



TO: Planning Committee

BY: Head of Development and Building Control

DATE: 19 August 2025

DEVELOPMENT: Outline application with all matters reserved except for access for up to 82 dwellings with vehicular and pedestrian accesses, public open space, noise mitigation measures, landscaping, foul and surface water drainage and associated works.

SITE: Land at Campsfield, Linfield Close, Southwater, West Sussex, RH13 9FR

WARD: Southwater South and Shipley

APPLICATION: DC/25/0102

APPLICANT: **Name:** Miller Homes Ltd **Address:** Unit 3 Faraday Office Park, Rankine Road, Basingstoke, Hampshire, RG24 8QB

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.

The application represents a departure from the development plan

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

- 1.1. To consider the planning application.

DESCRIPTION OF THE APPLICATION

- 1.2. Outline planning permission is sought for the erection of up to 82 dwellings with all matters reserved except for access. Vehicular access would be secured off the adjacent residential development, from Centenary Road, where a dead-end spur currently exists adjacent to the substation which serves the residential development at Mulberry Fields. The submitted details are supported by a Transport Statement, which includes a TRICS assessment.
- 1.3. The proposed parameter plan and indicative masterplan have been amended (dated 15th April 2025) to take account of updated flood risk mapping.

1.4. The Parameter Plan shows two residential blocks of development separated by a tract of public open space which runs north-south through the centre of the development site, some 30m wide. The residential blocks would be surrounded by a perimeter band of supporting infrastructure and landscaping, some 20m wide. The Plan details 15m buffer alongside the Ancient Woodland (Hogs Wood) which borders the western site boundary, with a further area of open space / supporting infrastructure some 65m in width sitting between this buffer and the residential parcels. The open space / supporting infrastructure would also include new pathways from the existing northern development at Mulberry Fields through the site to PRoW_2804 which runs alongside the site's southern boundary.

1.5. The Parameter Plan also shows a line of acoustic fencing within the eastern open space / supporting infrastructure where the site abuts the A24 road corridor.

1.6. The Illustrative Masterplan shows how the development could be accommodated within the site and in accordance with the submitted Parameter Plan, creating a series of residential cul-de-sacs off a central estate road. This plan focussed the greater proportion of housing units within the eastern block. The western development block would be less densely developed and smaller, with a sizable area along the western side of the land parcel dedicated to open space and the SuDS attenuation pond, as this is the lowest area (level) of the site. The supporting infrastructure would accommodate public open space, a play area, trim trail, strategic landscaping, sustainable drainage and a network of pathways through the estate, and linking to paths beyond the site's boundary. An associated pumping station and substation are shown indicatively located to the western side of the site where a new SUDS / attenuation feature forms part of the open space / infrastructure of the site.

1.7. Although the precise housing mix is still currently reserved, the indicative mix within the Planning Statement sets out a split of 64.6% open market (53 units) and 35.4% affordable (29 units) with the following dwelling sizes:

<i>Open Market (53 units):</i>	<i>Proposed Split</i>
6 x 1-bed	7.3%
12 x 2-bed	14.6%
22 x 3-bed	26.8%
13 x 4-bed	15.9%
<i>Affordable Rent (20 units):</i>	
8 x 1-bed	9.8%
4 x 2-bed	5%
6 x 3-bed	7.3%
2 x 4-bed	2.4%
<i>Shared Ownership (9 units):</i>	
0 x 1-bed	0%
6 x 2-bed	7.3%
2 x 3-bed	2.4%
1 x 4-bed	1.2%

DESCRIPTION OF THE SITE

1.8. The application site comprises a tract of land which adjoins the southern edge of a residential development site of Mulberry Fields. This adjacent housing development (Mulberry Fields) is relatively recent, and adjoins the southern edge of Southwater village, taking its vehicular access off a new roundabout on Mill Straight, which lies a short distance off the A24. Mulberry Fields comprises a mix of houses and features primarily red brick buildings set

under red or brown roof tiles with the occasional black horizontal weatherboarding, cream render and flint front elevations to create visual interest throughout the estate. A wide tract of land that serves as public open space and surface water attenuation, and which forms a north-south view corridor through Mulberry Fields, allows long-distance views to the south towards the application site where a pair of large and mature Oak trees feature within the vegetated field boundary, and in the distance, towards the elevated South Downs National Park.

- 1.9. The application site slopes from the north-eastern side down to the south-western corner. It is currently home to a fuel-crop plantation of Poplar saplings which are at least 25 years old. A PRoW runs alongside the southern side of the site (footpath_2804). To the west of the site is an area of Ancient Woodland which extends further to the north and to the west.
- 1.10. The site lies alongside the western highway boundary of the A24, and there is a telecoms mast immediately to the south-eastern corner of the site, which appears to be accessed via a track off the A24. The land to the south of the application site presents rising topography and a recent site visit by officers notes that this field is fenced and planted with young whips.
- 1.11. The site is located in the southernmost corner of Southwater parish, with Shipley Parish abutting the site to its eastern, western and southern boundaries. The site falls outside of the defined built-up area boundary of Southwater itself, which sits to the north of the adjacent Mulberry Fields development.
- 1.12. Although within Southwater Parish, the site does not fall within the Southwater Neighbourhood Plan area. This quirk appears to have arisen following a boundary review in February 2019, whereby the Southwater parish boundary was extended to include the Mulberry Fields development site (and the application site), which was previously within Shipley parish. The corresponding Southwater Neighbourhood Plan area had, by that time, already been fixed based on the former parish boundary. As a consequence, the site is not subject to the Policies within the Southwater Neighbourhood Plan or the Shipley Neighbourhood Plan.
- 1.13. The site is not at risk of flooding from rivers and sea (Flood Zones 2 or 3), but is subject to surface water flood risks along the northern and southern boundaries, flowing west towards the area of the woodland and ditches present within Hogs Wood. An additional area of ponding is noted to the eastern boundary of the site and within the centre of the site, corresponding to the location of a pond on the mapping data.
- 1.14. Listed buildings Pollardshill Farm and Brick Kiln Farm (both Grade 2), are situated some 470m to the east, and 540m to the south, respectively.

2. INTRODUCTION

STATUTORY BACKGROUND

The Town and Country Planning 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)

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 17 - Exceptions Housing Schemes
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 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 41 - Community Facilities, Leisure and Recreation

Supplementary Planning Guidance:

Planning Obligations and Affordable Housing SPD (2017)
Community Infrastructure Levy (CIL) Charging Schedule (2017)

Planning Advice Notes:

Facilitating Appropriate Development
Biodiversity and Green Infrastructure

PLANNING HISTORY AND RELEVANT APPLICATIONS

None relevant

3. OUTCOME OF CONSULTATIONS

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

3.1 **HDC Arboricultural Officer:** Comment [Summary – final comments – 11/06/25]

The revised layout is an improvement in respect of impact on trees from the schematic layout. Concern maintained in terms of relationship of trees to new dwellings and amenity areas and actual build process requirement and in respect of some of the boundary oaks. Conditions advised as before (to control any development operations on site to afford protection to the key arboricultural landscape elements)

[Summary - 12/03/25]

The fields are currently utilised as a poplar plantation - a relatively fast growing wood fuel crop. Mature boundaries include the Ancient Woodland (AW) and hedgerows predominantly populated by oak trees, typical of the Low Weald landscape character in this respect. A central belt of trees includes a specimen oak and other long standing trees around a small pond. This feature is currently of significant landscape connectivity importance and would remain so within an altered land use context.

The access road would not foreseeably significantly impact upon the oak trees on either side, provided suitable protective measures were put in place prior to development commencing. Principle arboricultural concerns with the quantum of development proposed would be ensuring that the AW has a realistic naturalised buffer, the root protection areas of boundary oaks and other mature trees worthy of retention are fully respected and that the central belt of trees is retained as a key landscape feature, external to residential gardens/individual plot ownership. The indicative layout does not currently respect the root protection area of the central oak of significance (Ref: T44) and has housing to the East of the tree at too close proximity.

For greenfield development of this nature, it is not acceptable to have a design/layout that fails to comply with even the minimum recommendations of the relevant design standard (BS5837:2012 Trees in relation to design, demolition and construction – Recommendations). The trees of merit and their key soil rooting environment should take precedence in the design. The internal road needs to be moved further away to the North of the oak tree. If this road layout forms part of the access application and you are minded to recommend for approval, I recommend modification to prevent an obvious design conflict at this stage of the planning process.

3.2 **HDC Conservation: No Objection**

[Summary] It is recognised that the site was the location of a historic outfarm. It would be suggested that as part of the scheme consideration could be given to recognising this historic association through either an interpretation board or landscape feature which would reflect the sites connection with the wider agricultural landscape.

The contents of the submitted Heritage Statement considers the impact of the proposal on built heritage assets. It would be considered that the proposed development due to its location and surrounding landscape features would not result in harm to the appreciation of the identified listed buildings.

3.3 **HDC BNG Ecology: No Objection**

[Summary – 05.08.2025] The latest revisions to the BNG details received on 22th July have been reviewed and have suitably addressed all outstanding comments – with one query on why the baseline has been revised showing an increase in developed land and sealed surface.

[Summary - 12/03/2025] The BNG plan proposes a combined approach of delivering habitat creation and enhancements on-site and off-site. The metric calculations demonstrate there will be a -6.81% net loss in area habitats and a 24.29% net gain in hedgerow habitats on-site, and a 76.13% net gain in area habitats off-site. This results in an overall combined net gain of 17.71% for area habitats. Whilst the proposal is considered appropriate and feasible, concerns over additionality and double counting should be addressed prior to determination to prevent delay and/or refusal of the Biodiversity Gain.

