



DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/26/0729

The Copse, Worthing Road, Horsham, West Sussex, RH13 9AT

DESCRIPTION:

Non Material Amendment to previously approved application DC/24/0622 (Erection of a 70-bed care home, access, landscaping and associated infrastructure) for minor changes to internal layouts and elevations.

RELEVANT PLANNING HISTORY:

PE/22/0065	Erection of 15 dwellings, access garages and car parking	Pre-Application Advice Given on 30.06.2022
PE/22/0236	Outline application for up to 40 dwellings and a 60 bed care home, access, landscaping and other associated infrastructure.	Pre-Application Advice Given on 31.01.2023
PE/23/0068	Residential development for 33 houses, and a 76-bed care home	Pre-Application Advice Given on 17.08.2023
DC/23/1350	Hybrid planning application for the demolition of the existing dwelling and phased development comprising 33 dwellings, access, landscaping and other associated infrastructure (Full Planning); and erection of a 76 bed care home (Outline Planning) with all matters reserved except for access to the site.	Withdrawn Application on 02.02.2024
DC/24/0622	Erection of a 70-bed care home, access, landscaping and associated infrastructure	Application Permitted on 26.03.2025
DC/25/2002	Prior notification for the demolition of derelict house known as The Copse.	Prior Approval Required and PERMITTED on 29.12.2025

RELEVANT PLANNING POLICIES

The National Planning Policy Framework (NPPF)

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 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 38 - Strategic Policy: Flooding

Southwater Neighbourhood Plan (June 2021).

SNP1 – Core Principles

SNP2 – Proposals for Residential Development

SNP9 – Home Standards
SNP16 – Design
SNP17 – Site Levels
SNP18 – A Treed Landscape

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:

None necessary under a s96 application.

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

The main consideration of this application is whether the proposed alterations can be considered as non-material amendments to the approved scheme in accordance with Section 96A of the Town and Country Planning Act 1990 (as inserted by S190 of the Planning Act 2008). The discretion rests with the Council to decide to whether the revisions would constitute a non-material amendment to a planning permission, which would not take it outside the scope of the original permission.

The proposed amendments involve operational optimisations and facilitating an achievable fire strategy within the site. A submitted 'Comparison Booklet' sets out the proposed amendments:

- Removal of landscape / finger bays to the front car park (and trees).
- New gardens / service yard to the northern side of the building at ground floor, new pavilion to north side, potting sheds and maintenance shed.
- Revised / smaller attenuation pond and creation of new parking spaces and fenced compound for Southern Water foul pumping station to the western side of the attenuation basin, removal of 2 x visitor bays along roadway, revised landscape.
- Amendments to the rear (staff) car park and relocation of bike storage to rear area.
- Change to forecourt layout and 2 x new disabled bays.
- Layout of basement service rooms (GIA decreases from 516sq.m to 507sq.m).
- Layout of ground floor rooms: new fire exist doors to south side / fire stairs, projecting entrance feature to south side (24 beds now, 25 beds previously), mobility scooter parking room omitted, north-facing 'hospitality room' projection, and covered patio, north-facing patio doors, covered patio to 'dining room / lounge' (GIA increases from 1,309sq.m to 1,334sq.m).
- Layout of 1st floor rooms: 26 beds now, 24 beds previously, new first-floor balcony to dining room / lounge, inset balcony to west-elevation removed, layout changes to service / staff rooms and communal rooms (GIA decreases from 1,318sq.m to 1,316sq.m).
- Layout of 2nd floor rooms: 20 rooms now, 21 rooms previously, north and south projections to lounge and dining rooms (GIA decreases from 1,018sq.m to 966sq.m).
- North elevation (rear): dormer designs amended, fenestration proportions revised, new north-facing glass balconies and covered patios, amended design of projecting gable-end feature with new 2nd floor window, omission of north-facing ground and first-floor balconies to rooms, new first-floor windows (balcony) where previously there were no opening shown.

- South elevation (entrance / front): central ridge height increased from 10m to 11.2m (to match with eastern roof height (street / public), replacement of 'blind windows' with functioning full-height windows, revised design of gabled entrance feature with new 2nd floor window.
- East elevation (street / public): ridge height increased from 10.9m to 11.2m, revised elevational design, revised dormer design.
- West elevation (rear): ridge height increased from 7.1m to 7.5m, central section increased in height.

As a result of the design changes, the massing of the building becomes higher, particularly at the front / public interface and appears as a 'regular' 3-storey building with the massing having been visually increased on account of the raised eaves level, the design of the dormers and the overall architectural detailing of the building. This compares to the approved design, which utilised modern design and architectural features to help minimise the visual prominence of the massing. The stepping down of the building was considered as part of the original application to reflect the site's natural topography, which would be fundamentally changed by way of the proposed design. Therefore, the cumulative increases to height and changes to design would need to be considered in its context to the village edge and in light of the Southwater Neighbourhood Plan.

Furthermore, a number of changes appear to lead to an increased proximity with the canopies and RPAs of the northern trees which would need to be duly assessed and evaluated, in particular the siting of the first-floor balconies and the garden structures.

The revised landscape design may also result in implications to the ability of the site to deliver the expected BNG, and ensuring the attenuation basin is adequately proportioned to suit the site's susceptibility to surface water flooding.

Whilst many of the proposed changes may be considered non-material on an individual basis, cumulatively, they would involve every elevation of the building, along with an increase in height over and above what was consented. This would not only alter the scale of the building, but also lead to a number of windows being introduced in proximity to sensitive receptors (neighbouring properties) which would impact on the potential for an increased sense of overlooking to these properties. Officers note that a number of south-facing windows were shown as 'blind' windows, which are now full-height and glazed.

Officers therefore consider that the cumulative amendments would create a degree of change that is considered material from that permitted under DC/24/0622, including raising the potential for an increased impact to the neighbouring properties, and affecting the resulting way the development interacts with the established street-scene.

As the proposal would materially impact on the appearance of the buildings the amendments are not therefore considered to be non-material under Section 96A of the Town and Country Planning Act 1990.

Recommendation: Application Refused

Reason(s) for Refusal:

1. The proposed alterations to the previously approved development represent a level of change greater than can be considered as a non-material amendment under Section 96A of the Town and Country Planning Act 1990.

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.

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

Plan Type	Description	Drawing Number	Received Date
Floor plan	Basement	AL(1)100 REV P1	06.05.2026
Floor plan	Ground	AL(1)101 REV P1	06.05.2026
Floor plan	First	AL(1)102 REV P1	06.05.2026
Floor plan	Second	AL(1)103 REV P1	06.05.2026
Roof plan		AL(1)104	06.05.2026
Elevation plan	Proposed sheet 1	AL(1)140 REV P1	06.05.2026
Elevation plan	Proposed	AL(1)141 REV P1	06.05.2026
Site plan	Proposed	AL(9)901 REV P1	06.05.2026
Site plan	Proposed	AL(9)902 REV P1	06.05.2026
Supporting Statement	NMA comparison booklet	B252128	06.05.2026
Supporting Statement	Covering letter	B252128/3.1.1/01	06.05.2026

Case Officer sign/initial Nicola Pettifer Date: 26.05.2026

Authorising Officer sign/initial J Hawkes Date: 27.05.2026