottage close to the boundary with the application site.

6.41 The Council's Conservation Officer has reviewed and advises that both West End Lane and Hollands Lane are lanes to and from the River Adur and the village, and an important link between Henfield and Ashurst across the river. The Adur was navigable to Mock Bridge until the early nineteenth century and so this would have been an important transport link for the village until this time. West End Lane and Hollands Lane would have been much busier than they are today. However, they would have been country lanes bounded by farmland. The pattern of farms following the curve of the east bank of the river to Mock Bridge can still be seen on modern maps.

6.42 Nonetheless, it is clear there have been changes in the local farming and rural landscape since Camellia Cottage was built. In any event the agricultural use of the buildings has ceased, and their domestic use is now obvious. Neither is Camellia Cottage in its original condition. The historical agricultural character and associated significance of the buildings has thus already been eroded.

6.43 The Conservation Officer is aware this site has been subject to earlier applications to develop; an important constraint being the proximity of Dears Farmhouse. The advice is that the current proposal has sought to create a clear physical and visual buffer between the proposed development and the listed building and that the view is that this will ensure some perception of separation between the suburban development and the historic farmhouse. There is now more separation distance and increased tree screening between the proposed

built form and Camellia Cottage compared to the 2021 refused scheme, with the proposed built form moved away from the sensitive northwest corner of the site.

6.44 However, the original isolation of the farmstead has been compromised, firstly by the construction of the former Hollands Road Council Estate to the east, and more recently by a further change is the development of 160 units to the north of the site. Moreover, if implemented, the proposed development would effectively end the isolation of Camellia Cottage by joining the former farmstead to the built-up area.

6.45 There will be some impact within the wider setting of the listed building, and this will result in less than substantial harm at the lowest end of that scale. That merits significant weight and importance in the planning balance. The public benefits of the proposal should be weighed against this harm to the already diluted the original agricultural character and heritage significance of the listed building and the group. Provided the public benefits outweigh the harm identified, Officers are satisfied that the proposal could be considered to accord with Policy 34 and the requirements of the NPPF. This is addressed later in this report in the planning balance.

Landscaping and Trees

6.46 HDPF Policies 25, 32 and 33 promote development of high-quality design, sympathetic to character and distinctiveness of the site and surroundings. The landscape character of the area should be protected, conserved and enhanced, with proposals contributing to a sense of place through appropriate scale, massing and appearance. HDPF Policy 30 addresses Protected Landscapes in this context. HNP Policy 10 identifies West End Land and Hollands Lane as having significant hedgerows/wildlife corridors. HNP Policy 12 offers support where design meets the relevant requirements in the Henfield Parish Design Statement.

Review of submitted LVIA

6.47 The Applicants have submitted a Landscape and Visual Impact Assessment (LVIA) undertaken by Neil Tully Associates (ref: REV A October 2025) which includes Appendix K: Addendum Report - views from SDNP. The LVIA generally concludes the landscape on and around the application site is of medium to low sensitivity (combing landscape value and susceptibility to change provides how sensitive a landscape is).

6.48 The Council's Landscape consultant is in general agreement with judgements made with the LVIA which identifies reliance on existing vegetation to maintain the intimate nature of the site. It is concurred that it is vital to retain and enhance as much of the boundary vegetation as possible. Following review by the Council's Landscape Architect consultants, it is confirmed the LVIA has been carried out in accordance with the principles set out within the practice guidelines. The viewpoint photography provides a worst-case scenario.

Setting of Protected Landscape

6.49 One measure of value is that some land is locally or nationally designated for its landscape quality. In particular, the NPPF emphasises the protection of nationally designated landscapes. The South Downs National Park is approximately 2.6km south of the site and visible from bridleway 2583/7 west of the site. Although the application site would be distantly visible from the high ground of the South Downs National Park, that has been assessed in the applicant's Landscape and Visual Impact Assessment. The Council's Landscape Consultant agrees with the Applicant that views from the South Downs National Park (SDNP) are unlikely, but this has still been explored in Appendix K at request and assessed to rule out impact on the National Park and its setting. The consideration given on this matter is consistent with national policy at Paragraph 189 (the development being sensitively located and designed to avoid or minimise adverse impacts) and to furtherance of the statutory purposes of this protected landscape under the Levellingup and Regeneration Act 2023.

Wider Countryside

6.50 The Applicant's assessment has correctly identified the site as lying within National Character Area 121 'Low Weald', LW11: Eastern Scarp Footslopes of the Landscape Character Assessment of West Sussex (2003) and Local Character Area (LCA) D2 'Henfield and Small Dole Farmlands' of the Horsham District Landscape Character Assessment (2003). In summary, the applicant's assessment concludes there would be a large residual effect on the landscape character of the site, with a slight effect on the local landscape character (within 500m of the site) and the Eastern Scarp Footslopes LCA LW11.

6.51 The Henfield Parish Design Statement draws attention to views into and out of the parish which it seeks to preserve and respect in the design and positioning of new development. The Statement does comment that all further built development in the West End Lane area should be prevented. However, as a design statement it is not a development plan document and therefore carries reduced weight.

6.52 The site area abuts the edge of the existing settlement boundary of Henfield. Suburban style development within the defined built-up area continues opposite the site and along its east and south side. The former is a modern housing estate with dense frontage development; the latter is mainly a former Council Estate built in the mid-20th century at Hollands Road laid out in a geometric pattern which lacks rural character. This presents a harsh edge to the built-up area. Only to the west of those houses does the lane assume a more rural character on its southern side with scattered rural housing at typically low densities, and the vernacular buildings of Camellia Cottage. This includes large houses and former farmsteads in extensive curtilages and interspersed with open fields and woodland.

6.53 The proposed site layout establishes an indicative development framework infilling the Sandgate Nursery site between Holland's Lane and West End Lane. This would inevitably change the character of the lane. It is not disputed there would be some harm to the existing landscape character. However, the application site has no special landscape designation, and its own physical character is unremarkable. Any qualities it does possess relate instead to views of and from the land.

6.54 Long distance views to the site are very limited. In close views towards the land from adjoining roads and footpaths the site currently contributes to the generally rural quality of adjoining lanes and the surrounding area. The layout of the proposed development is intended to mitigate impacts in that the proposed built development has been concentrated into two parcels. These are set back from the roads to north and south, and from the field boundary with the open countryside to the west. The open spaces at the edges of the site and beside the footpath are intended to be landscaped and planted to include hedges and trees. The landscaped areas would be under single management and can continue to be managed to retain the design concept.

6.55 The layout would avoid a harsh urban appearance, using open space and planting to provide a visual link to the countryside and as an attractive backdrop and foil to new development. The maturing planting would soften the edge of the built development and help to screen the extended settlement.

Visual Effects

6.56 It is apparent that most design effort has been devoted to the local views towards the development from nearby roads and footpaths, including from West End Lane. The main form of mitigation has been to keep buildings away from the site boundaries and to provide screen planting which will become more effective as it matures. However, the viewer will be aware of the presence of the housing.

6.57 It is proposed that new paths with public access would be created within the proposed development. These would provide some outward views, but because they would be close

to the planted site margins, the available views would be more restricted than those currently available from the public footpath.

6.58 From a landscape perspective, the Council's consultant Landscape Architect accepts the principle of development on the site but advises that careful consideration is taken at Reserved Matters stage for the sensitivity of views to and from the site including those toward and beyond bridleway 2583/7 and further to the South Downs National Park. Reliance on screening outside the scope of the site should not be accepted.

Site Capacity and Scheme Qualities

6.59 The Council's landscape consultant has critiqued the indicative layout, noting the need for further refinement at Reserved Matters stage for increased landscaping, a suitable street hierarchy to reduce vehicle dominance development. Further advice is that building heights and finalised density should be carefully considered to inform a balanced development layout whilst introducing variety across the site. As currently shown, the illustrative layout proposes standard uniform development dwellings (albeit this in part reflects specialist care building typologies). There are opportunities to utilise green links through the development using pedestrian desire lines. The orchard space needs further consideration for its use and purpose as a landscape feature and space in such a dominant central location of the site.

6.60 An alternative site layout has been issued to officers for discussions only, which shows that these outcomes can be accommodated within a context led site layout with densities varying across the site from the existing development at Holland's Road to the east to the rural edge to the west site layout. This drawing is not formal submission, it is for discussion point only.