3.4 **HDC Environmental Health: Comment**

Air Quality [Comment – 21.07.2025] Happy with the response in the Technical Note (to address Interim Planning Guidance). Reference to the following measures and considerations (summary):

- *Development is not located near vulnerable receptors such as schools, hospitals, care homes and existing residential receptors have been fully considered.*
- *To minimise exposure, the development design incorporates a setback distance of approximately 35 meters from the nearest residential property. This buffer helps to mitigate the potential impact of PM2.5 emissions during construction and future use. Informed by this context, appropriate mitigation measures have been proposed and integrated into the development strategy to ensure emissions and exposure are reduced as far as reasonably practicable.*

- The nearest proposed receptor is located approximately 35 metres from the A24 (Worthing Road) on the eastern extent of the site boundary. Whilst the A24 is a recognised source of PM2.5, the separation distance reduces direct exposure, particularly for sensitive receptors. The site is not adjacent to any high-intensity or persistent sources of PM2.5 such as industrial operations or combustion-based facilities.
- According to Defra background mapping data, annual mean PM2.5 concentrations in the local area are currently below the appropriate AQAL and the 2040 target of 10 $\mu\text{g}/\text{m}^3$ (the highest concentration at grid squares containing the site boundary has modelled 2024 PM2.5 background of 6.4 $\mu\text{g}/\text{m}^3$). Based on this context, the exposure risk to future users of the development is considered low, and no site-specific exceedances are anticipated.
- A number of measures have been incorporated into the development to reduce PM2.5 emissions and limit exposure for both future users and neighbouring receptors. The site layout has been carefully designed to maximise separation between buildings and nearby sources of pollution, specifically the A24 (Worthing Road).
- Acknowledge the Local Authority's request to align the calculation with the 2024 appraisal year and will update the assessment accordingly to ensure consistency with the Sussex Air guidance.
- Given that the detailed implementation of these measures can be refined at the discharge of conditions stage, we consider it appropriate that the itemised mitigation statement and associated costings be secured through a planning condition, to be submitted and agreed with the Local Planning Authority prior to commencement. This approach allows for flexibility while ensuring full compliance with the Sussex Air guidance and avoiding duplication with other regulatory requirements.

The total damage cost should be confirmed at this stage.

Air Quality [More Information – 07.07.2025] the December-2024 Air Quality Assessment V.2 prepared by SLR Consulting Limited has been reviewed. PM2.5 Targets: Interim Planning Guidance should be considered which requires a number of consideration, including the following:

1. How has exposure to PM2.5 been considered when selecting the development site? *Advised considerations given to the following: proximity to populations and likely impact thereon, proximity to sources of any pollution and impact on users of proposed development, exposure and emissions both during construction and in-use.*
2. What actions and/or mitigations have been considered to reduce PM2.5 exposure for development users and nearby receptors (houses, hospitals, schools etc.) and to reduce emissions of PM2.5 and its precursors? *Advised explanations (and evidence if possible) why each measure was implemented, or in not, why. Actions can refer to, but not limited to: site layout, design of the development, technology, construction and future use.*

It is advised that the applicants revisit the Damage Cost calculation with the price base year using the year of the appraisal (i.e. 2024). The Mitigation measures for the proposed development should be in line with the Sussex Air (2021) *Air Quality and Emissions Mitigation Guidance* for Sussex. The emission mitigation statement should contain itemised costing for each proposed mitigation option and total value of all proposed emissions' mitigation. This should be equal to the value from Emissions calculation and total calculated value of emissions' health damage cost. *Sussex Air quality guidance* aims to avoid the duplication of measures that would normally be required through other regimes

Contaminated Land [Comments – 02.07.2025] - the SLR Preliminary Land Quality Risk Assessment, dated 12.12.24 has been reviewed and it is suggested that a ground

investigation be undertaken to confirm ground conditions and fully assess risks to future occupants. This can be secured through conditions.

Noise [More Information – 02.07.2025] – Noise levels along the eastern side (facing the A24) will be in the region of 55 – 60dB leading to concerns that internal noise levels (with windows open) would be above daytime and night-time noise criteria detailed in BS: 8233:2014, with additional concerns over individual noise events over 45dB likely to occur at night being over 10. In order to achieve compliant noise levels, it is likely that windows would need to be kept close, requiring a ventilation system, and leading to risks of overheating, neither of which have been considered.

Water [More Information – 02.07.2025] – Proposed use of a Reverse Osmosis treatment system (RO) giving rise to complexities associated with treatment.

Construction [Comments – 02.07.2025] - potential adverse impacts arising by way of noise, dust and construction traffic movements should be minimised and controlled by a CEMP condition.

3.5 **HDC Housing:** Comment

[Summary] The applicant has submitted a planning application proposing a development consisting of 82 dwellings to be policy compliant we would expect to see a minimum of 35% (29 units) to be delivered as affordable housing.

The Housing Register in Southwater/ Christ Hospital currently has 325 households waiting for housing of which is broken down to 70 households (21%) in need of a 1-bedroom unit, 70 households (22%) in need of a 2-bedroom unit, 143 households (44%) in need of a 3-bedroom unit and 42 households (13%) in need of 4 or more bedrooms. Households with a 3- or 4-bedroom need are currently the longest waiting on our housing register waiting on average 3 times longer than households with a 1- or 2-bedroom need. Housing Officers would need the affordable housing delivery to be in line with local demand before we would be able to support this site.

3.6 **HDC Landscape Architect:** Comment

[Summary – 12/06/2025]

The submitted changes largely address the concerns expressed in the first comments (dated 25/03/2025). Some minor points remain outstanding, but it is envisaged that these can be addressed at detail design stage, save for the open space strategy which remains unclear. The Landscape Architect has requested a land budget plan to demonstrate the requirements of the OSSR are being met

[Summary - 25/03/2025]

Based on the information submitted and site's context, we are of the judgement that the proposals are likely to give rise to localised residual Moderate Adverse landscape and visual effects. Nevertheless, by addressing the concerns discussed below and securing a more robust landscape mitigation strategy, we are confident these can be mitigated and the scheme successfully integrated within the receiving landscape. In order to achieve this, the layout and Parameter Plan must be reviewed to protect, conserve and enhance existing landscape features as per Policies 25, 26 and 33 of the HDPF and to demonstrate compliance with Policy 43. The mitigation strategy must be sympathetic to the landscape context in retaining its wooded character and proposing new, provide a positive designed transition to the countryside, by softening the appearance of the development and retaining the verdant character of the area.

3.7 **HDC Waste & Recycling:** Comment

[Summary] The related documents do not contain a refuse strategy plan which accords with HDC requirements. A number of properties would require a bin collection point for collection days. Confirmation required on a plot which appears to contain flats.

OUTSIDE AGENCIES

3.8 **Natural England:** No Objection subject to appropriate mitigation being secured

3.9 **Ecology Consultant:** No Objection

[Summary] Ecological Impact Assessment (Ecosupport Ltd., December 2024) and Lighting Strategy Revision 5 (SLR Consulting Ltd., December 2024), relating to the likely impacts of development on designated sites, protected and Priority species & habitats and appropriate mitigation measures have been reviewed. No existing buildings on site and all trees with potential roost features for bats will be retained - no further surveys for bats are required. As Barbastelle bats have been recorded on site, we support the recommendation that a Wildlife Friendly Lighting Strategy is implemented for this application (Ecological Impact Assessment (Ecosupport Ltd., December 2024), to avoid impacts from light disturbance. The Lighting Strategy Revision 5 (SLR Consulting Ltd., December 2024) should be secured by a condition of any consent and implemented in full.

The Ecological Impact Assessment (Ecosupport Ltd., December 2024) notes that a licence for Hazel Dormouse will be required before commencement of any works and recommend that a copy of this is secured by a condition of any consent. This is because a Hazel Dormouse nest was found on site and habitat suitable for supporting this species will be removed, including woodland and bramble scrub. The outline mitigation measures in Sections 7.7.2 to 7.7.6 of the Ecological Impact Assessment (Ecosupport Ltd., December 2024) are supported.

The recommendation for the implementation of the Precautionary Method Statement for reptiles (passive dispersal) in Section 7.5.1 of the Ecological Impact Assessment (Ecosupport Ltd., December 2024) are supported and secured by a condition of any consent and implemented in full.

The implementation of a 15m buffer between any works and the ancient woodland on the western boundary (Ecological Impact Assessment (Ecosupport Ltd., December 2024)) is also supported and should be secured by a condition of any consent. It is noted that there will be a loss of 3.2ha of plantation woodland and therefore, the compensation for this loss which is provided in the offsite habitat creation, is supported

The mitigation measures identified in the Ecological Impact Assessment (Ecosupport Ltd., December 2024) should be secured by a condition of any consent and implemented in full. This is necessary to conserve and enhance protected and Priority species particularly those recorded in the locality. The finalised measures should be provided in a Construction and Environmental Management Plan - Biodiversity to be secured as a pre-commencement condition of any consent.

The proposed reasonable biodiversity enhancements for protected, Priority and threatened species, which have been recommended to secure net gains for biodiversity, as outlined under Paragraph 187d and 193d of the National Planning Policy Framework (December 2024), are also supported. The reasonable biodiversity enhancement measures should be outlined within a separate Biodiversity Enhancement Scheme and should be secured by a condition of any consent. This provides certainty for the LPA of the likely impacts on designated sites, protected and Priority species & habitats and, with appropriate mitigation measures secured, the development can be made acceptable.

