Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/24/0019
Rapkyns Old Stable , Guildford Road, Broadbridge Heath, West Sussex, RH12 3PQ

DESCRIPTION:
Change of use and conversion of existing residential dwelling to provide 5 residential bedspaces for students with special educational needs and change of use and conversion of existing annexe and garages to provide an additional residential unit with 3 bedspaces.

RELEVANT PLANNING HISTORY:

DC/24/0017	Change of use of existing dwelling to provide 6 bedspaces for students with special educational needs with associated alterations (Full Planning)	Refused 22/03/2024
DC/24/0018	Change of use of the existing building to provide 6 bedspaces for students with special educational needs with associated alterations (Listed Building Consent)	Permitted 22.03.2024

SITE AND SURROUNDS
The application site consists of a large detached two storey 5 bedroom dwelling house. The application site hosts ancillary outbuildings, a stables and open fields to the south. Rapkyns Old Stable itself is accessed from a private drive south of Guildford road and is to the south of a large Grade II residential property with a number of ancillary outbuildings known as Broadview. Rapkyns is situated with other immediate neighbours including Rapkyns Byre to the north west and The Clockhouse to the east. The site is within a countryside location.

DETAILED DESCRIPTION
The application seeks permission for a change of use of the dwellinghouse to a residential care facility to provide five bed spaces for students with Special Educational needs in the main house and three within the annexe. The proposal would be occupied by students in association at New Barn School. The alterations would incorporate internal alterations to accommodate a communal dining area, kitchen, living space and the conversion of the annexe and garages to a three-bed unit which would also include living, dining, kitchen and laundry facilities.

The Planning statement details the Care staff arrangements who would not be resident within the site but would work in shift patterns of 3 shifts – early: 7:30am–3:30pm, late: 3:00pm–11:00pm and sleep in / waking nights: 9:30pm– 7:30am. For each unit there would usually be 2-3 staff on duty for the early shift, 3 for the late shift and 2 for the overnight period.

No alterations would be made to the hardstanding area in terms of parking provision. No alterations would be made to the exterior of the house, however external alterations to the annexe are proposed

on the south and west elevations including removal of door to the south and replacement window and replacing garage door with a window.

RELEVANT PLANNING POLICIES
The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (2015):
Policy 1 - Strategic Policy: Sustainable Development
Policy 3 - Strategic Policy: Development Hierarchy
Policy 4 - Strategic Policy: Settlement Expansion
Policy 7 - Strategic Policy: Economic Growth
Policy 9 - Employment Development
Policy 10 - Rural Economic Development
Policy 15 - Strategic Policy: Housing Provision
Policy 16 - Strategic Policy: Meeting Local Housing Needs
Policy 18 - Retirement Housing and Specialist Care
Policy 24 - Strategic Policy: Environmental Protection
Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
Policy 26 - Strategic Policy: Countryside Protection
Policy 27 - Settlement Coalescence
Policy 31 - Green Infrastructure and Biodiversity
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
Policy 34 - Cultural and Heritage Assets
Policy 40 - Sustainable Transport
Policy 41 - Parking
Policy 42 - Strategic Policy: Inclusive Communities

Slinfold Neighbourhood Plan:
Policy 5: Development Principles

Planning Advice Notes:
Facilitating Appropriate Development
Biodiversity and Green Infrastructure

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

Consultations:
Highways: No objection: -

WSCC in its role as Local Highway Authority (LHA) previously provided consultation advice for this site for application DC/24/0017, raising no highway safety concerns. The Local Planning Authority (LPA) refused the application on grounds unrelated to highways.

No alterations are proposed to the existing vehicular access arrangement. The proposed change of use is not anticipated to give rise to a significant material intensification of use of the existing access point. From inspection of the plans, the application site exhibits suitable space for vehicular parking associated with the proposed use to be accommodated, with space for turning.

In summary, the LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in ‘severe’ cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 115), and that there are no transport grounds to resist the proposal.

HDC Conservation: No objection: -

The surviving built fabric and an illustration of the enlargement of the farm yard and its buildings in the late nineteenth century seen on the early edition O.S. maps confirms the buildings subject of this application are late nineteenth in origin. They reinforce the historic interest of the farm complex and the special interest of the listed timber framed barn, Broadview. I am satisfied the surviving nineteenth century farm buildings can be considered to be non-designated heritage assets.

The proposed change of use and physical alterations will not further increase the perception of domestic character that has already taken place. For this reason I am satisfied the impact to the neighbouring listed building through change to its setting will not be harmful. Please carry on.