6.61 It is important to reiterate that details of design are not subject to this outline application, and specific detailing would be considered as part of reserved matters should the principle of outline be considered acceptable. Nevertheless the applicant has agreed to a maximum two-storey building scale across the site, to be secured by planning condition.

Trees

6.62 The Council's tree Officer advises direct tree loss/hedgerow removal shown for access to the site and slight line requirements that may require additional tree loss on the bank, could be mitigated by new tree planting as part of a landscape scheme. The Council's Tree Officer is satisfied to secure this by condition, and similarly to control impacts on retained trees to be retained from access construction and later reserved matters.

6.63 Having considered aerial photos of the site from 2001, 2007, 2012 and the tree constraints plan that was submitted with a former application; it would lead the Council's Tree Officer to believe that the majority of the trees at the site are young self-seeded specimens that have grown up since the former nurseries at the site closed, which, in pure arboriculture terms are unlikely to have, any special or particular merit. Consequently, their removal is considered acceptable, subject to a condition to ensure those trees to be retained are suitably surveyed and retained.

6.64 A few mature trees worthy of retention are situated around the site boundaries to the south and west. This includes the off-site veteran oak in Hollands Lane beyond the public right of way to the south. This tree has a minimum recommended Root Protection Area (RPA) that extends significantly into the site. The Council's Tree Officer is satisfied that being at Outline stage without the internal site layout being fixed, there is sufficient safeguard to ensure avoidance of future harmful development within the RPA of this veteran Oak to avoid resultant deterioration / loss in accordance with national policy (NPPF 193c test).

6.65 On this matter, it is comfort that the below ground drainage layout submitted (Ref: 30512/6000 Rev P04) indicates all routes and associated excavations for utility lines and attenuation basins as being outside of the minimum recommended RPAs of site bounding trees. As result of negotiations, the indicative masterplan layout for housing may now be

marginally outside of the minimum root protection area of the veteran oak (no tree survey measurements provided in this respect) but the path and utility connections as shown would require engineering foreseeably damaging to tree roots, rooting areas and future tree health.

6.66 However, it can be clarified at Reserved Matters stage that no new build or associated infrastructure impingement is required within the minimum recommended RPAs of the retained trees for it to be acceptable in principle on arboricultural grounds.

Conclusion on Landscape Character matters

6.67 It is concluded the development would result in an inevitable change in the present landscape character. There would be some adverse visual impact from further suburbanisation and a dilution of the transition between village and countryside, and the visual changes would adversely affect the appreciation of the landscape, looking westwards beyond the current built environment of Henfield. The demolition of the existing buildings and the removal of he existing hardstanding on the site is not resisted as these are detrimental to landscape character qualities.

6.68 Nonethless the Council's consultant landscape architect, from a landscape perspective, accepts the principle of development on the site. This is due to the delivery of proposed mitigation measures including strengthening the boundary vegetation and strategy landscape planting within the site which will assist in reinforcing visual screening from user of the local roads, public right of ways, and residential properties. It would be unrealistic and a very inefficient use of land to seek to replicate the very low-density of rural development further westward. It is not clear what, if any provision, would be made at the site at such low density for a range of housing needs, including dwellings for smaller households and affordable housing.

6.69 The consultant landscape architect's request for an updated parameter plan to include developable area and building heights prior to approval is noted. However, an informed judgement of acceptability of the principle in terms of landscape impact has already been made on the evidence currently submitted, and therefore such an additional drawing is not necessary to determine this Outline application, given matters of layout and scale are for later stage consideration (with the maximum two-storey scale of the development across the site secured by planning condition). By taking available opportunities to proposing what is judged an appropriate density of development overall but which pulls built development back from the adjoining lanes, the public footpaths, and the site boundaries, create areas of open space across the site, protect some of the character of adjoining lanes, and provide new public access, the proposed development would broadly accord with the design objectives of the NPPF and would not be a poor design in the terms of the NPPF.

Residential Amenity

6.70 The proposals broadly accord with HDPF Policies 32 and 33 which require development avoid unacceptable harm to the amenity of occupiers / users of nearby property and land. The extent of developable area and proposed quantum indicate potential space within the development to accommodate adequate provision of garden amenity space and public open space; and, in regards, to the relationship of dwellings to each other and in terms of separation distance from existing neighbouring properties, to avoid unacceptable adverse loss of amenity to adjacent properties in relation to loss of light, overlooking, noise or an increased sense of enclosure. Further consideration of these impacts would be at Reserved Matters. A Construction Environment Management Plan, secured by condition, would secure measures to ensure construction works will mitigate, as far as practicable, the impact of the proposal on the amenity of adjacent residents.

Highways Impacts, Access, Active Travel and Parking

6.71 HDPF Policy 40 states development will be supported if it is appropriate and in scale to the existing transport infrastructure, including public transport; is integrated with the wider network of routes, including public rights of way and cycle paths, and includes opportunities for sustainable transport. These principles are reflected in HNP Policy 4.

6.72 Government instruction to decision-makers on planning (expressed within the NPPF) is clear in stating that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe. It should be noted that developers can only be required to mitigate the impact of their development, in accordance with CIL Regulations.

6.73 West Sussex County Council, in its capacity as the Local Highway Authority (WSCC/LHA) has carefully assessed the impact of the development. However, the development has been assessed by the qualified highway specialists in their role as Local Highway Authority, taking all the relevant information into consideration including the existing use of the site, and it is not found wanting.

6.74 In response to queries from WSCC/LHA and negotiations with Officers, additional information has been received from the applicant's transport consultant in the form of a Highways note and two Road Safety Audits.

Sustainable travel

6.75 Henfield has been identified as suitable for some expansion, in part because of public transport options that make it one of the more sustainable settlements in Horsham district. It is understandable that some people resident in the new development (of those who are actively capable given the development is for specialist care accommodation) will choose not to walk even short distances, but WSCC has commented that it is generally accepted that all facilities and services within Henfield are within an acceptable walking and cycling distance.

- Walking and Cycling

6.76 Currently there are no footways along the West End Lane in the vicinity of the site. The applicants have agreed to improvements in locations where space is available that would make walking easier and safer for both existing and proposed residents (including those who already live nearer the centre). The footway starts past the junction of Hollands Road, the site access proposals provide a connection to address the missing section which is required given the proposals. A contribution of £15k is proposed to deliver improvements to support pedestrians travelling towards the centre of Henfield and would deliver dropped kerb/tactiles and supporting infrastructure. An emergency/pedestrian and cycle access are shown as being provided on Holland Lane with removable bollards proposed to allow access for emergency vehicles. Hollands Lane forms part of Bridleway 2583 and connects into the Downs Link for recreational journeys. The vehicle flows on the carriageway would also make on road cycling suitable for most cyclists.

- Public Transport

6.77 The nearest bus stop is located on Station Road however has very limited services. The nearest regular service is at the High Street bus stops where the no 17 and 100 services provide hourly services to Burgess Hill, Horsham, Pulborough and Brighton. Further transport contributions are proposed include bus stop improvements. There are also some bus services that pass close to the site.

Highway Safety

6.78 A simple priority junction onto West End Lane is proposed. Speed surveys have been undertaken and identify 85th% speeds of 31.8mph eastbound and 28.9mph westbound

broadly in keeping with the 30mph speed limit and as such visibility splays of 2.4m x 49 and 2.4x 42m are to be provided. Vehicle tracking for the site access has been provided and is acceptable.

6.79 In order to create a continuous footway, a single lane chicane is proposed with westbound traffic giving way with speed table. The carriageway would be 3.7m wide with a 2m footway. A stage 1 Road Safety Audit has been undertaken on the proposals and highlights two areas of concern relating to vehicle tracking of the site access and that the priority system should be reversed. The designer response has proposed amendments to the kerb line to allow refuse vehicles access. The Designer disagrees that the priority system should be reversed and WSCC LHA would agree with the designer that the priority direction is correct. The feature is on a straight section of road and visibility for traffic would not be an issue. Traffic turning from the development would wait behind the proposed speed hump to allow an opposing vehicle through.

6.80 An alternative scheme (4.6m wide carriageway and 1.5m width footway) was explored but it is understood that further widening to the highway boundary would not be possible due to level differences. Guidance from Manual for Streets indicates 4.6m carriageway would allow two cars to pass or a cyclist and HGV and as such would be acceptable. A Stage 1 Road Safety Audit has been undertaken on these proposals and highlighted two areas of concern relating to vehicle tracking of the site access and the width of the footway. The designers response proposes amendments to the kerb and an analysis of the likely pedestrian footfall has been provided to address the concerns raised.