3.10 **NatureSpace: No Objection**

The proposed development is not considered to be relevant to the District Licensing Scheme in this case it is considered there would be no likely impact on great crested newts or their habitats.

3.11 **Southern Water: Comment**

[Summary] There is currently adequate capacity in the local sewerage network to accommodate a foul flow of 0.72 l/s for the above development at manhole reference TQ15249801. Please note that no surface water flows (existing or proposed) can be accommodated within the existing foul sewerage system unless agreed by the Lead Local Flood Authority in consultation with Southern Water, after the hierarchy Part H3 of Building Regulations has been complied with.

3.12 **WSCC Highways: No Objections**

[Summary - 08/05/2025]

A revised Transport Assessment (TA) which provides some clarification and commentary on a Vision Led transport planning approach. Having assessed the content within the TA addendum including the modifications requested, the LHA would be satisfied the proposals and not advise an objection on highway safety grounds. The proposals are now considered to be in line with National Planning Policy Framework (NPPF) paragraphs 115 and 116. Any approval of planning consent would be subject advised conditions.

[Summary – 11/03/2025]

More Information required on the point regarding the Vision Led Transport Planning approach as outlined:

- The applicant should demonstrate how the vision led approach has been adopted through the TA.
- Explicit vision and specific targets in the Travel Plan should be provided. It is noted that the standard target of 10% reduction in vehicle trips has been set within the Travel Plan. However, no vision is included and clarification should be provided as to whether additional targets are to be set.
- How will any additional mitigation be provided, if the target and vision isn't met? What form will this additional mitigation take?

3.13 **WSCC Lead Local Flood Authority: No Objection**

[Summary – final comments 17/07/2025]

Following a review of the submitted documents, the details are in accordance with NPPF and local planning policy 38 in Horsham District Planning Framework. Conditions advised.

[Summary – 06/05/2025]

Further clarification required in response to comments raised in March, points 2, 3, and 4.

[Summary – 07/03/2025]

Clarification sought in response to the following:

- 1) The Environment Agency has recently updated its flood risk modelling (NaFRA2) and this has resulted in a change of pluvial flood risk profile at this site. Please update the Flood Risk Assessment using the latest data in order to demonstrate no new dwellings or surface water attenuation features are within flood risk areas.
- 2) In relation to the above, we note there is a surface water flow path intersecting the proposed access road for the development. It must be demonstrated that users of the site have safe access in a design storm (1 in 100 years plus climate change) and the flow path will be maintained post development.
- 3) Please provide a cross section for the proposed earthworks surrounding the attenuation basin adjacent to the Western boundary.
- 4) The drainage layout provided indicates that the above basin will have an available freeboard of 79mm in the 1:100 plus climate change event, however as per the CIRIA

SuDS Manual there should be 300mm of clear freeboard above the top water level in this scenario

3.14 **WSCC Rights of Way:** No Objection

3.15 **WSCC Education:** No Objection in terms of sufficiency for mainstream places

3.16 **WSCC Fire & Rescue:** Comment

[summary] Fire hydrant required and adequate access for firefighting vehicles and equipment from the public highway must be available

3.17 **WSCC Minerals & Waste:** No Objection

[summary] The submitted MRS does not provide an estimate as to the potential quality or quantity of the safeguarded mineral resource that would inevitably be sterilised as a result of the development. The MWPA notes the constrained site access and nearby ecological/residential features (*Ancient Woodland*) that may reduce the potential total area available for prior extraction, however, no formal assessment of these constraints has been provided by the applicant at this stage. That said, when acknowledging the relative abundance of the brick clay throughout the county, the safeguarding of this mineral resource when considered against the relatively small non-mineral development is considered a low priority in this instance.

Therefore, in accordance with criteria (b) (iii) of Policy M9, the MWPA would offer no objection to the proposed development, subject to the determining authority being satisfied that there is an overriding need for the development that would be sufficient to outweigh safeguarding of the safeguarded mineral resource and that it has been demonstrated that prior extraction is not practicable or environmentally feasible.

3.18 **National Air Traffic Service (NATS):** No Objection

3.19 **Sussex Police & Crime Commissioner:** Objection

[summary] The proposed development of up to 82 residential units would have an estimated population of 193 persons (using average household size of 2.35 persons). Applying the current ratio of 'incidents' to predicted population then the development would generate an additional 33 incidents per year for Sussex Police to attend (0.172 x 193).

These incidents are likely to result in 10 additional recorded crimes per year attributed to this neighbourhood. In order to mitigate against the impact of growth our office have calculated that the capital 'cost' of policing new growth as a result of this major planning application equates to **£9,000**. These funds would be used for the future purchase of infrastructure to serve the proposed development. This cost will now be broken down clearly to show the capital infrastructure required to mitigate the harm arising from this major development. The contribution requested will fund the following items of essential infrastructure and is broken down as follows;

- ANPR (Automatic Number Plate Recognition) Cameras

In the absence of developer contributions towards the provision of essential policing infrastructure, Sussex Police would raise **objection**, as the additional strain placed on our resources would have a negative impact on policing of both the development and force-wide policing implications within the district.

3.20 **Local Policing Service Improvement & Engagement Department:** Comment

[summary] No detailed comments at outline stage, but Crime Prevention Through Environmental Design (CPTED) principles and Secured by Design (SBD) principles should be considered in more detail at the reserved matters stage. The applicant is advised to review the SBD Homes 2024 document.

PUBLIC CONSULTATIONS

3.21

Representations:

The revised scheme was re-consulted upon with a 14-day period, expiring on 6th May. To date, letters of representation have been received from 41 different address points, objecting to the application on the following grounds [summarised]:

- Increased traffic (at least 160 extra cars using Centenary Road each day) – danger as access route is adjacent to children's play area – Mulberry Fields is a peaceful development, another 82 dwellings would change this
- Danger from construction vehicles using Centenary Road – children playing along roads, riding bikes
- Increased parking, current parking issues in Mulberry Fields with not enough visitor parking
- Damage to Centenary Road which is not designed for construction traffic – Centenary Road not yet adopted by WSCC so residents still own it – have not given permission for extra development / construction use – consideration of alternative access from Linfield Close
- Increased dust, dirt, noise during construction
- Destruction of woodland habitat / biodiversity – bats on site, approx. 200 trees will be felled and not replaced, also deer, owls, foxes and mice
- Standard of landscaping, children's play area and tree planting in Mulberry Fields is poor, existing residents still have outstanding snagging list with properties and common areas (*reflection on Miller Homes built quality*)
- Assured by Miller Homes that no more development would take place on adjoining site – loss of views / outlook
- No consultation from Miller Homes on proposed development to existing residents
- Insufficient drainage infrastructure to cope with increased surface water run-off – loss of trees will exacerbate surface water run-off
- Sustainability given Horsham's Water shortage
- School capacity in the area, also GPs
- Site falls outside of Southwater Built up area, out of scale with surrounding area
- 3-storey flats contrary to SNP policies
- Site falls in another Parish Council area which might be subject to other local planning strategies / not in Southwater local plan
- Lack of housing demand in the area given slow build-out rates of other approved housing schemes locally
- Outside a reasonable walk to village centre
- Query over average water use given average water use on UK per person/ day is 142litres
- Boreholes are part of Hardham aquifers
- Increased size of Southwater in recent years has coincided with rise on crime and anti-social behaviour
- No evidence of fire hydrants to serve development
- Inadequate separation between development and existing dwellings – overlooking and loss of privacy

3.22

Parish Comments:

Southwater Parish Council: Objection

[Summary]

- No submitted Water Neutrality Report aside from reference to Boreholes and efficiency measures within new homes – insufficient information submitted to assure water neutrality can be achieved
- Conflict with HDPF 40 and SNP4 as sole access through Mulberry Fields will create excessive traffic congestion and safety impacts – SNP4.1

- Use of Mulberry Fields for construction would significantly disrupt residents with increased noise, dust and safety risk for pedestrians and cyclists – conflict with HDPF 33, SNP16a and SNP4.3
- Lack of visitor parking – conflict with HPDF 41
- Increased urbanisation would result in loss of biodiversity, natural habitat and fail to respect existing character of surrounding area – conflict with HDPF 25 and SNP18 which prioritises retention of and creation of green corridors and tree cover
- Insufficient evidence that proposal aligns with Southwater's strategic housing needs as set out in Southwater Neighbourhood Plan (2019 – 2031) – conflict with HDPF 4
- Strain on local infrastructure – application does not demonstrate how new residents will be accommodated for schools or medical services
- Although outline, the proposal underprovides for 1-bed units (open market and affordable) and over-provides for 2-bed units (open market and affordable) – conflict with HDPF policy 16 and latest SHMA (2019)

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.

5.2 Given that this is an outline application, the proposal does not include fixed details of the scheme. As such, Sussex Police are not able to provide detailed comments on the proposal at this stage, referring the applicant to guidance on crime prevention and 'secured by design' measures outlined in their website.

5.3 Nonetheless, the Joint Commercial Planning Manager at Sussex and Surrey Police has requested capital infrastructure funding and, in the absence of this developer contribution towards the provision of policing infrastructure reports the Sussex Police and Crime Commissioner would raise Objection, as the additional strain placed on their resources would have a negative impact on policing of both the development and force-wide policing implications within the district. This is addressed later in this report at paragraphs 6.138 and 6.139.

