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TOWN PLANNING CONSULTANTS
2 Port Hall Road Brighton BN1 5PD
T 01273 413700
E admin@lewisplanning.co.uk
W www.lewisplanning.co.uk

Albery House,
Springfield Road,
Horsham,
West Sussex,
RH12 2GB.

07/05/2025

Dear Sir/ Madam,

RE: S73 – AMENDMENT TO DC/25/1859 - CONVERSION OF THE REAR CAFÉ (CLASS E) TO FORM NO.1, 1-BEDROOM RESIDENTIAL DWELLING (CLASS C3) AT TRUFFLES BAKERY, HIGH STREET, HENFIELD, BN5 9DA

Site Location

Truffles Bakery is a semi-detached, two storey building, with a single-storey extension to the rear. The building comprises of a café (Class E) at ground floor and a self-contained flat at first floor level with its own entrance at the side of the building.

The ground floor consists of the bakery shop and kitchen to the front of the building and a café seating area, WC and storeroom within the rear ground floor extension.

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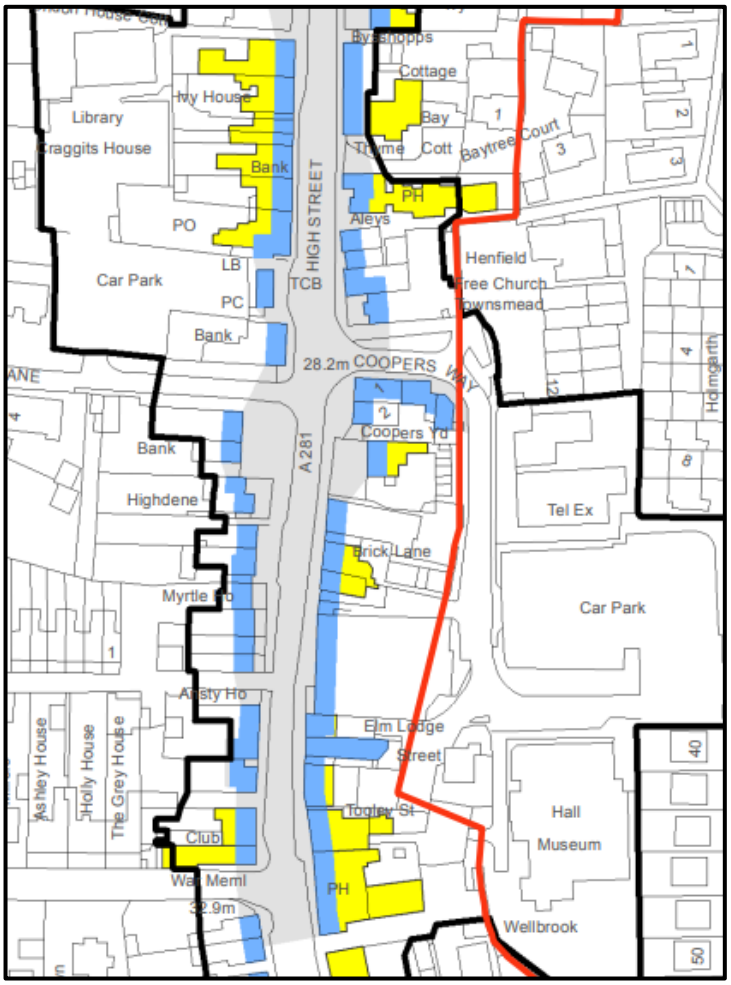
(Front elevation: Truffles Bakery)

The building is constructed of brick, with the front elevation painted white sitting under a pitched tile roof. The ground floor comprises of large wooden shopfront windows and one door under a grey awning with 'Truffles Bakery' signage. The front of the property provides a small outdoor seating area.

The site is situated in Henfield, a large village in the Horsham District of West Sussex. It is located north of Horsham and lies between Hassocks and Ashington. The application site occupies a prominent position on the western side of Henfield High Street which is Henfield's main retail location.