6.81 When considering which of the above schemes to progress, your Officers are mindful the previous application DC/14/0588 detailed that speed management measures were required to enable construction of the site access in terms of visibility splays. Application DC/13/0787 (160 no. dwelling housing estate) to the north has come forward first and it was to provide the traffic calming, however planning application ref DC/16/1877 removed this obligation as the site to the north was able to achieve visibility splays commensurate with recorded 85th% speeds by removing additional vegetation.

6.82 Given the notion of traffic engineering speed management measures were accepted in this location along West End Lane previously, and that further widening of the highway is presented with potential issues to its implementation, it is judged that, on balance, of the options available, that the single lane chicane (the priority working scheme) should be progressed. A consultation exercise has been undertaken on this scheme with statutory stakeholders and directly affected properties, and no insurmountable issues have been raised to the scheme. Should the priority working scheme be promoted then it is likely a Traffic Regulation Order would be required to restrict parking along the length of highway.

6.83 Regarding the junction of Church Street and High Street. Church Street meets the High Street at an angle and is particularly narrow here with a footway of restricted width on one side only. There is no room between the buildings to improve the junction. The High Street is often busy with both local and through traffic. Church Street provides the most direct vehicle access between the village centre and a large part of Henfield. This results in queuing at some times at the priority junction. As the proposed development would generate additional movements there is some potential for additional congestion at peak hours. Nonethless, there is a lack of evidence to demonstrate that the Church Street junction would become unsafe or that the congestion and other effects of the extra traffic would be severe in the terms of the NPPF.

Trip Generation

6.84 The development would generate increased levels of traffic and noises. This is relevant to nearby residents. TRICS software modelling has been utilised to establish the peak hour trip generation of the proposals and is an acceptable approach. The development is anticipated to generate a total of 19 AM peak two way trips and 17 PM peak two way trips and as such

no junction modelling is required. WSCC advice is that based on the modelling undertaken, it was apparent that the local highway network would operate within capacity.

6.85 The applicant's submitted Transport Assessment does not support the high traffic estimates claimed by some objectors and which are typically based on car ownership and parking provision rather than car use. Not all cars would be used every day or at the same time of day, whilst the extent of car ownership and use would likely be impacted by the nature of the extra care and supported living accommodation. Moreover, should excessive queuing occur then alternative routes are available to the north via Parsonage Road and south via Nep Town, which both have wider and higher capacity junctions with the main road. Some drivers are likely to divert to these routes if congestion increases on Church Street. Whilst some representations suggest that these other routes are unsuitable to carry extra traffic, the main criticisms are of some sharp bends and on-street parking. Those features would themselves serve to keep traffic speeds to safe levels through these residential areas.

Layout and Parking

6.86 Whilst indicative the internal network would provide a 5.5m carriageway with 2m footway on both sides. Vehicle tracking for a refuse vehicle has been demonstrated. Again, whilst indicative the proposed level of car parking (total of 165 spaces based two spaces per dwelling) would allow the residents to park their cars within the curtilage of their own properties. The provision of car parking is based on the principle that the residents although are retired are still likely to own cars to maintain their freedom to travel, although the travel will be outside of the typical commuter peak hours. Furthermore, the provision of on-plot parking allows for a level of visitor parking per plot, thus ensuring that the demand for on-street parking on site is minimised and that there is no overspill on the local road network. Whilst the higher-than-normal provision for a C2 use and requirement for visitors to either park on plot or on the internal network would raise some concerns it would not lead to an objection being raised. A total of 86 cycle parking spaces would be provided with each unit would provide at least space for one cycle parking space and two would be available for staff at the medical centre and as such would be acceptable. It is assumed that the space would also double as mobility buggy parking given the intended resident. EV parking requirements would be covered by building regulations.

Travel Plan

6.87 A travel plan has been submitted with the application and sets a baseline of an 11% reduction in trips by year 5. The applicant has provided confirmation that TRICS SAM surveys will be undertaken. The Travel Plan would be secured via S106.

Public Rights of Way

6.88 The site is bounded on its south edge by Hollands Lane, Bridleway (BW2583), an important east-west link to and from the popular cycle route, the Downs Link (BW3513/National Cycle Network route 223). The new pedestrian/cycle access onto Holland Lane/BW2583 is some 120m away from the Downs Link. WSCC Right of Way team note it can be reasonably predicted user demand of public Bridleway 2583 will increase. This will increase the rate of damage to the path surface, so inconveniencing users and despoiling their enjoyment. The applicant has agreed to a financial contribution to surfacing of the unmade length of this bridleway, as mitigation.

Summary on Highway Matters

6.89 Based on the evidence provided, WSCC Highways are satisfied the development proposals accord with the relevant NPFF policy requirements, and that the proposals will not result in any severe or otherwise unacceptable safety impacts. Subject to conditions and obligations (securing a travel plan statement and travel auditing fee, EV and cycle parking, and a Construction Management Plan and Servicing Plan), WSCC raise no objection on highway safety grounds. In such circumstance, there are no transport grounds to resist the proposal. Your Officers have no reason to disagree with this conclusion and recommend that the proposal accords with HDPF Policies 40 and 41 and Policy HNP 4. Likewise, as the residual

traffic impacts on the local road network have been demonstrated to be not severe, there is no conflict with the same.

Ecology

6.90 HDPF Policy 31 states development be required to contribute to enhancement of existing biodiversity and should create and manage new habitats where appropriate. The Council's Ecologist Consultant raises no objection on ecological matters, confirming there is sufficient ecological information available for determination, relating to the likely impacts of development on protected & priority species and habitats, and, with identification of appropriate mitigation measures secured, the development can be made acceptable. This evidence suite provides certainty for the Council of the likely impacts on protected and Priority species and will enable the Council to demonstrate its compliance with its statutory duties including its biodiversity duty under s40 NERC Act 2006.

Bats

6.91 The Council's Ecologist does not dispute the submission material conclusions that none of the buildings have potential to support roosting bats and of all the trees on site, only the mature ash in the south-west site corner has low potential for roosting bats. To manage the risk to roosting bats, it is practice to require suitable compensation for loss of roost resource in advance of works needed to be carried out, under a precautionary working method statement. Further bat checks would inform the potential need for a mitigation licence from Natural England at Reserved Matters.

6.92 The recommendation that a Wildlife Friendly Lighting Strategy be implemented (Bat Activity Surveys) is supported by the Council's Ecologist, to avoid impacts from light disturbance to foraging / commuting bats, which are likely to be present within the local area, secured by condition (technical specification agreed prior to occupation).

Reptiles

6.93 Due to loss of reptile habitat and slow worm population on site, the Council's Ecologist supports implementation of the reptile mitigation strategy, including new high quality receptor area creation and translocation in the Reptile Survey Report (secured by condition).

Newts

6.94 The Preliminary Ecological Appraisal identified a great crested newt population within 50m of the development boundary that was then followed up with an eDNA survey, the results of which were negative. As suitable newt habitat is in the surrounding landscape, the Council's consultant newt officer recommends a Precautionary Working Methods Statement as reasonable avoidance measure to minimise risk of impact (secured by condition).

Biodiversity Enhancements

6.95 Also supported are the proposed reasonable biodiversity enhancements (habitats include SuDS basins, fruit trees, butterfly banks and flower-rich grassland) in a Biodiversity Enhancement Layout, secured by condition (for discharge prior to slab level), and subject to a Landscape and Ecological Management Plan (LEMP), also secured by condition.

Conclusions on Ecology

6.96 In review of the applicant's submitted Update Walkover Survey (The Ecology Partnership, August 2024), the Council's Ecologist consultant agrees with its conclusions that habitats on site have not changed materially since the initial material submitted in support of this application was received.

6.97 The measures identified in the Applicant's evidence suite (Ecological Impact Assessment, Preliminary Ecological Appraisal, Bat Activity and Reptile Surveys), should be secured by condition. This is necessary to conserve and enhance protected and Priority species.

Finalised measures should include a pre-commencement Construction and Environmental Management Plan – Biodiversity.

Drainage and Flood Risk

6.98 The site is located within Flood Zone 1 for fluvial flooding. With the exception of a limited area of pooling at the north west corner of the site (1 in 30 year risk), the site area is not subject to surface water flooding as identified by the Environment Agency mapping. In support of the application, a Flood Risk Assessment and Drainage Strategy (Rev P09 December 2025 by Price & Myers) has been submitted.