6. PLANNING ASSESSMENTS

6.1. Outline planning permission is sought for the development of the site for up to 82 dwellings. The proposal includes the detailed access to the site for vehicles, 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, dwelling types and sizes, are shown for indicative purposes only to establish the ability of the site to accommodate the proposed development.

Principle of Development:

Current Development Plan Policy

6.2. The development plan relevant to the proposed development comprises the Horsham District Planning Framework (HDPF, 2015) only, as the site falls outside of both the Southwater Neighbourhood Development Plan area boundary and the Shipley Neighbourhood Plan area boundary, as referred to at paragraph 1.12. The West Sussex Joint Minerals Local Plan (2018) is also relevant to this proposal, on account of the underlying Brick Clay strata. In accordance with planning law, these documents are the starting point for the assessment of the development proposals. Whilst the site sits on the edge of Southwater and within the Parish boundary, owing to its location outside of the Southwater Neighbourhood Development Plan area boundary the policies within the Southwater Neighbourhood Plan carry no weight in the determination of this application.

6.3. The site lies outside of the defined built up area boundary (BUAB) of Southwater, and is therefore located within the countryside in policy terms, with the wider characteristics of the site being predominantly of an open and undeveloped rural location, albeit one with built development immediately to its northern side and the A24 road corridor to its east. The site is not allocated for development within the Horsham District Planning Framework (HDPF) a 'Made' Neighbourhood Development Plan, or an adopted Site Allocations DPD. As a result, residential development on this greenfield site would conflict with the requirements of Policies 2 and 4 (Settlement Expansion) of the HDPF. In addition, the development would conflict with the countryside protection policy of the HDPF (Policy 26) owing to its siting outside the BUAB and as the proposed residential development is not considered to be essential to this countryside location. Consequently, the proposed development of this site for housing conflicts with the adopted development plan for the District.

6.4. However, it is acknowledged that the HDPF is now over 5 years old, and furthermore, the Council is unable to demonstrate a five year housing land supply, with the calculated housing land supply currently at 1 years supply, according to the latest AMR (published April 2025). The NPPF Paragraph 11d 'tilted balance' is therefore engaged in the determination of this application. The consequence of this for the consideration of this application is addressed in the Planning Balance section below.

Facilitating Appropriate Development (FAD)

6.5. In recognising the status of the HDPF being over 5 years old and the Council being unable to demonstrate a five year housing land supply, the Council has produced a 'Facilitating Appropriate Development' (FAD) document (August 2025). The purpose of the FAD is to provide guidance on where development proposals not in accordance with the development plan may be considered acceptable. The FAD sets out at paragraph 5.7 that the Council will consider positively applications for residential development outside the defined BUAB which meet **all** of the following criteria:

- The site adjoins the existing settlement edge as defined by the BUAB;
- The level of expansion is appropriate to the scale and function of the settlement the proposal relates to;
- The proposal demonstrates that it meets local housing needs or will assist the retention and enhancement of community facilities and services;
- The impact of the development individually or cumulatively does not prejudice comprehensive long-term development; and
- The development is contained within an existing defensible boundary and the landscape character features are maintained and enhanced.

6.6. The proposed site lies within clearly defensible field boundaries, and seeks to retain and enhance landscape features by way of the woodland blocks, drainage ditches and tree belts

that are part of the overall localised landscape character. Development of this site would not prejudice the identified long-term development of Southwater, nor would it prohibit the potential future development of the Southwater Neighbourhood Plan allocation site to the west of the village. Further, it represents a modest level of expansion appropriate to the scale and function of Southwater.

6.7. It is though recognised that technically the site does not adjoin the current BUAB of Southwater, which is drawn on the former Parish boundary to the north of the recently completed Mulberry Fields development. Notwithstanding this, the site clearly adjoins the existing built development along its northern edge (Mulberry Fields), and therefore would clearly be seen and read as being contiguous to the existing settlement edge of Southwater. As a consequence Officers advise that the location of this site accords with the obvious intentions of the FAD, a matter that should be afforded positive weight in the overall planning balance.

Horsham District Local Plan

6.8. Whilst the Examining Inspector's Interim Findings letter dated 4 April 2025 recommends that the Regulation 19 Horsham District Local Plan 2023-2040 (HDLP) be withdrawn, at this point in time no formal decision to withdraw the Plan from examination has been made. Accordingly the policies within the HDLP continue to carry limited weight. Irrespective of whether the Plan is formally withdrawn, the background evidence base to support the draft Plan does continue to carry some limited weight given the Examining Inspector's comments at paragraph 95 of his Interim Findings letter. This background evidence base includes the site assessments that informed the site allocations.

6.9. This application site was actively promoted during the plan preparation period on behalf of the land-owners (site SA896, in conjunction with site SA725 adjacent), however the site does not form one of the draft allocations within the HDLP. The reasons for not including this site in the HDLP are stated as follows, within the Site Assessment Report Part D: '*Sites not identified for potential allocation for housing development*':

"The site is not recommended for allocation. Any scheme would need to address biodiversity and landscape issues before it could be considered in the local plan as a residential allocation. While the site lies to the immediate south of the existing built-up area boundary of Southwater and adjoins it, it is considered that existing constraints on site (such as the neighbouring ancient woodland) and access issues (i.e. whether access could be provided from the Mulberry Fields development to the immediate north) present uncertainty over whether development can be implemented or deliverable. The site is not included as an allocation in either the Shipley Neighbourhood Plan or Southwater Neighbourhood Plan but relevant policies would apply should an application be submitted."

Southwater is recognised as a large village/small town in the Council's settlement hierarchy and is therefore seen as being able to accommodate reasonable levels of development. Despite this, account must be taken of recently delivered and ongoing development, as well as the proposed West of Southwater strategic development site, when determining whether it is appropriate to allocate additional small housing sites.

Given the quantum of development planned for Southwater, the Council considers it would be inappropriate to allocate further sites for development in the settlement. As such, it is not recommended to allocate this site."

Conclusion on principle

6.10. The proposed development present a conflict with the current development plan as the site lies outside of the defined BUAB and has not been allocated for development in either the HDPF or a made neighbourhood plan. The principle of development is therefore contrary to Policies 2, 4, and 26 of the HDPF. The weight to be attributed to the conflict with these policies in light of the Council's five-year housing land supply position is discussed in the

overall planning balance at the end, along with the weight to be attributed to the broad compliance with the FAD.

Housing Mix and Affordable Housing:

6.11. Policy 16 of the HDPF requires that residential development should provide a mix of housing sizes, types and tenures to meet the needs of the district's communities as evidenced in the latest Strategic Housing Market Assessment (SHMA). Policy 16 also requires that on sites providing 15 or more dwellings, or on sites over 0.5 ha, the Council will require 35% of dwellings to be affordable with a tenure split of 70% affordable rented and 30% intermediate tenure. This would amount to 28.7 dwellings being required to be affordable. The proposal seeks to deliver 29 units as affordable housing in compliance with Policy 16.

6.12. The Council's Housing Team has commented that the Housing Register in Southwater currently has 325 households waiting for housing, of which 70 households (21%) are in need of a 1-bedroom unit, 70 households in need of a 2-bedroom unit (22%), 143 households (44%) in need of a 3-bedroom unit, and 42 households (13%) in need of 4 or more bedrooms, indicating a local increased need for 3-bed dwellings. This site indicatively proposes to deliver the following affordable housing mix (at the required 70/30 tenure split between affordable rent and intermediate housing) compared to the recommended mix set out in the Council's current Strategic Housing Market Assessment (SHMA, 2019):

Affordable Rented	SHMA 2019 (20 units)	Proposal (20 units)	Over / under supply
1-bed	<i>35% (7 dwellings)</i>	8 dwellings	+1
2-bed	<i>30% (6 dwellings)</i>	4 dwellings	-2
3-bed	<i>25% (5 dwellings)</i>	6 dwellings	+1
4+ bed	<i>10% (2 dwellings)</i>	2 dwellings	-

6.13. For Shared Ownership, the following split is indicated, compared to the current SHMA:

Shared Ownership	SHMA 2019 (9 units)	Proposal (9 units)	Over / under supply
1-bed	<i>25% (2 dwellings)</i>	0 dwellings	-2
2-bed	<i>40% (3 dwellings)</i>	6 dwellings	+3
3-bed	<i>25% (2 dwellings)</i>	2 dwellings	-
4+ bed	<i>10% (1 dwellings)</i>	1 dwellings	-

6.14. No objection is raised to this proposal from the Housing Team, noting that the relevant s106 agreement would secure an appropriate housing split as part of later details (reserved matters). The indicative housing mix provides an extra 3-bed dwelling (Affordable Rent), which is encouraged considering the current housing need evidence. The final housing mix would be secured under the subsequent reserved matters stage.