The Horsham Local Plan Policies Map shows that the site is part of the Primary Retail frontage, within a Town Village Centre Boundary (Henfield) and is within a Conservation area. The site itself is not listed. Listed buildings in the area are highlighted in yellow on the map below.

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(Extract Horsham Local Plan Policies Map: Inset Henfield)

There is an existing residential flat above the Bakery, which is accessed via an external staircase on the southern elevation.

Planning History

The following relevant planning applications are listed on Horsham District Council's online planning register:

Planning permission was granted in October 1973 for a new extension to the Bakery for storage of flour (H/103/73).

Lewis and Co Planning South East Limited
Company Number 05809390, Registered in England and Wales
Registered Office: Preston Park House, South Road,
Brighton, BN1 6SB

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In August 1990, planning permission was approved for the change of use from a Bakery and retail shop to a licenced café bar (HF/42/90).

Planning permission was permitted in June 1999 for a single storey extension (HF/46/99).

In 2024 application DC/23/0660 for Conversion of the rear cafe (Class E) to form 1no residential dwelling (Class C3) was refused. Further to this refusal, pre application advice was sought but was not provided. Natural England stated, "Natural England is unable to accommodate this DAS request because of a lack of capacity to take on more cases.".

A subsequent appeal of application DC/23/0660 was submitted to the planning inspectorate (APP/Z3825/W/24/3342988) which was dismissed. The inspector upheld the same reason for refusal as the case officer. The inspector also deemed that the principle was acceptable, with the only reason for refusal based on the schemes inability to provide a water neutral solution.

DC/25/1859 – was approved accordingly.

Proposed Amendment

This application seeks to vary or remove the existing planning conditions that relate to water neutrality (3 and 4). The submission follows the withdrawal of Natural England's former Position Statement on water neutrality. As confirmed on the Council's website, Natural England has now advised that issues of water abstraction can be addressed without requiring individual developments to demonstrate water neutrality.

This revised stance has been agreed with the Environment Agency, on the basis that reducing the abstraction licence cap will provide sufficient certainty that development will not harm the protected habitats within the Arun Valley. These habitats have been the key consideration for Horsham District Council when assessing applications, as this change effectively severs the link between new development and water abstraction.

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Following Natural England's updated position, the Council has confirmed that it will no longer be implementing the Sussex North Water Certification Scheme (SNWCS). Instead, recognising that the area remains one of serious water stress, all new housing developments must now comply with the optional water efficiency standard set out under Building Regulations Part G. This standard limits water consumption to 110 litres per person per day. In respect of existing permissions, the Council's guidance confirms that:

> "For applicants who have existing planning permissions with conditions and s106 obligations requiring compliance with bespoke water neutrality mitigation, we will consider applications under s.73 of the Town and Country Planning Act to remove those conditions, and any associated applications to vary or discharge any relevant s106 obligations. If your permission is for new dwellings, we will instead apply a condition requiring compliance with the Building Regulations Part G Optional Technical Standard referred to above. This is the same condition we applied to all new dwellings prior to the 2021 Position Statement."

Accordingly, this application seeks to amend the current permission to remove the water neutrality-related conditions and replace them with a condition requiring compliance with the Optional Technical Standard of Building Regulations Part G (i.e. 110 litres of water per person per day). It is considered appropriate that this new condition be imposed as a regulatory condition, consistent with the Council's standard approach, and that no formal discharge process should be necessary given its alignment with building control requirements.

As this proposal does not alter the approved development or revisit any previous planning judgements, but simply implements the Council's updated guidance following Natural England's withdrawal of its statement, it is respectfully requested that this application be determined promptly and without unnecessary delay.

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E admin@lewisplanning.co.uk
W www.lewisplanning.co.uk

If you have any queries, please could you direct these Simon Bareham (simon.bareham@lewisplanning.co.uk) or Tobias Deacon (toby.deacon@lewisplanning.co.uk) at Lewis & Co Planning.

Yours sincerely,
Lewis & Co Planning