Surface Water

6.99 As amended, the Local Lead Flood Authority (LLFA) raise no objection to the proposed drainage strategy, subject to conditions. The strategy has been subject to refinement and the amended FRA demonstrates it will be possible to manage the risks posed to controlled waters by this development. The Environment Agency notes the drainage strategy has not considered the risk of the infiltration via unlined detention basins or the permeable paving, which could mobilise any existing site contamination; as such, conditions are necessary to secure a revised drainage strategy be submitted that should, amongst LLFA requirements, also include details of the infiltration of surface water to the ground, and detail how these have been suitably managed, informed by appropriate contamination investigation and remediation

Foul Sewerage

6.100 Southern Water has undertaken a capacity check of the impact that the additional foul sewerage flows from the proposed development will have on the existing public sewer network. This study indicates that these additional flows may lead to a minor increased risk of impact on the sewer network. Due to available capacity of foul drainage to Wastewater Treatment Works, Southern Water has requested development occupation be phased and implemented to align with the delivery of any sewerage network reinforcement required to ensure that adequate wastewater network capacity is available to adequately drain the development. A condition that full details of the proposed means of foul sewerage disposal timetabled to Southern Water's network reinforcement programme is recommended below, to be approved in writing by the Council in consultation with them.

Other Environmental Matters

Contaminated Land

6.101 The previous use of the site as a nursery and neighbouring historic landfill presents a risk of contamination. The Council's Environmental Health team have reviewed the Aviron Preliminary Risk Assessment, dated November 2023 submitted in support of the application, and are satisfied the site contamination preliminary assessment of the risks have been fully assessed and agree with the conclusions in the report that supplementary site investigation works are required on the site, through conditions.

6.102 These conditions will secure any necessary remediation strategy (and subsequent verification report) to deal with associated risks to pollute controlled waters within a location particularly sensitive to controlling disturbance of a groundwater aquifer, as identified and requested by the Environmental Agency. The Environment Agency also requests by condition that investigation boreholes if redundant are decommissioned with written consent of the District Council, to avoid disturbance of a groundwater aquifer and not present unacceptable risks to groundwater resources via pollution or loss of water supplies.

Climate Change:

6.103 HDPF policies 35, 36 and 37 support development which helps mitigate impacts of climate change in reflection of National Planning Policy. The new development incorporates Environmental Performance measures (including material sourcing) to reduce energy use in

construction, as well as energy efficiency and sustainable resource management once occupied, and includes including improved energy efficiency, reducing flood risk, reducing water consumption, improving biodiversity and promoting sustainable transport modes. These policies reflect the requirements of Chapter 14 of the NPPF that local plans and decisions seek to reduce the impact of development on climate change. The proposed development includes measures to build resilience to climate change and reduce carbon emissions.

6.104 Your officers are also satisfied the proposal sufficiently minimises waste generation, maximises opportunities for re-using/recycling, and includes waste management facilities (in compliance with County strategy Policy W23).

Minerals

6.105 The site falls within an identified mineral consultation area for brick clay. The applicant has provided a Mineral Resource Assessment (MRA) following the WSCC Minerals and Waste Authority's (MWPA) request. The MRA concludes delivery of the development would not result in the sterilisation of any viable amount of the safeguarded mineral resource. The MWPA is satisfied the applicant has sufficiently demonstrated the site would be unsuitable for prior extraction and offers no objection. Given brick clay abundance in the district and the proximity to sensitive receptors (including residential), your Officers are satisfied the overriding need for the development outweighs the safeguarding of the mineral (in undertaking assessment against Joint Minerals Local Plan 2018 Policy 9).

Biodiversity Net Gain

6.106 This planning application was made before mandatory Biodiversity Net Gain (BNG) came into effect on 12 February 2024. Therefore the statutory duty to provide a minimum 10% BNG does not apply to this application.

Water Neutrality

6.107 Horsham District is situated in an area of serious water stress, as identified by the Environment Agency. In September 2021, Natural England (NE) released a Position Statement which advised that it could not be concluded that existing water abstraction within the Sussex North Water Supply Zone was not having an adverse effect on the integrity of the Arun Valley SAC/SPA/Ramsar sites near Pulborough. On 31st October 2025 NE formally withdrew the 2021 Position Statement, citing a package of measures that they were satisfied would safeguard the Arun Valley. Principal amongst these measures is a reduction in the Southern Water abstraction licence 'by March 2026'. Given the licence change has not yet taken place Horsham District Council, as competent authority under the Habitats Regulations, cannot yet be certain that new development will not result in adverse impacts on the Arun Valley sites. It is though recognised that Southern Water have separately made significant water savings in 2024/25 through a programme of leakage reduction which has generated some 3,240,000 litres per day of water savings that can now be attributed to new development without increasing water abstraction in the Arun Valley beyond baseline.

6.108 In response to the NE Position Statement withdrawal, the applicant has omitted their water neutrality strategy from the application submission (on-site water efficient fixtures and fittings and a borehole). Accordingly, Officers have undertaken a new Appropriate Assessment which demonstrates that the anticipated mains water consumption from this development (some 15,070 litres per day), alongside all other development granted since 31st October 2025, will not exceed 3,240,000 litres per day. This is based on all new residential development achieving the Building Regulations Part G Optional Technical Standard of 110 litres per person per day, as required under Policy 37 of the HDPF.

6.109 Natural England has been consulted on this approach of using the 2024/25 Southern Water efficiency savings to offset new development. In response, Natural England have provided standing advice which confirms that they consider the 3,240,000 litres per day of water

savings made by Southern Water to be reliable such that they have no objection to his capacity being used to offset development proposals.

6.110 Accordingly, subject to the imposition of a condition requiring the development to meet the Building Regulations Part G Optional Technical Standard of 110 l/p/d water consumption (see condition 29), the proposed development will not have an Adverse Effect on the Integrity of the Arun Valley Site, either alone or in combination with other plan and projects, thereby complying with Regulations 63 and 70 of the Conservation of Habitats and Species Regulations 2017, HDPF Policy 31, and paragraph 193 of the NPPF.

Air Quality

6.111 The site is not located within or close to the district's defined Air Quality Management Areas (AQMAs). However, as required by the adopted Sussex Air Quality Guidance (2021) for any development classed as 'major', an Air Quality Assessment (supported by an Air Quality Emissions Mitigation Plan) has been submitted. The Council's Air Quality Officer has reviewed the Air Quality Assessment by Redmore Environmental (June 2023) and commented the proposed mitigations should be in line with the Sussex Air (2021) Air Quality and Emissions Mitigation Guidance for Sussex. To address this, the officer recommends a condition requiring submission of a Construction Environmental Management Plan, to cover construction dust mitigation, and a condition requiring a detailed mitigation strategy. Both submitted to the Council prior to commencement of development. In the event permission is granted, these conditions could be imposed to ensure the development is appropriate in terms of air quality.

Infrastructure Provision

6.112 Fire hydrant infrastructure can be secured by condition.

Section 106 Legal Agreement

6.113 It is unlawful for a planning obligation to be taken into account when determining a planning application for a development, or any part of a development, that is capable of being charged as a Community Infrastructure Levy (CIL) if the obligation does not meet all of the following tests:

1. Necessary to make the development acceptable in planning terms;
2. Directly related to the development; and
3. Fairly and reasonably related in scale and kind to the development.

6.114 Negotiations between the applicants and Officers are at an advanced stage with costed Heads of Terms to agree the details of the S.106 legal agreement that would need to accompany any planning permission for this development, exchanged, and tested against the CIL regulations. Your Officers are satisfied that the 3 tests are met. This legal undertaking would secure the following:

- Properly control the development as planning uses C2 and C3 (see explanation below).
- Travel plan and monitoring fee (auditing fee of £1,500)
- £32,000 towards off-site improvements to support sustainable transport movements (public seating, dropped kerbs and tactiles, public right of way surfacing, bus improvements).
- Management of open spaces on site

6.115 The proposed development is termed 'Extra Care' development, whereby all of the individual proposed units of accommodation would contain normal facilities for cooking, eating and sleeping, as would be associated with the use as a dwellinghouse. The proposals include communal facilities such as a 24 hour on site care team, a resident co-ordinator to organise and ensure the provision of housekeeping, property maintenance, prescriptions and personal affairs support, domestic assistance including laundry, cleaning services and other domestic support. This role would be a senior member of the management team whose

primary role is to connect with residents, organise their required care and support and help resident access services and social activities, by a communal hall with catering facilities for residents who require this along with option for home delivery, wellbeing checks such as blood pressure, use of transport services for trips out of the village which can be pre-arranged with the Resident, assistance with bodily functions such as feeding, bathing and toileting, assisting a person get out of bed, dress and move, assistance with personal hygiene, advice, encouragement and supervision relating to the above activities. Additionally, the proposals will include communal facilities within the central building to include meeting room, library, hairdresser, therapy room & dining area along with organised activities such as daily exercise classes and outings. The site includes community amenity areas for social activities such as boules and bowls located centrally within the development.