6.15. In terms of market housing, the proposal is for up to 71 market units, set in the following mix of unit sizes compared to the recommended open market housing mix set out in the Council's current Strategic Housing Market Assessment (SHMA, 2019):

Open Market	SHMA 2019 (53 units)	Proposal (53 units)	Over / under supply
1-bed	<i>5% (3 dwellings)</i>	6 dwellings	+3
2-bed	<i>30% (16 dwellings)</i>	12 dwellings	-4
3-bed	<i>40% (21 dwellings)</i>	22 dwellings	+1
4+ bed	<i>25% (13 dwellings)</i>	13 dwellings	-

- 6.16. As this application is being made in Outline only, officers advise that the final housing mix would be agreed at the reserved matters stage taking into account the latest housing market assessment and local requirements at the time. Nevertheless, the proposed market housing mix is considered acceptable with its minor oversupply of 1-bed dwellings to balance out other sites where no such 1-bedroom market homes are being provided.
- 6.17. In the event that planning permission is granted, a Section 106 legal agreement would need to be provided to secure this on-site affordable provision and tenure, and a registered provider who will take on the units, as per the requirements of HDPF Policy 16 and the accompanying Planning Obligations and Affordable Housing SPD.

Landscape Impact:

- 6.18. The policies in the NPPF which consider the impacts of development on landscapes, begin at para 135(c), which requires that decisions should be '*sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities)*'.
- 6.19. Chapter 15 (Conserving and enhancing the natural environment) of the NPPF at para 187(a) sets out that planning decisions should contribute to and enhance the natural and local environment by '*protecting and enhancing valued landscapes, site of biodiversity or geological soils (in a manner commensurate with their statutory status or identified quality in the development plan)*'. At para 189, the NPPF goes on to consider that the National Parks, the Broads, and National Landscapes (formerly AONBs) have the highest status of protection in relation to landscape protection. Officers confirm that this site does not comprise a 'valued' landscape and does not fall within or otherwise impact a National Landscape or the South Downs National Park, thus not raising any subsequent conflict with paras 187 or 189 of the NPPF.
- 6.20. Paragraph 187(b) goes on to require that planning decisions '*recognising the intrinsic character and beauty of the countryside, and the wider benefits from the natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland*'. Whilst this site is not actively farmed, it has been planted as a fuel crop of Poplars, and falls into grade 3 (good to moderate) according to the Natural England Agricultural Land Classification. Within Grade 3, sub-grade 3a is considered to be 'good quality agricultural land', falling within the definition of BVM (Best Most Versatile) land, which Natural England seek to retain and protect to ensure remains available for food production. Sub-grade 3b is 'moderate quality', and therefore not BVM land. Although no details have been provided on the sub-grade land quality of application site, officers understand that Poplars (as a fuel crop) are adaptable to a range of soils and growing conditions, and would unlikely be considered suitable for BVM land / sub-grade 3a. The site includes a retained block of Ancient Woodland, and new hedgerows and tree planting as indicated in the indicative Illustrative Masterplan, thus whilst taking a land parcel out of active farming / forestry use, it would continue to provide natural capital within the site and beneficial contributions towards the wider ecosystem.
- 6.21. Locally, Policy 25 of the HDPF seeks to preserve, conserve and enhance the landscape and townscape character of the district, taking into account individual settlement characteristics, and maintaining settlement separation. Policy 26 states that, outside built-up area boundaries, the rural character and undeveloped nature of the countryside will be protected against inappropriate development. Policy 31 of the HDPF sets out support for development proposals that demonstrate that it maintains and enhances the existing network of green infrastructure, as well as requiring proposals to enhance existing biodiversity, and create and manage new habitats where appropriate. Policy 33 of the HDPF states that in order to conserve and enhance the natural and built environment, developments shall be required to ensure that the scale and massing of development relates sympathetically within the built surroundings, landscape, open spaces and routes within the adjoining site.

6.22. As has already been established, the application site lies within an open and undeveloped rural area, but lies directly adjoining the developed edge of Southwater along its northern edge. Visually, the site is physically separated from the development to the north (Mulberry Fields) by a vegetated field boundary, but maintains visual links through to the northern development. On account of localised topography, the site also appears separate from the adjacent 'open and rural' landscape to the south, as the rising levels of the field beyond the site rises up and effectively 'traps' the application parcel within confined boundaries.

6.23. The prevailing landscape character of the wider area, as categorised in the Council's 2003 Landscape Character Assessment, is noted as being a gently undulating strongly wooded landscape with many small to medium size woodland blocks enclosing an irregular pattern of pasture fields (area G4 / Southwater and Shipley Farmlands). The area is noted to suffer from the visual and noise intrusion of two major roads, the A24 and A272, with a particular pressure identified from the potential south-wards growth of Southwater. County-wise, the site lies in West Sussex Landscape Character Area LW6 (Central Low Weald), which has been correctly noted in the submitted LVAIS.

6.24. The Council's Landscape officer expressed concern over the initially submitted masterplan for the site, but acknowledged that given amendments, it would be possible to mitigate the concerns and ensure that the scheme could be successfully integrated into the receiving landscape.

6.25. The Council's Landscape Officer further notes that the '*Horsham District Landscape Capacity Assessment (2014) locates the proposed site within Local Landscape Character Area (LLCA) 26: Land South of Southwater. Landscape Character Sensitivity is identified by the following key relevant traits: a gently sloping to undulating landform with a medium scale field pattern; a strong framework of thick hedgerows, shaws and woodland is present in the area; and the landscape in good condition and has an unspoilt rural character.*

'Visual sensitivity is low due to the mostly enclosed nature of the landscape which arises from its heavily wooded character. LLCA 26 describes the following for relevant qualities in regard to Landscape Value: ecological and historic interest is provided by areas of ancient woodland and species rich hedgerows; there is moderate tranquillity with noise incursion from the A24; amenity value of landscape is provided by rights of way running along the southern boundary of Southwater.'

'In terms of Landscape Capacity, the LLCA concludes that due to the area's strong, unspoilt rural landscape character together with its good landscape condition, there is low-moderate capacity for medium scale development. This development proposes 82 dwellings, which is under the threshold for medium scale development, however, the Capacity Study states that, "Where fewer than 100 homes are proposed around the settlements, it cannot necessarily be assumed that this would lead to a different capacity judgement for the character area concerned. This would need to be assessed on a case by case basis, as part of any more specific land allocation or development control decision.". To this regard, it is our judgement that the capacity for this site remains low/moderate, given the low-moderate visual sensitivity, moderate-high landscape character sensitivity and moderate landscape value.'

'Low-Moderate capacity is defined as 'The area only has potential to be able to accommodate development in limited locations without unacceptable adverse landscape and visual impacts or compromising the values attached to it, taking account of any appropriate mitigation'

6.26. Following an updated Landscape and Visual Appraisal with Impact Statement (LVAIS) being submitted and duly assessed by the Council's Landscape Officer there is still a concern that the visual impact on the proposed development has not been fully assessed, particularly as the submitted viewpoints show the site when vegetation is in full leaf, and do not take account

of the winter months when a greater visibility may arise on account of a lack of vegetative screening. Whilst the Council's Landscape Officer notes that the bare-earth ZTV study now shows potential viewpoints of the site from the north and east, these have not been included as potential receptors, with no evidence that there is intervening landform, vegetation and built form to screen the proposed development. Viewpoint receptors have also been grouped and collectively assessed, rather than being judged individually as a fair assessment. This has the effect of where a low sensitivity has been derived collectively from the viewpoints, when some of the viewpoints show a more open and rural landscape exhibiting features identified in the landscape character area.

- 6.27. To address the landscape-based concerns, the revised layout seeks to avoid development pressure within the RPAs to secure landscape features of trees and hedgerows, and which includes a greater southern landscape buffer planting, as per the Landscape Officer's advice.
- 6.28. Further advice was offered by the Council's Landscape Officer that the access points to the PRoW 2804 should be minimised to the one existing access in the south-eastern corner where there is an existing break in the vegetation, whilst the estate roads should demonstrate a tree-lined approach. Whilst on site, officers noted that the defined /legal line of the PRoW along the south-western section of the site is overgrown and largely inaccessible, and, from paths worn in the grassland covering the site, it is evident that many users of this PRoW have accessed the application site before re-joining the definitive line of the PRoW to the south-western side of the site, where a break in the field boundary allows access to the southern adjacent site as well to the PRoW. Therefore, officers are satisfied that there is an existing link along the southern side of the application site that would afford access to the PRoW without undue pressure to disrupt the existing established field boundaries. In any event, these detailed matters would be resolved under subsequent reserved matters, and conditions applications.

Conclusion on Landscape

- 6.29. It is therefore to be acknowledged by officers that the indicative layout of the site as presented, along with the rural location of the site relative to the existing built-up edge of Southwater in this location, would result in a Major / Moderate effect, reducing to Moderate / Adverse once the landscape matures, and on the proviso that existing landscape features are maintained and enhanced.
- 6.30. Given the site's rising topography, the submitted parameter plans do not provide any indication of scale and massing of the proposed development, aside from the DAS referencing the adjacent built form and appearance of Mulberry Fields to the north. Officers note that the layout indicates apparent apartment / flatted blocks located adjacent to the central open space, but also that design and appearance would be subject to a later application under reserved matters
- 6.31. The resulting development would lead to an appreciable degree of landscape harm, not least given the felling of the fuel crop plantation (poplars), thus raising a conflict with HDPF policies 2, 25, 31, 32 and 33 and NPPF paras 135 and 187. However, notwithstanding the identified landscape impact and harm that would inevitably occur by way of the development of what is currently a rural site, officers consider that the amendments to the layout address officer comments and now create the potential for the proposed development to incorporate and retain robust perimeter screening, leading to filtered views to and from the development site. Accordingly, Officers consider that the landscape harm does not weigh significantly against the proposal.