Natural England: Objection: -
The proposed development(s) falls within the Sussex North water supply zone. As set out in Natural England's Advice Note regarding Water Neutrality within the Sussex North Water Supply Zone, the existing water supply in the Sussex North water supply zone cannot be ruled out as contributing to the declines in wildlife within internationally protected sites in the Arun Valley SPA, SAC and Ramsar site. Achieving water neutrality is recognised as a suitable method to rule out potential adverse effects on the integrity of these sites arising from development.

Concur with the conclusion of your authority's HRA appropriate assessment insofar that adverse effects on the integrity of the Arun Valley Designated sites cannot be ruled out.

Fire and rescue: Comment: -

Having viewed the plans for the planning application no. DC/24/0019 for the Change of use and conversion of existing residential dwelling to provide 5 residential bedspaces for students with special educational needs and change of use and conversion of existing annexe and garages to provide an additional residential unit with 3 bedspaces, the nearest fire hydrant to this site is 575 metres away, 485 metres further than the 90 metres distance required for a commercial premises. If an alternative supply of water for firefighting is to be considered it will need to conform with the details identified in Approved Document – B (AD-B) Volume 2 - 2019 edition: B5 section 16.

Southern Water: Comment: -

There are no public foul and surface water sewers in the area to serve this development. The applicant is advised to examine alternative means of foul and surface water disposal. The Environment Agency should be consulted directly regarding the use of a private wastewater treatment works or septic tank drainage which disposes of effluent to sub-soil irrigation. The owner of the premises will need to empty and maintain the works or septic tank to ensure its long-term effectiveness.

Parish Comments:
No objections comment

Representations:
None received

Member Comments:
None received

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

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

PLANNING ASSESSMENT

Principle of Development:

Policy 18 of the HDPF states that proposals for development which provide specialist care housing will be encouraged and supported where it is accessible by foot or public transport to local shops, services, community facilities and the wider public transport network. 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.

Policy 26 of the HDPF states that outside built-up area boundaries, the rural character and undeveloped nature of the countryside will be protected against inappropriate development. Any proposal must be essential to its countryside location, and in addition meet one of the following criteria:

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

In addition, proposals must be of a scale appropriate to its countryside character and location. Development will be considered acceptable where it does not lead, either individually or cumulatively, to a significant increase in the overall level of activity in the countryside, and protects, and/or conserves, and/or enhances, the key features and characteristics of the landscape character area

The Planning statement details that care staff would be working in shifts to support and care for the children who would be a mix of girls and boys between 7 and 19 years old. Those occupying the proposed development would be associated with the existing school (New Barn School). There is an identified need for the facilities given the DC/18/1449 planning permission which granted permission for the school to increase from 34 pupils to 60 pupils and subsequently from 60 to 120 pupils under DC/21/2350.

The proposed change of use would provide a contribution towards meeting the needs of special education residential care needs within the district such that it would be considered to meet the needs of the district in terms of the provision of specialist care housing. This would be acceptable in regards to policy 18 of the HDPF. In light of the site context, being in close proximity to other residential institutions and schools the nature and character of the proposed use would not result in an intensification of use in light of the objectives of policy 26 of the HDPF.

Design and Appearance:

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

Policy 34 of the Horsham District Planning Framework, which is the main policy against which works to Listed Buildings are assessed. Development should reinforce the special character of the district’s historic environment through appropriate siting, scale, form, and design, and should make a positive contribution to the character and distinctiveness of the area. In addition, development should preserve

and ensure clear legibility of locally distinctive vernacular building forms and their setting, features, fabric and materials, and should seek to secure the viable and sustainable use of heritage assets through continued preservation by uses that are consistent with the significance of the heritage asset.

The existing building is considered to be a non-designated heritage asset which reinforces the historic interest of the farm complex and the special interest of the listed timber framed barn, Broadview. The change of use would not result in a change of appearance to the external dwellinghouse and hardstanding provision. The alterations to the annexe are considered not to be of a scale or nature that they would alter the character of the application site. Whilst the proposal would result in a change of use, it would sit within the context of other such similar and associated facilities such that the nature of development would not be unusual in this location. The proposal would have no adverse impacts on the non-designated heritage asset, setting of neighbouring heritage assets or the wider surrounding area. The proposal is considered to be in accordance with policies 32, 33 and 34 of the HDPF.

Amenity Impacts:

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

It is considered that the internal changes resulting from the proposal would result in a satisfactory size and standard for future residents in both the host dwellinghouse and in terms of the spaces proposed for conversion within the annexe. Given that there is no increase in built from the change of use, and the nature of development would go from residential to specialist residential care the proposal would not be considered to result in unacceptable harm to residential amenity of the occupiers/users of the property or land in terms of loss of light, obtrusive appearance or loss of privacy. The proposal is therefore acceptable in terms of policy 33 of the HDPF.