6.116 To ensure the Extra Care is genuinely a C2 use, the applicants have demonstrated that the residential units will only be occupied by people who have been assessed as in need of care and must demonstrate that the care provided is "personal" care, not more general care such as cleaning. The applicant has agreed to enter into a legal agreement to restrict the use of the development to a C2 use (residential institutions) and C3 specialist care. The S106 agreement would ensure that at least one of the leaseholders would at the point of occupation, have to be at least 55 years of age, be able to demonstrate that they are in need of the minimum care package of 1.5 hours of personal care per week. The definition of personal care would be included in the agreement. Other services such as cleaning or assistance with shopping would also be available to residents if required though these would fall outside the definition of 'personal care' as defined above.

6.117 The 10 supported living units exclude the C2 dwellings and communal medical building. These units will be nominated to an 'RSL' a registered social landlord or housing association or other organisation as defined in the Housing Act 1996 whose objectives include the provision of low-cost housing. The accommodation will be for residents with disabilities, long-term conditions, or other needs that require support to live independently in the community. the units will be self-contained accommodation to provide residents the ability to live independently as possible with the necessary support readily available. Residents of this accommodation will receive emotional and physical support from a specialist on-site team. Support is available from a few hours a week to 24 hours a day as required.

6.118 The legal agreement would require all purchasers of the C2 accommodation to be either a qualifying person or the spouse, civil partner, cohabitee or dependent living with a qualifying person. A qualifying person is aged 55 year or more and has to have demonstrated a requirement for a Minimum Care Package through a Qualifying Person Assessment and have contracted to receive that Minimum Care Package as well as having an Assistance Plan produced and maintained for them. Similarly, all occupiers of the C3 accommodation would be subject to a minimum care package as defined in consultation with WSCC adult care social services but without the age limitation.

6.119 The Minimum Care Package is detailed out in the draft legal agreement and requires, amongst other matters, that all occupiers have completed an assessment of their care needs prior to occupation. Secured also would be the proposed level and nature of care, as well as setting a requirement for a care needs assessment prior to occupation. All qualifying occupiers would be required to have a care package. Care provision in the package includes:

- A minimum hours per week of personal care activities, including visits by registered nurses to provide nursing care and administer drugs and general medical support
- Wellbeing checks, such as blood pressure, Organised rehabilitation, either physical or mental, following a hospital visit or health event
- Assistance with functions such as feeding and bathing
- Access to services includes 24 hr emergency response

COMMUNITY INFRASTRUCTURE LEVY (CIL)

6.120 Horsham District Council has adopted a Community Infrastructure Levy (CIL) Charging Schedule which took effect on 1st October 2017. It is considered that the Planning Use Class C3 element of this development constitutes CIL liable development. In the case of outline applications, the CIL charge will be calculated at the relevant Reserved Matters stage.

Conclusions and Planning Balance

6.121 The site is not allocated for development in either of the HDPF or the Henfield Neighbourhood Plan. However, the proposed development would provide for specialist care accommodation otherwise in compliance with HDPF Policy 18 (and by extension HNP Policy 1.2) which allows for this type of accommodation to be located in the countryside where suitably located in relation to services and non-car means of travel.

6.122 As has been established within this report, the Council is unable to demonstrate a 5-year supply of deliverable housing sites when calculated against the identified need, with a current supply of 1.7 years. As such, in the event conflict with the development plan is identified, the provisions of paragraph 11d of the NPPF are engaged which requires decision makers to apply a presumption in favour of sustainable development (the tilted balance) unless any of the policies in the NPPF that seek to protect areas of particular importance provide a strong reason to refuse the development being proposed. As explained in the preceding paragraphs of this report, there is policy compliance with the spatial strategy of the development plan. This proposal is therefore to be considered under the 'flat balance' under section 38(6) of the Planning and Compulsory Purchase Act 2004.

Heritage balance

6.123 Because less than substantial harm at the lowest end of the scale has been identified to the significance of designated heritage assets an unweighted balancing exercise of remaining harm against the public benefits provided by the scheme is required first, in accordance with the paragraph 215 of the NPPF, whilst ensuring that great weight has been given to the conservation of a building as important as Camellia Cottage (para 212 of the NPPF). Public benefits may include anything that delivers economic, social or environmental objectives. Weight to the harm is identified to the significance of designated heritage assets, in terms of their setting. However, the public benefit arising from the significant contribution of the scheme specialist care accommodation (up to 82 dwellings units given the combined C2 and C3 uses) against the housing needs in Horsham District, along with the other lesser social benefits are sufficient to outweigh that harm.

6.124 It is recognised this conclusion differs from that of previous decisions both at appeal and by the District Council. Whilst in both these cases it was also concluded those proposals would cause 'less than substantial harm' to the listed building setting, based on the particulars of each case, it was judged the level of harm to be significant and irreversible and contrary to the NPPF. Whilst your Officers have had serious regard to that that decision-making, these decisions involved proposals distinctly different to one currently under consideration. The appeal scheme was at a time where the titled balance did not apply as the Council could demonstrate a five-year housing supply, and the 2021 refusal was of a differing scale and extent of built environment and associated infrastructure across the site. This is reflected in the reasoning for both decisions, with reference to harms.

Benefits

6.125 Whilst the Henfield Neighbourhood Plan allocates housing sites, given the District Council's evidenced inability to demonstrate a full 5-year supply of housing land, with a significant shortfall at 1.7 years supply, the benefits that an additional 82 dwelling units for specialist care accommodation carries significant weight in favour of the proposal (albeit it is

recognised one C2 unit equates to approx. two-thirds of a C3 unit for calculation of housing supply purposes); as does the increase in provision and choice of affordable and open market specialist care where there is evidenced need, in and of itself. Other public benefits that the proposal offers include sustainable travel and public right of way improvements. These are judged as providing slight to moderate weight in favour of the proposal. The benefits of additional spend in the local area attract moderate weight.

6.126 Your officers are satisfied the proposal would be in accordance with HDPF Policy 18, which does not restrict in principle the provision of specialist care housing within the countryside. Substantial levels of care accommodation are needed both now and throughout the Plan period and that the proposal would help address the demographic evidence of this need for elderly and specialist care accommodation in the district, with a policy compliant provision of affordable housing. This carries significant weight in favour of the proposals. The homes would cater for older residents enabling them to continue to live locally, which could free up existing family size homes within the district. This in turn has the potential to alleviate the pressure elsewhere within rural locations to deliver general housing. There would also be benefits for elderly people currently living in unsuitable accommodation achieved through increased housing choice within the district. Planned onsite facilities would reduce the need to travel for future site occupiers, the majority of whom will be elderly and in care

6.127 Whilst future occupiers would necessitate a walk/cycle journey to access the village centre, the nearby bus stops on route provide services to Henfield High Street and other destinations. The nature of occupancy means there is less need to access daily services such as schools and work. Further, the proposal will provide for onsite amenities meaning residents will be less reliant on accessing local services and facilities.

Harms

6.128 Objections of the Parish Council to the proposals being in the countryside and not allocated within their neighbourhood plan are recognised. However, significantly, Policy 1 of the HNP expressly supports development proposals outside the Built-Up Area Boundary of Henfield provided the proposals accord with other policies in the Development Plan. In this case, the proposal is otherwise supportable under Policy 18 of the HDPF and other policies within the HNP and HDPF.

6.129 Although the development would result in some urbanising effect, this will be localised in its impact and harm to wider landscape character and appearance is mitigated in accordance with the Vision statement of the HNP and actioned in its policies. It has been demonstrated the development will largely retain the qualities of the semi-rural transition between the development and the rural landscape.