Site Masterplan and Parameters (including open space and trees):

- 6.32. Policy 25 of the HDPF seeks to protect the townscape and landscape character of the District, including the landform and development pattern, together with protected landscapes and habitats. Development will be required to protect, conserve and enhance landscape and

townscape character, taking account of areas or features identified as being of landscape importance, individual settlement characteristics and settlement separation.

- 6.33. Policies 32 and 33 of the HDPF require development to be of a high standard of design and layout. Development proposals must be locally distinctive in character and respect the character of their surroundings. Where relevant, the scale, massing and appearance of development will be required to relate sympathetically with its built-surroundings, landscape, open spaces and to consider any impact on the skyline and important views.
- 6.34. Although the details of the site layout are reserved for approval at a later date, the submitted Design and Access Statement and Illustrative Masterplan provide an indication of how the development is anticipated to be laid out, with the Parameter Plan providing fixed parameters for the Reserved Matters applications to comply with. The Illustrative Masterplan includes for two parcels of residential development to the east and west of the land parcel, separated by a central green corridor which provides a link to the perimeter 'structural infrastructure and open space', and to the southern PRoW as well as the established estate to the north, Mulberry Fields. The final details of the scale, layout, landscaping and appearance of the development would be considered under future reserved matters application(s). At this stage, therefore, the main consideration is whether the quantum of development proposed is acceptable taking into account the submitted parameter plan and having regard to matters such as amenity space, play areas, parking, landscape buffers, open space, internal linkages, and water attenuation.
- 6.35. Officers are of the view that the proposal suitably demonstrates that up to 82 units on this site including appropriate orientations, amenity space, play areas, parking, landscape buffers, open space, internal linkages, and water attenuation - can be satisfactorily accommodated on the site without causing unacceptable harm to the wider landscape character or local amenity.
- 6.36. The indicative layout has taken into consideration the key site constraints which is welcomed. The key sensitivities of this site include the rising topography towards the northern corner, the proximity of the A24 road corridor to the east, the ancient woodland to the west and the presence of existing residential development to the north, along with the transition to the rural edge and long-range views to the south, towards the South Downs. The proposed play areas are located where they would be accessible for all future occupants as well as being accessible by neighbouring residents.

Open Space

- 6.37. According to the latest Open Space, Sport and Recreation Review (OSSR 2021), Southwater has deficiencies in parks and gardens (comprising urban and country parks, accessible public spaces for recreation), youth /young people and allotments. Thanks to Southwater Country Park, which lies within the heart of the village, and approximately 630m from the application site, along with a number of other sports facilities, the overall position in terms of Open Space, Sports and Recreation provision within Southwater, identifies a current and future surplus in terms of natural and semi-natural, amenity and multi-functional greenspaces. The OSSR also identifies a surplus of children's play space within the parish.
- 6.38. The Open Space, Sport and Recreation Review (OSSR, 2021) sets out a threshold of 46 dwellings to provide on-site play provision. The development to the north at Mulberry Fields includes the provision of a LEAP (Locally Equipped Play Area), which covers an area of some 600sq.m and is intended for use by children up to the age of 10, accessible to dwellings within a 400m walk, and so suitably located to serve the existing Mulberry Fields development. The on-site provision for a Local Area of Play (LAP) is included within the current application. These play spaces are generally smaller (100sq.m) and cater to younger children, up to the age of 6, and are located within a 100m walk of dwellings (close to home). The indicative masterplan shows that this would provisionally be located within the central

area of the site, where it could be provided with the advised 20m buffers to the nearest residential dwellings.

6.39. Notwithstanding the provision of an on-site play area (LAP) and the areas of open space provided within the site, the Council's Landscape Officer advises that, given the identified deficiency/surplus section of the OSSR for Southwater, and considering the close proximity of the play area within the adjacent development, that a provision of allotments (min 400m²) is secured instead of a Local Area of Play (LAP). Officers recognise that an existing allotment site, managed by an allotment association through the Parish Council, is located a 30min walk from the site (1.5km north). A further site lies a similar distance to the north-west and is managed by the Southwater Sports Club. Figures currently do not show an urgent need for allotments with a modest waiting list. Furthermore, the applicant's state that the scale of the site would not provide an efficient use of land to secure a minimum of 400sq.m of allotments on site, as well as being too small to be effective or efficiently managed. Officers acknowledge that an average allotment plot is typically 250sq.m, based on the traditional land measurement unit of 10 rods (1 rod = 25sq.m) with an area of 500sq.m therefore required to provide 2 x full-size plots, or 4 x ½ plots. Therefore, officers conclude that the application site does not provide sufficient space within which to provide a meaningful contribution towards allotments to serve the wider Southwater catchment area.

6.40. Additional recommendations by the Council's Landscape Officer are that a land budget plan is prepared to demonstrate that the scheme can deliver an open space strategy that meets the Council's requirements within the 'Open Space, Sport & Recreation Review 2021 (OSSR)' guidance document and comply with HDPF policy 43. The plan must identify the various categories of open space (parks and gardens (which should include kick about area), amenity space, natural and semi-natural, play areas, allotments) and areas measurements and also demonstrate that accessible standards and distance buffers are achievable. An indicative land budget plan has now been submitted to address this, which demonstrates the development will exceed the requirements of the OSSR:

Landscape Type	Required area (sq.m) - OSSR	Proposed (sq.m)	Area above guidance (sq.m)
Parks and Gardens	1,574	7,212	+5,638
Amenity Green Space	1,180	1,224	+44
Natural and Semi-Natural	3,534	10,930	+7,388
Play	492	500	+8

6.41. Accordingly, officers consider that the proposed development would accord with the expectations of HDPF policies 32, 33 and 43, and would be capable of incorporating open space and play facilities appropriate to the scale of this development and its context, the details of which would be secured at a later Reserved Matters stage with its management secured via a s106 agreement.

Trees

6.42. Aligned with wider policies which seek to ensure the landscape qualities of the district can be secured, maintained and enhanced, Policy 31 of the HDPF sets out support for development proposals that demonstrate that it maintains and enhances the existing network of green infrastructure, as well as requiring proposals to enhance existing biodiversity, and create and manage new habitats where appropriate. The illustrative masterplan shows the potential for some 133 new trees to be delivered on site, which indicates that there is capacity within the site to deliver new tree planting, subject to conditions.

6.43. The Council's Landscape officer has requested that the parameter plan demonstrate the provision of a tree-lined primary street (as identified within the LVAIS, mitigation section 7). However, officers note that landscaping remains to be considered under subsequent Reserved Matters stage(s).

- 6.44. The Council's Arboricultural Officer notes that the application site has been planted as a poplar plantation, a fast growing fuel crop, with a central belt of specimen Oak trees, and an ancient woodland belt to the western side. The central Oak trees and ponds currently forms a feature of significant landscape connectivity, and are to be retained within the outline layout, albeit within an altered land use context.
- 6.45. The main areas of concern which have been highlighted by the Council's Arboricultural Officer, are to ensure that the eventual layout retains a suitable naturalised buffer and root protection to the ancient woodland, and that the retained tree belt in the centre is to remain outside of any private garden boundaries. The proximity between the central significant Oak tree (T44) and the housing to the east was a concern raised in respect of the initial layout submitted, as well as with the proximity between this tree and the roadway, as this tree has a calculated RPA of some 15m.
- 6.46. The revised Tree Protection Plan and indicative layout seeks to address those concerns, and provide the necessary RPA around this, and other retained trees. The Council's Arboriculturist has reviewed the amendments and notes that the revised layout is an improvement over the previous iteration of the site's layout, but notes that the proximity of the proposed development in relation to the perimeter trees remains of concern, particularly as these are established Oak trees. Officers advise that this matter can be suitably resolved at Reserved Matters stage.
- 6.47. The overall integrity and function of the ancient woodland would be preserved by way of the 15m buffer included in this proposal, albeit the development would result in the loss of the Poplar plantation / crop on the wider site. The identified 'structural infrastructure and open space' on the masterplan shows that the site has the potential to accommodate new landscape features, tree planting and the retention of existing important landscape features, all of which would be secured at Reserved Matters stage and a landscape condition.

Conclusion on site parameters and masterplan

- 6.48. In summary, subject to an appropriately designed detailed layout and landscaping plan at Reserved Matters stage, it is considered that the development on this site is capable of incorporating a layout that incorporates the required open space, children's play space and landscaped buffers as set out in the Council's Open Space, Sport and Recreation Review (June 2021). Furthermore, officers are satisfied that the detailed site layout which would come forward at reserved matters stage, is capable of being designed in such a way so as to ensure sufficient space is maintained to the retained trees, incorporating the principles established locally under HDPF policies 32 and 33, and nationally under NPPF para 135.

Highways Impact, Access, Parking and Active Travel:

- 6.49. HDPF Policy 40 states that 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. HDPF Policies 40 and 41 promote development that provides safe and adequate access, suitable for all users.
- 6.50. Nationally, paragraph 115 of the NPPF seeks to ensure that appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location, and that safe and suitable access to the site can be achieved for all users.
- 6.51. Furthermore, paragraph 117 of the NPPF requires applications to:
 - 'a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;*

- b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;
- c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;
- d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and
- e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.'

6.52. Paragraph 118 requires that all developments generating a significant amount of vehicular movements not only provide a travel plan, but also that applications '*be supported by a vision-led transport statement or transport assessment so that the likely impacts of the proposal can be assessed and monitored*'.