Highways Impacts:

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

No alterations are proposed to the existing vehicular access arrangement. The proposed change of use is not anticipated to give rise to a significant material intensification of use of the existing access point and would be acceptable in highways terms. The proposals would be in accordance with policies 40 and 41 of the Horsham District Planning Framework (2015).

Water Neutrality:

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

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

The application was supported by a Water Neutrality Statement (WNS). The existing baseline is based on a potential usage rather than the actual usage within the site currently. It outlines that the main existing application site hosts 7 bedrooms, 5 in the main house and 2 within the annexe. As some of these bedrooms are double rooms, it suggests that the overall site would have the ***potential*** capacity for 11 people to live there. It reasons that the proposal would result in less water usage as the proposal would host fewer people than the site would have potential to host at the maximum capacity outlined.

There is no evidence provided to support that the current residence hosts 11 people, with no existing Part G calculator for the existing fixtures or fittings, no flow regulator to understand the efficiency of the fixtures and fittings and no metered water bills. The existing baseline therefore is not considered to be sufficiently evidenced. Furthermore, there is an absence of information in regard to the staff facilities, and the Water Neutrality statement is silent on the proposed usage arising from the development in respect of staff water usage. There is no certainty of how much water the proposal would use such that it cannot be concluded with any reasonable certainty that the proposal would not use more than the existing residential use. In regards to the mitigation proposed, the statement suggests that it would have several forms of water reduction measures including flow limiters, new W.Cs, efficient fixtures and fittings, and 'consideration of water butts and rainwater harvesting'. No figures have been provided for to outline how much water would be saved through the proposed mitigation measures.

Where minor alterations to Water Neutrality statements can overcome concern, these would be sought during the application process. In this instance, there is a demonstrable lack of information to make an assessment such that no further WNS has been sought. It is concluded that in the absence of a strategy to demonstrate water neutrality through the incorporation of on-site measures and/or appropriate offsetting actions capable of achieving water neutrality, there is no certainty that the proposal will not contribute further to the existing adverse effect on the integrity of the Arun Valley SAC, SPA and Ramsar sites. Accordingly, an appropriate assessment was prepared by the Local Authority and Natural England agreed with the Council's assessment as above. In such circumstances the grant of permission would be contrary to policy 31 of the HDPF, NPPF paragraph 180 and the Council's obligations under the Conservation of Habitats and Species Regulations 2017.

Conclusions:

It is acknowledged that the proposal would result in specialist care facilities that would contribute to this provision within the district in accordance with policy 18 of the HDPF.

Whilst the proposal is in accordance in policies 1, 2, 3, 4, 18, 26, 32, 33 and 34 of the HDPF, there is a lack of information within the Water Neutrality Statement such that it is not possible to determine what the likely water demand would be from the proposed development, and it would be unlikely that the site has demonstrated appropriate levels of mitigation and/or offsetting measures to address the demand and meet water neutrality. Insufficient information has been provided to undertake the Assessment and it is not therefore possible for Horsham District Council to concludes that, with mitigation, the project will not have an Adverse Effect on the Integrity of the Arun Valley SAC/ SPA /Ramsar site.

Furthermore, whilst there are identified benefits arising from the proposal, the overriding consideration in this assessment would be the adverse impacts that would significantly and demonstrably outweigh the benefits arising from these considerations. The material benefits are not therefore considered to outweigh the harm identified above, and the proposal is therefore recommended for refusal.

Recommendation: Application Refused

Reason(s) for Refusal:

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

POSITIVE AND PROACTIVE STATEMENT

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

Plans list for: DC/24/0019

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

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

Plan Type	Description	Drawing Number	Received Date
Elevation plan	A-C, as existing	2119_023	19.03.2024
Elevation plan	D-H, as existing	2119_024	19.03.2024
Elevation plan	A-C, as proposed	2119_027	19.03.2024
Elevation plan	D-H, as proposed	2119_028	19.03.2024
Floor plan	Ground (Annexe), as existing	2119_021 REV A	19.03.2024
Location plan		2119_002 REV A	19.03.2024
Block plan		2119_004	19.03.2024
Floor plan	Ground and First (Old Stables), as existing	2119_020 REV A	19.03.2024
Floor plan	Ground (Outbuildings), as existing	2119_022	05.01.2024
Floor plan	Ground and First (Old Stables), as proposed	2119_025 REV A	19.03.2024
Floor plan	Ground (Annexe), as proposed	2119_026 REV A	19.03.2024
Design & Access Statement	Heritage	NONE	19.03.2024
Supporting Statement	Water Neutrality	NONE	05.01.2024

DELEGATED

Case Officer sign/initial Hannah Darley Date: 30/05/2024

Authorising Officer sign/initial Guy Everest Date: 03.06.2024