Neutral/Mitigated Impacts

6.130 The setting of the South Downs National Park would not be harmed. It has been demonstrated site access can be achieved safely and, according to the Highway Authority, would not cause harm to the operation use of the existing highway network, having regard to the detailed travel plan proposed, the range of facilities to be provided on site, and the reduced car ownership amongst residents of the development. The proposal would not amount to an adverse impact on existing residents' amenity. Appropriate ecological mitigations and enhancements have been recommended, which the Council's Ecological Consultant has agreed. Mineral safeguarding is achieved.

Overall Conclusions

6.131 Bringing all relevant points together, your officers have carefully assessed the weight that should be given to each of these considerations and have concluded that the development would accord with the development plan as a whole, with the benefits arising from the

scheme outweighing any identified harm, even on the 'flat balance' under section 38(6) of the Planning and Compulsory Purchase Act 2004.

6.132 Your Officers therefore recommend that this application for the development of the site be approved, subject to the detailed list of planning conditions and the completion of the necessary s106 legal agreement.

6.133 In reaching this recommendation Officers have not applied any weight to the proposal's broad compliance with draft HDLP Policy HA9, which allocates the site for at least 55 homes. Therefore, in the event the HDLP is formally withdrawn prior to the formal grant of any planning permission the advice of Officers is that this recommendation to approve planning permission would remain unaltered.

7. RECOMMENDATIONS

7.1 To approve outline planning permission, subject to the completion of the Section 106 Agreement and the following conditions:

1. Approved Plans

2. Outline Permission:

(a) Details of the appearance, landscaping, layout, and scale (hereinafter called "the reserved matters") for each phase shall be submitted to, and approved in writing by, the local planning authority before any development takes place on the relevant phase and the development shall be carried out as approved.
(b) Application for approval of the reserved matters shall be made to the Local Planning Authority not later than three years from the date of this permission.
(c) The development hereby permitted shall take place not later than two years from the date of approval of the last of the reserved matters to be approved.

Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990.

3. Submission of Reserved Matters:

(a) The submission of reserved matters applications pursuant to this outline approval shall demonstrate broad compliance with the following Parameter Plan submitted as part of the Outline approval to fix the development principles:

- SNH/P23/102 Proposed Site Layout Parameter Plan Showing Area suitable for built form

Reason: To enable the Local Planning Authority to control the development in detail to ensure Reserved Matters compliance with development principles fixed at outline and to comply with Section 92 of the Town and Country Planning Act 1990.

4. Pre-commencement Condition: No development hereby approved shall commence, including works to construct the access point and/or demolition pursuant to the permission granted, ground clearance, or bringing equipment, machinery or materials onto the relevant part of the site, until the following preliminaries have been completed in the sequence set out below:

a) A plan shall be submitted to show all trees on the relevant part of the site to be retained as well as those off-site whose root protection areas ingress into the relevant part of the site, such trees shall be fully protected by tree protective fencing affixed to the ground in full accordance with section 6 of BS 5837 'Trees in Relation to Design, Demolition and Construction - Recommendations' (2012).

b) Once installed, the fencing shall be maintained during the course of the development works for that phase or sub-phase and until all machinery and surplus materials have been removed from the site.
c) Areas so fenced off shall be treated as zones of prohibited access and shall not be used for the storage of materials, equipment or machinery in any circumstances. No mixing of cement, concrete, or use of other materials or substances shall take place within any tree protective zone, or close enough to such a zone that seepage or displacement of those materials and substances could cause them to enter a zone.

Reason: As this matter is fundamental to ensure the successful and satisfactory retention of important trees and hedgerows on the site in accordance with Policies 25, 30, 32, 33 of the Horsham District Planning Framework (2015) and Policy 10 of the Henfield Neighbourhood Plan (2021).

5. **Pre-commencement Condition:** No development, including building demolition and removal of hardstanding, shall commence until the following components of a scheme to deal with the risks associated with contamination, (including asbestos contamination), of the site be submitted to and approved, in writing, by the local planning authority:
a) An intrusive site investigation scheme to provide information for a detailed risk assessment to the degree and nature of the risk posed by any contamination to all receptors that may be affected, including those off site.
b) Full details of the remediation measures required and how they are to be undertaken based on the results of the intrusive site investigation (a) and a verification plan providing details of what data will be collected in order to demonstrate that the remedial works are complete.

The scheme shall be implemented as approved. Any changes to these components require the consent of the local planning authority.

Reason: As this matter is fundamental to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works and to ensure that any pollution is dealt with in accordance with Policies 24 and 33 of the Horsham District Planning Framework (2015).

6. **Pre-commencement Condition:** No development, with the exception of building demolition and removal of hardstanding, shall commence until the following components of any drainage system for the infiltration of surface water to the ground are permitted other than with the written consent of the Local Planning Authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters, such as a hydrogeological risk assessment, and details of the pollution prevention measures to be utilised. The development shall be carried out in accordance with the approved details.

Reason: As this matter is fundamental to ensure that no unacceptable risks are caused to controlled waters during and following the development works and to ensure that any pollution is dealt with in accordance with Policies 24 and 33 of the Horsham District Planning Framework (2015) and Policy 5 of the Henfield Neighbourhood Plan (2021).

7. **Pre-commencement Condition:** No development, with the exception of building demolition and removal of hardstanding, shall commence until, in accordance with the submitted FRA (30512 Flood Risk Assessment & Drainage Strategy Report Rev P09 December 2025, Sandgate Nurseries, Henfield by Price&Myers) and drawing numbers 30512/6000 REV P04 and 30512/6001 REV P02 (Below Ground Drainage Layouts Sheets 1&2), detailed designs of a surface water drainage scheme incorporating the following measures shall be submitted to and agreed with the Local Planning Authority. The approved scheme will be implemented prior to the first occupation of the development. The scheme shall address the following matters:

a) Surface water runoff rates will be attenuated to 5.3 l/s as stated within Section 5 Surface Water Run-Off Assessment of the FRA and Drainage Strategy.
b) Provision of surface water attenuation storage, sized and designed to accommodate the volume of water generated in all rainfall events up to and including the critical storm duration for the 3.33% and 1% annual probability rainfall events (both including allowances for climate change).
c) Detailed designs, modelling calculations and plans of the of the drainage conveyance network in the:
   - 3.3% annual probability critical rainfall event plus climate change to show no above ground flooding on any part of the site.
   - 1% annual probability critical rainfall plus climate change event to show, if any, the depth, volume and storage location of any above ground flooding from the drainage network ensuring that flooding does not occur in any part of a building or any utility plant susceptible to water (e.g. pumping station or electricity substation) within the development.
d) The design of the attenuation basin will incorporate an emergency spillway and any drainage structures include appropriate freeboard allowances. Plans to be submitted showing the routes for the management of exceedance surface water flow routes that minimise the risk to people and property during rainfall events in excess of 1% annual probability rainfall event.
e) Finished ground floor levels of properties are a minimum of 300mm above expected flood levels of all sources of flooding (including the ordinary watercourses, SuDS features and within any proposed drainage scheme) or 150mm above ground level, whichever is the more precautionary.
f) Details of how all surface water management features to be designed in accordance with The SuDS Manual (CIRIA C753, 2015), including appropriate treatment stages for water quality prior to discharge.
g) A maintenance and management plan detailing the activities required and details of who will adopt and maintain the all the surface water drainage features for the lifetime of the development. Include following if appropriate. This will also include the ordinary watercourse and any structures such as culverts within the development boundary including the final outfall at Hollands Lane.

Reason: To prevent flooding in accordance with National Planning Policy Framework by ensuring the satisfactory management of local sources of flooding surface water flow paths, storage and disposal of surface water from the site in a range of rainfall events and ensuring the SuDS proposed operates as designed for the lifetime of the development and to ensure the flood risk is adequately addressed and not increased in accordance with Policy 38 in Horsham District Planning Framework (2015) and Policy 5 of the Henfield Neighbourhood Plan (2021).