Vehicular Access

6.53. Detailed approval is sought under this application for the means of access to the site, which would be by way of the existing estate roads within the adjacent Mulberry Fields development. The Local Highways Authority (LHA) notes that visibility splays have been demonstrated to meet the Manual for Streets guidance for a 30mph speed limit, as per the internal speed limit of Centenary Road.

6.54. All associated access, refuse and deliveries to facilitate the proposed development would take place from within the site, via the estate roads from Mulberry Fields, with an internal turning area provided during construction works as set out within the submitted Transport Assessment.

6.55. New footpath and cycle connections would also be provided between the site and existing local networks established in the adjacent development to the north. The outline application only details the new access from Centenary Road. All other pedestrian access points between the site and the wider PRoW network and the northern development at Mulberry Fields, would be secured in details at the subsequent reserved matters stage when matters of layout are finalised.

Construction Access

6.56. Officers recognise that a number of neighbouring concerns have been raised in relation to the proposed construction access through the existing roads of Mulberry Fields, echoed by Southwater Parish Council. To address this aspect, noting that final details of construction would generally be secured through a CEMP condition, the applicant's have provided the following commentary:

- **Route 1** option – Construction access through the Mulberry Fields development off Mill Straight roundabout, some 112m off the A24, then along Centenary Road. – *This route provides achievable tracking / turning for HGV access, albeit tight.*
- **Route 2** alternative option – Construction access via the original construction / emergency access directly off Mill Straight, some 35m off the A24, then running alongside Faires Close / Heasman Place into the north-eastern gated access to the site via the retained farm access – *This route would likely have the least impact on the Mulberry Fields estate as all construction vehicles would utilise the retained farm access strip, although upgrades to this route would be needed to provide a construction road surface along the grass strip. Currently not known whether the width is suitable noting the line of trees planted along the farm access' western side.*
- **Route 3** alternative option - Construction access through the Mulberry Fields development off Mill Straight roundabout, some 112m off the A24, then directed along Faires Close and Heasman Place, the retained farm access and into the north-eastern

gated access to the site - *This route would likely impact on parking bays at Faires Close and result in the loss of some trees to gain access to the retained farm access strip. Upgrades to this route would be needed to provide a construction road surface along the grass strip. Currently not known whether the width is suitable noting the line of trees planted along the farm access' western side.*

- **Route 4** alternative option - Construction access via the original construction / emergency access directly off Mill Straight, some 35 off the A24, then using Faires Close before Centenary Road – *This route would lead to a tight tracking situation at the junction between Faires Close and Centenary Road.*
- *Current clear access width along the retained farm access strip is measured at 3.75m between tree trunks (west side) and the fence line (east side), with a current unmade / grass surface.*

- 6.57. Although only presented at draft stage, officers acknowledge that the retained farm access does exist along the eastern side of Mulberry Fields, but is severely constrained along its western side by a row of established trees which provide screening between the residential properties and the highway.
- 6.58. The Council's Tree Officer has reviewed this aspect and notes that the line of trees along the farm access appear to date from the early 2000's, likely as a 'shelterbelt' associated with the poplar plantation of the application site. Furthermore, this shelterbelt appears to have once been a double row of hybrid poplars, planted some 3m apart, with a likely view of topping once established, to form a high hedge. However, one row was removed to make way for the retained farm access as part of the Mulberry Fields development, and, along with the retained cypress at the northern end provide for limited screening / landscape diversity. The Council's Tree Officer also notes that these hybrid Poplars can grow very large and would require thinning out if some are to be retained as individual trees of longer term landscape merit.
- 6.59. The Council's tree Officer therefore concludes that this farm access has the potential of being utilised to form a temporary construction route to the site, whilst protecting a Grade A Oak tree of merit at the access point.
- 6.60. The LHA also consider that the 2nd option, using the former site entrance off Mill Straight and then utilising the retained farm access track appears to be workable, along with the original intention of using the main estate road: Centenary Road. Any such measures would require a commitment to repair any damage to the road as a result of construction vehicle use.
- 6.61. The above demonstrates that a suitable range of options have been explored to enable construction access that cause minimum disruption to the residents of Mulberry Fields. Officers are not at this stage giving any particular weight in the recommendation to any of these options, instead deferring agreement of the final construction route to condition discharge, as is normal practice, given some uncertainties remain as to the deliverability of the preferred route via the Poplar trees.

Trip Rate Generation / A4 junction capacity

- 6.62. The quantum of development is anticipated to generate some 45 AM peak and 29 PM peak trips, with an overall total of some 358 daily vehicular trips (across a 12 hour period), using the standard TRICS methodology which the Local Highways Authority has assessed as being an acceptable methodology. This would result in anticipated in the following:

	AM Peak (0800-0900)		PM Peak (1700-1800)	
	Arrivals	Departures	Arrivals	Departures
<i>Expected trip generation</i>	9 movements	36 movements	20 movements	9 movements
Total / peak	45		29	

6.63. This modelling furthermore assesses the impact of the proposed development and the anticipated new vehicular movements on the following junctions:

- Roman Lane - The modelling highlights the junctions would operate within capacity.
- Mill Straight South - The modelling highlights the junctions would operate within capacity.
- Site Access - The modelling highlights the junction would operate within capacity, there will be a minor increase in queuing however.
- Mill Straight North - The modelling highlights the development would have not have an effect on the operation of this junction.

Active Travel / Inclusive Mobility (pedestrian and cycle links)

6.64. In June 2024, a requirement was introduced for developments over 150 units to include Active Travel England as a statutory consultee, with a view of prioritising walking, wheeling and cycling to be seen as the most convenient, desirable and affordable way to travel, as well as facilitating access to public transport. Although officers recognise that the proposed development quantum of this application falls below the consultation threshold, the principles of Active Travel are currently embedded within local and national planning policies, including LTN 1/20 'Cycle Infrastructure Design', which sets out the expectations for development to incorporate inclusive and accessible design for cycle infrastructure with a view that this is no longer seen as merely a leisure activity, but a viable means of transport in itself. Furthermore, the provision of safe access for all users is embedded in NPPF paragraphs 115 and 117, with further advice set out in the document 'Inclusive Mobility' (Dec 2021) on the advised widths of footpaths.

6.65. The site is located around 1.4km from the local shops at Lintot Square, where there is also a pub and leisure / sporting facilities available at The Ghyll in close proximity. The local infant and junior schools are around 400m further (around 2km from the site). The nearest bus stop is about 470m north of the site, along Mill Straight with routes linking to Horsham, Worthing and Crawley, as well as bus routes that operate to Millais and Forest Secondary Schools in Horsham, and St Wilfreds School in Crawley. The proposed development looks to include a number of sustainable travel benefits (Framework Travel Plan, Dec 2024), including a £150 Sustainable Travel Voucher per dwelling which can be used towards the cost of a bus pass, cycle equipment for example.

6.66. In line with para 111(d) of the NPPF, officers note that the site lies in a location that is well-related to the existing settlement of Southwater and where local shops and services are within walking distance (1.5km / 15min average), and within close proximity to the 'cycle-friendly' Downs Link. The local infant and junior schools are located within the 2km (24min), which is considered to be the 'preferred maximum' commuting distance to schools on foot, and that furthermore, the journey can be made on reasonably level and lighted pavements. The location of the site would also offer genuine alternatives to car-based travel.

Parking

6.67. Policy 41 of the HDPF states that adequate parking and facilities must be provided within developments to meet the needs of anticipated users, with HDPF policy requiring safe, convenient and visually attractive areas for parking vehicles and cycles without dominating a development.

6.68. As the proposal is for outline permission, details regarding the layout and exact numbers of proposed parking spaces, cycle parking spaces, and EV provision, is not indicated in this application, and would be fixed once the exact dwelling quantum and layout is resolved at subsequent Reserved Matters stage. Indicative plans show that parking could be delivered to all properties by way of a mix of tandem spaces, garages, car-ports, and parking courts, and that therefore, there is no reason to believe that sufficient onsite parking for vehicles and cycles could not be provided.

Conclusion of Access, Parking and Active Travel

6.69. Officers acknowledge that the geometry of the proposed access (from Centenary Road) has been found to be acceptable to the Local Highways Authority, and that the site is in principle, capable of incorporating a suitable parking quantum to serve the development, subject to the consideration of more detailed design at reserved matters stage.

6.70. The proposal would also deliver sustainable access links to the existing settlement in accordance with the guidance set out in 'Inclusive mobility', Active Travel, para 111(d), and 115 - 118 of the NPPF, thus ensuring that the site is capable of providing viable alternative non-car modes of transport by which prospective residents can access local services and facilities.

6.71. Paragraph 116 of the National Planning Policy Framework states 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 would be severe. Based on the information submitted and subject to conditions, and a suitable legal agreement (to secure Travel Monitoring), WSCC Highways are satisfied that the development would not result in any unacceptable safety or otherwise severe impacts, and would provide for appropriate sustainable transport choices in compliance with Paragraphs 111(d), 115, 116, 117 and 118 of the NPPF.

6.72. Furthermore, there are two realistic options that can potentially be achieved in this location to facilitate construction access through to the site, be that by way of the main estate road through Mulberry Fields (Centenary Road), or by way of a temporary construction access utilising the former site access off Mill Straight and the retained field access to the north-eastern corner of the site. It is suggested that in the event of an approval, these matters would be secured by way of a planning condition.

Residential Amenity:

6.73. Policy 33 of the HDPF requires that development is designed to avoid unacceptable harm to the amenity of occupiers / users of nearby property and land. Paragraph 135(f) of the NPPF seeks to ensure that development '*create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience*'. Policy 32 of the HDPF, further, seeks to ensure that development provides an attractive, functional, accessible and adaptable environment.