8. **Pre-Commencement Condition:** The development, including building demolition and removal of hardstanding, hereby approved shall not commence until a Construction and Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. During site clearance, preparation and construction the dust and Air Emission Mitigation measures described on Table 17 of the Air Quality Assessment report (Redmore Environmental, June 2023) shall be adopted. The CEMP shall include details of the following relevant measures:
a) Details of site management contact details and responsibilities;
b) A plan detailing the site logistics arrangements on a phase-by-phase basis (as applicable), including the anticipated number, frequency and types of vehicles used during construction:
   i. Location of site compound,
   ii. Location for the loading, unloading and storage of plant and materials (including any stripped topsoil),
   iii. Site offices (including location, height, size and appearance),

iv. Location of site access points for construction vehicles and details of traffic construction routing to and from the site,
v. Location of on-site parking by site operatives and visitors,
vi. Locations and details for the provision of wheel washing facilities and dust suppression facilities; and
vii. A description of the construction programme which identifies activities likely to cause high levels of noise or dust; Details regarding dust and noise mitigation measures to be deployed including identification of sensitive receptors and ongoing monitoring.

c) The arrangements for public consultation and liaison prior to and during the demolition and construction works – newsletters, fliers etc, to include site management contact details for residents;
d) Details of any floodlighting, including location, height, type and direction of light sources, hours of operation and intensity of illumination, the erection and maintenance of security hoarding.

All demolition and construction activities shall thereafter be carried out in accordance with the details and measures approved.

Reason: As this matter is fundamental in order to consider the potential impacts on the amenity of nearby occupiers and highway safety during construction and in accordance with Policies 24, 33 and 40 of the Horsham District Planning Framework (2015).

9. **Pre-Commencement Condition:** The development, including building demolition and removal of hardstanding, hereby approved shall not commence until a Great Crested Newt Method Statement has been submitted to and approved in writing by the local planning authority. This shall contain precautionary mitigation measures and works to reduce potential impacts on Great Crested Newt during the construction phase. The measures and works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter.

Reason: To allow the Local Planning Authority to discharge its duties under the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (as amended) and Policy 31 of the Horsham District Planning Framework (2015) and Policy 10 of the Henfield Neighbourhood Plan (2021).

10. **Pre-commencement Condition:** As part of each reserved matters application and prior to commencement of development, including building demolition and removal of hardstanding, further supplementary ecological surveys for protected species including bats and reptiles shall be undertaken to inform the preparation and implementation of the corresponding ecological measures required. The supplementary surveys shall be of an appropriate type for the above species and survey methods shall follow national good practice guidelines.

Where the survey results indicate that changes have occurred that will result in ecological impacts not previously addressed in the approved scheme, the original approved ecological measures will be revised and new or amended measures, and a timetable for their implementation, will be submitted to and approved in writing by the local planning authority prior to the commencement of development. Works will then be carried out in accordance with the proposed new approved ecological measures and timetable.

Reason: To allow the Local Planning Authority to discharge its duties under the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (as amended) and Policy 31 of the Horsham District Planning Framework (2015) and Policy 10 of the Henfield Neighbourhood Plan (2021).

11. **Pre-commencement Condition:** As part of each reserved matters application and prior to commencement of development, including building demolition and removal of hardstanding,

a construction environmental management plan (CEMP: Biodiversity) shall be submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following:

a) Risk assessment of potentially damaging construction activities.
b) Identification of "biodiversity protection zones".
c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
d) The location and timing of sensitive works to avoid harm to biodiversity features.
e) The times during construction when specialist ecologists need to be present on site to oversee works.
f) Responsible persons and lines of communication.
g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To conserve protected and Priority species and allow the Local Planning Authority 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 (Priority habitats & species) in accordance with Policy 31 of the Horsham District Planning Framework (2015) and Policy 10 of the Henfield Neighbourhood Plan (2021).

12. **Pre-Commencement Condition:** No development, with the exception of building demolition and removal of hardstanding, shall commence until precise details of the existing and proposed finished floor levels and external ground levels of the development in relation to nearby datum points adjoining the application site have been submitted to and approved by the Local Planning Authority in writing. The development shall be completed in accordance with the approved details.

Reason: As this matter is fundamental to control the development in detail in the interests of amenity and visual impact and in accordance with Policy 25, 30, 32, 33 of the Horsham District Planning Framework (2015).

13. **Pre-commencement Condition:**

i) No development, with the exception of building demolition and removal of hardstanding, shall take place until a programme of archaeological work has been secured in accordance with a Written Scheme of Archaeological Investigation which has been submitted to and approved in writing by the Local Planning Authority.
ii) The development hereby permitted shall not be commenced until the archaeological site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition [i] and that provision for analysis, publication and dissemination of results and archive deposition has been secured and approved by the Local Planning Authority in writing.

Reason: As this matter is fundamental as the site is of archaeological significance and it is important that it is recorded by excavation before it is destroyed by development in accordance with Policy 34 of the Horsham District Planning Framework (2015)

14. **Pre-commencement Condition:** No development, with the exception of building demolition and removal of hardstanding, shall commence unless and until details of the proposed means of foul water sewerage disposal have been submitted to, and approved in writing by, the Local Planning Authority. Thereafter all development shall be undertaken in accordance with the approved details and no occupation of any dwelling shall take place until the

approved works required to facilitate that dwelling have been completed. The foul drainage system shall be retained as approved thereafter.

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) and Policy 5 of the Henfield Neighbourhood Plan (2021).

15. **Pre-commencement Condition:** No development, with the exception of building demolition and removal of hardstanding, shall commence unless and until details and a method statement for interim and temporary drainage measures during the demolition and construction phases of the development hereby approved have been submitted to and approved in writing by the Local Planning Authority.

This information shall provide full details of who will be responsible for maintaining such temporary systems and demonstrate how the site will be drained to ensure there is no increase in the off-site flows, nor any pollution, debris and sediment to any receiving watercourse or sewer system. The site works and construction phase shall thereafter be carried out in accordance with approved method statement unless alternative measures have been subsequently approved by the Planning Authority.

Reason: As this matter is fundamental to ensure that the development to prevent flooding and pollution offsite in accordance with the NPPF and to comply with Policy 38 of the Horsham District Planning Framework (2015).

16. **Pre-Commencement Condition:** The development, with the exception of building demolition and removal of hardstanding, hereby approved shall not commence until an updated scheme of air quality mitigation has been submitted to and been approved in writing by the Local Planning Authority. The details shall have regard to the Council's latest Air Quality & Emissions Reduction Guidance document (Sussex Air quality and emissions mitigation guidance). The Air Quality Mitigation Plan so approved shall be implemented in full accordance.

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 and 41 of the Horsham District Planning Framework (2015).

17. **Pre-commencement (slab level) Condition:** No development, with the exception of building demolition and removal of hardstanding, above ground floor slab level shall commence until full details of all underground services, including locations, dimensions and depths of all service facilities and required ground excavations, have been submitted to and approved by the Local Planning Authority in writing. The submitted details shall show coordination with the landscaping strategy and proposals and Arboricultural Method Statement. The development shall thereafter be carried out in accordance with the approved details.

Reason: As this matter is fundamental to the acceptable delivery of this permission, to ensure the underground services do not conflict with satisfactory landscaping in the interests of amenity in accordance with Policy 25, 31, 32, 33 of the Horsham District Planning Framework (2015) and Policy 5 of the Henfield Neighbourhood Plan (2021)

18. **Pre-commencement (slab level) Condition:** As part of each reserved matters application and prior to development above slab level, a Biodiversity Enhancement Strategy for Protected and Priority species shall be submitted to and approved in writing by the Local Planning Authority. The content of the Biodiversity Enhancement Strategy shall include the following:

a) Purpose and conservation objectives for the proposed enhancement measures;

b) Detailed designs to achieve stated objectives;
c) Locations of proposed enhancement measures by appropriate maps and plans;
d) Persons responsible for implementing the enhancement measures;
e) Details of initial aftercare and long-term maintenance (where relevant).

The works shall be implemented in accordance with the approved details and shall be retained in that manner thereafter.

Reason: To enhance Protected and Priority Species/habitats and allow the Local Planning Authority to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species) in accordance with Policy 31 of the Horsham District Planning Framework (2015) and Policy 10 of the Henfield Neighbourhood Plan (2021).

19. **Pre-Occupation Condition:** The development hereby permitted shall not be occupied/brought into use until there has been submitted to the Local Planning Authority verification that the contamination remediation scheme required and approved under the provisions of condition 5 has been implemented fully in accordance with the approved details (unless varied with the written agreement of the Local Planning Authority in advance of implementation). The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. Thereafter the scheme shall be monitored and maintained in accordance with the scheme approved under condition 5, unless otherwise agreed in writing by the Local Planning Authority.

Reason: As this matter is fundamental to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works and to ensure that any pollution is dealt with in accordance with Policies 24 and 33 of the Horsham District Planning Framework (2015).

20. **Pre-Occupation Condition:** As part of each reserved matters application and prior to the first occupation of any dwelling, a Landscape and Ecological Management Plan (LEMP) must have been submitted to, and be approved in writing by, the local planning authority prior to the occupation of the development. The content of the LEMP shall include the following:
a) Description and evaluation of features to be managed.
b) Ecological trends and constraints on site that might influence management.
c) Aims and objectives of management.
d) Appropriate management options for achieving aims and objectives.
e) Prescriptions for management actions
f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
g) Details of the body or organisation responsible for implementation of the plan.
h) Ongoing monitoring and remedial measures and future maintenance responsibilities and prescriptions for all areas of land including a plan showing parties responsible for the maintenance of different areas and their contact details including long term design objectives, management responsibilities, a description of landscape components, management prescriptions, maintenance schedules and accompanying plan delineating areas of responsibility.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured and the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details and the development shall thereafter be maintained in accordance.

Reason: To allow the Local Planning Authority 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 (Pwaterriority habitats & species) and to ensure a satisfactory development that is sympathetic to the landscape and character of the surroundings and in the interests of the setting of the Listed Building and visual amenity in accordance with Policies 30, 31, and 33, 34 of the Horsham District Planning Framework (2015) and Policy 10 of the Henfield Neighbourhood Plan (2021).

21. **Pre-Occupation Condition:** As part of each reserved matters application and prior to first occupation of any dwelling, a Lighting Design Strategy for Biodiversity for the site, in accordance with Guidance Note 08/23 (Institute of Lighting Professionals) shall be submitted to and approved in writing by the local planning authority. The strategy shall:

a) Identify those areas/features on site that are particularly sensitive for Hazel dormouse and bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
b) Show how and where external lighting will be installed (through provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: To allow the Local Planning Authority 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 in accordance with Policy 31 of the Horsham District Planning Framework (2015) and Policy 10 of the Henfield Neighbourhood Plan (2021).

22. **Pre-Occupation Condition**: No part of the development hereby permitted shall be occupied until a fire hydrant(s) to BS 750 standards or stored water supply (in accordance with the West Sussex Fire and Rescue Guidance Notes) has been installed, connected to a water supply with appropriate pressure and volume for firefighting, and made ready for use in consultation with the WSCC Fire and Rescue Service. The hydrant(s) or stored water supply shall thereafter be retained as such.

Reason: To ensure fire hydrants are provided for fire safety in accordance with Policies 32 and 39 of the Horsham District Planning Framework (2015) and Policy 5 of the Henfield Neighbourhood Plan (2021).

23. **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until a landscape management and maintenance plan and 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;
- Details of all proposed trees and planting, including schedules specifying species, planting size, densities and plant numbers and tree pit details; and to adhere to the following specifications to tree sizes at key corridors/important links and to reinforce street hierarchy:
- Details of all hard surfacing materials and finishes;
- Details of all boundary treatments;
- Details of long term design objectives, management responsibilities, a description of landscape components, management prescriptions, maintenance schedules and accompanying plan delineating areas of responsibility

The approved soft 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 or in accordance with a phased timetable to be agreed in writing by the local planning authority. The approved hard landscaping shall be fully implemented as approved following first occupation of the development.

Unless otherwise agreed as part of the approved landscaping, no trees or hedges on the site (other than those within private gardens) shall be wilfully damaged or uprooted, felled/removed, topped or lopped without the previous written consent of the Local Planning Authority until 30 years after completion of the development. Any proposed or retained planting outside of private gardens, which~~,~~ 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 character of the surroundings and in the interests of the setting of the Listed Building and visual amenity in accordance with Policies 30, 31, and 33, 34 of the Horsham District Planning Framework (2015) and Policy 10 of the Henfield Neighbourhood Plan (2021).

24. **Pre-Occupation Condition:** No dwelling shall be first occupied until the necessary inbuilding physical infrastructure and necessary external site-wide infrastructure to enable superfast broadband speeds of a minimum 30 megabytes per second through full fibre broadband connection serving the respective dwelling has been provided.

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) and Policy 8 of the Henfield Neighbourhood Plan (2021).

25. **Pre-Occupation Condition:** The development hereby approved shall not be first occupied until a detailed drainage strategy verification report, (appended with substantiating evidence demonstrating the approved construction details and specifications have been implemented in accordance with the surface water drainage scheme), has been submitted to and approved (in writing) by the Local Planning Authority. The verification report shall include photographs of excavations and soil profiles/horizons, any installation of any surface water structure and Control mechanism.

Reason: To ensure that the development achieves a high standard of sustainability and ensure the flood risk is adequately addressed for each new dwelling and not increased in accordance with National Planning Policy Framework (2024) and Policy 38 in Horsham District Planning Framework (2015).

26. **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until details of the access and the visibility splays for the access(es) serving the development (including the footway provision scheme on West End Lane and provision of a pedestrian/cycle/emergency access onto Hollands Lane) have been submitted to and approved in writing by the Local Planning Authority. Once provided the splays shall thereafter be maintained and kept free of all obstructions over a height of 0.6 metre above adjoining carriageway level or as otherwise agreed.

Reason: In the interests of road safety and in accordance with Policy 40 of the Horsham District Planning Framework (2015) and Policy 4 of the Henfield Neighbourhood Plan (2021).

27. **Regulatory Condition:** All mitigation and and/or works shall be carried out in accordance with the details contained in the Memorandum relating to an Update Walkover (The Ecology Partnership, October 2025), Memorandum relating to an Update Walkover Survey (The Ecology Partnership, August 2024), Ecological Impact Assessment (The Ecology

Partnership, January 2023), Preliminary Ecological Appraisal (The Ecology Partnership, December 2022), Bat Activity Surveys 2022 (The Ecology Partnership, December 2022), and Reptile Survey Report 2022 (The Ecology Partnership, December 2022), as already submitted with the planning application and agreed in principle with the local planning authority prior to determination. This will 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 protected and Priority species and allow the Local Planning Authority 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 District Planning Framework (2015) and Policy 10 of the Henfield Neighbourhood Plan (2021).

28. **Regulatory Condition:** No works for the implementation of the development hereby approved shall take place outside of 08:00 hours to 18:00 hours Mondays to Fridays and 08:00 hours to 13:00 hours on Saturdays nor at any time on Sundays, Bank or public Holidays.

Reason: To safeguard the amenities of adjacent occupiers in accordance with Policy 33 of the Horsham District Planning Framework (2015).

29. **Regulatory Condition:** If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the local planning authority. The remediation strategy shall be implemented as approved.

Reason: As this matter is fundamental to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works and to ensure that any pollution is dealt with in accordance with Policies 24 and 33 of the Horsham District Planning Framework (2015).

30. **Regulatory Condition:** The dwelling(s) hereby permitted shall meet the optional requirement of building regulation G2 to limit the water usage of each dwelling to no more than 110 litres per person per day. The subsequently installed water limiting measures shall thereafter be retained.

Reason: To limit water use in order to improve the sustainability of the development in accordance with Policy 37 of the Horsham District Planning Framework (2015), and 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), and to allow the Local Planning Authority 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).

31. **Regulatory Condition:** All built form of the development hereby approved shall be of a maximum of two-storey in scale.

Reason: To ensure a satisfactory development that is sympathetic to the landscape and character of the surroundings and in the interests of the setting of the Listed Building and visual amenity in accordance with Policies 30, 31, and 33, 34 of the Horsham District Planning Framework (2015) and Policy 10 of the Henfield Neighbourhood Plan (2021).

INFORMATIVES

i) Section 59 of the 1980 Highways Act - Extraordinary Traffic The applicant is advised to enter into a Section 59 Agreement under the 1980 Highways Act, to cover the increase in extraordinary traffic that would result from construction vehicles and to enable the recovery of costs of any potential damage that may result to the public highway as a direct consequence of the construction traffic. The Applicant is advised to contact the Highway Officer (01243 642105) in order to commence this process.
ii) Works within the Highway – Implementation Team The applicant is required to obtain all appropriate consents from West Sussex County Council, as Highway Authority, to cover the off-site highway works. The applicant is requested to contact The Implementation Team Leader (01243 642105) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the agreement being in place. Temporary directional signs to housing developments (Major apps only 10 units +) The applicant is advised that they must apply and obtain approval from West Sussex County Council as Highway Authority for all temporary directional signs to housing developments that are to be located on the highway. Further details of the process and how to apply are available here https://www.westsussex.gov.uk/roads-and-travel/information-for-developers/temporarydevelopment-signs/#overview