6.74. The indicative site layout plan demonstrates the maximum quantum of development could be accommodated within the developable area whilst providing for a good standard of amenity for all future occupants of land and buildings of the proposed development (including distance between nearest dwelling from locally equipped play area). A landscape buffer has been provided along the northern boundary where the development abuts the existing residential development at Mulberry Fields, maintaining a separation between habitable windows of between 22m – 40m, separated by established intervening vegetation and trees.

6.75. Within the development itself, the indicative masterplan demonstrates that a back-to-back separation of 21m could be achieved, with finalised details and layouts submitted at the reserved matters stage.

6.76. Insofar as public and neighbour representations, officers acknowledge that many of the received objections cite issues with the build quality and ongoing management issues within the adjacent Miller Homes development at Mulberry Fields. Whilst the current planning application has been submitted on behalf of Miller Homes, this is in and of itself not a material planning consideration for the current outline application.

6.77. Matters of noise, dust and general disturbance caused by the construction activities are noted. However, these are very much a temporary impact associated with development, which the CEMP would seek to control by way of hours of use applied to audible activities within the development site. Making good and repairing access roads would be within the purview of relevant landowners and / or the highways authority.

6.78. Construction operations associated with the proposed development would not be considered to result in permanent excessive or unexpected disturbance that would lead to unacceptable harm to the existing amenities of nearby occupiers/users of land, such as to amount to conflict with HDPF policy 33 in amenity terms.

6.79. Officers note that a Noise Assessment has been carried out, concluding that the properties along the eastern side in proximity to the A24 would lie within an area of the site subject to increased noise levels. The outline plans therefore provide for a 2m acoustic fence to be included within the landscape buffer to the eastern side, demonstrating that it is possible to mitigate against the elevated levels of noise in proximity to the A24. Further to this, officers note that more details would be required at reserved matters stage, when the eventual site layout becomes fixed. This would demonstrate final ambient noise levels in proximity to the A24 and the likely effectiveness of mitigation measures such as the acoustic fence, taking account of the finalised layout and design of the dwellings. An overheating survey would also be required at the reserved matters stage in the event that the eastern-most dwellings are subject to elevated noise levels during the night-time in the upper floor bedrooms, and if any mechanical ventilation would therefore become necessary. However, officers are satisfied that at outline stage, the submitted details provide an indication that noise-related mitigations would be necessary, would be suitably effective, and would be part of any finalised scheme.

6.80. It is, therefore, considered that future occupiers would benefit from a sufficient standard of amenity so as to satisfy the provisions of NPPF paragraph 135(f) and HDPF policy 32, with conditions secured to ensure a satisfactory scheme can be implemented for the control of noise and ventilation to protect residents from adverse road noise.

Drainage and Flood Risk:

6.81. The updated Environment Agency Flood Maps show that the application site is located within Flood Zone 1, indicating that it is at a very low risk from river flooding. In terms of surface water flood risk, the EA mapping data shows a medium and high surface water flood risk along the lowest points of the site along the southern boundary, and alongside the woodland ghyll to the west, and in two pooled areas centrally to the east boundary. A smaller flow path is identified along part of the northern boundary, crossing the access road into the site, which corresponds with the existing drainage ditches present along the site's boundary. The NPPG (para 023) clarifies that a sequential test for flooding would be required for development within medium and higher risk areas.

6.82. The parameter plan details that all areas of built development will be located outside of these surface water areas. The site access, though, will need to traverse the northern surface water flow path. However, the site visit has revealed that this identified surface water flow path is located within an existing drainage ditch, which the proposed development would culvert and retain. The EA mapping does not indicate that this ditch will over-top in any flood event in either the current or the 20240-2060 scenario accounting for climate change. On this basis

it is not considered that the presence of this existing drainage ditch, which is to be retained, creates a flood risk that will impact on future residents. As a result Officers advise that a flood risk sequential test is not required in this instance.

- 6.83. The Local Lead Flood Authority (LLFA) has reviewed the additional information submitted which sought to address the comments raised previously by the LLFA, and finds that at the current time, only the FRA has been updated with the latest date to demonstrate that no new dwellings or surface water attenuation features would be within a flood risk area.
- 6.84. Clarification has been provided to address the LLFA requests that cross sections be provided of the box culvert to the northern flow path, cross sections of the proposed earthworks surrounding the western attenuation basin, and details of a 300mm of clear freeboard above the top of the water level of the attenuation basin in the event of a 1:100 plus climate change event.
- 6.85. The revised Flood Risk Assessment and details to address the LLFA request confirms that the development will be safe for its lifetime and will not increase flood risk elsewhere, in accordance with NPPF Paragraphs 181 and 182, and following the receipt of additional information, the Lead Local Flood Authority have not raised objection accordingly, subject to conditions.
- 6.86. Overall, therefore, officers consider that the proposed development would meet the requirements of Chapter 14 of the NPPF and the accompanying NPPG in respect of site location, applying the sequential approach, and mitigating any impacts of flood risk within the site itself.
- 6.87. Appropriate conditions are therefore recommended to ensure that the measures to ensure the surface water drainage measures, including SuDS, are fully implemented. Subject to these conditions the proposal accords with policy 31 of the HDPPF and Chapter 14 of the NPPF.

Biodiversity / Ecology:

- 6.88. HDPPF policy 31 sets out the principles of maintaining and enhancing existing networks of green infrastructure, biodiversity, and woodland, along with introducing compensatory ecological mitigation measures where appropriate. The mandatory national requirement in relation to delivering a 10% BNG applies to this application, and it is noted that the current proposal is seeking to incorporate biodiversity net gains over and above the pre-existing baseline well in excess of the 10% national requirement. This is discussed in more detail later on in this report.
- 6.89. Paragraph 193a of the NPPF indicates that when determining planning applications local planning authorities should ensure that if significant harm to biodiversity resulting from a development cannot be avoided adequately mitigated or, as a last resort, compensated for, then planning permission should be refused. Developments resulting in the loss of irreplaceable habitats (such as ancient woodland and ancient, or veteran trees) should be refused, unless there are wholly exceptional reasons (such as infrastructure projects where the public benefit would clearly outweigh the loss or deterioration of habitat) and a suitable compensation strategy exists (para 193c).
- 6.90. The application site is not subject to any statutory or non-statutory ecological designations. The nearest statutory sites for ecological importance comprises the Mens SAC, which is some 12.1km to the east, with the proposed development therefore being situated beyond the wider conservation area for the SAC, and not within the identified Bat Sustenance Zone within the district. However, as Barbastelle bats have been recorded on site, a wildlife friendly lighting scheme should be implemented in the event of approval being granted.

- 6.91. The Council's Ecologist has reviewed the submitted reports and survey and, subject to adequate avoidance, mitigation and enhancement measures secured via suggested conditions, does not object to the proposed development. Furthermore, it is noted that given the presence of a Hazel Dormouse nest on site, a licence for Hazel Dormouse will be required prior to any commencement of works on site, and that furthermore, habitat supporting Hazel Dormouse would be removed in order to facilitate the development proposed.
- 6.92. The Impact Risk Zones for Great Crested Newts identifies that the majority of the site falls within a red zone, where the most suitable habitat for GCN exists. Only a very small section of the site along the north-eastern boundary falls within the amber zone, which presents suitable habitat for GCN. The submitted Ecological Impact Assessment has carried out eDNA surveys at ponds found suitable for GCN habitat with the samples having been returned as 'negative' for presence within the surveyed pond on site, identified as presenting 'average' suitability for GCN.
- 6.93. The consultation response received from NatureSpace advises that no likely impact would arise to GCN or their habitat as a result of the proposed development. Accordingly, the proposal meets the criteria set out under HDPF policy 31, and would contribute towards the enhancement of existing biodiversity, and would retain and / or enhance significant features of nature conservation.

Biodiversity Net Gain (BNG)

- 6.94. Biodiversity Net Gain (BNG) is mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). This requires that development must achieve at least 10% BNG on all habitats within the development site.
- 6.95. The Applicant has submitted a Biodiversity Metric as part of this application, which has been revised to address the Council BNG Ecologist's comments. Overall, it is noted that the Metric demonstrates that the proposed enhancements to be delivered within the site as part of the proposal would achieve a 30.93% net gain in area habitats, an 85.5% net gain in hedgerows, and a net gain in watercourse habitat of some 86.72%. Officers are therefore now satisfied that the proposal would demonstrate significant on-site BNG enhancements, including the enhancement of and regeneration of the existing woodland, where a significant amount of Ash die-back disease has been identified, the maintenance and enhancement of existing drainage ditches within the site, new tree planting and hedgerow creation along boundaries.
- 6.96. In the event the application is approved, it is a condition of the planning permission that a Biodiversity Net Gain Plan be submitted and approved in writing by the Local Planning Authority. This would show how the development will achieve BNG and must demonstrate how the habitats will be managed and maintained for 30 years, starting from the date the development is completed. The long-term management, maintenance and monitoring of the significant on-site enhancements for the required minimum 30 years will be secured within the s106 Legal Agreement.

Water Neutrality

- 6.97. 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.
- 6.98. 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.

- 6.99. The proposal falls within the Sussex North Water Supply Zone and would result in a greater level of water abstraction than the site presently generates. Natural England therefore require that the proposal demonstrates water neutrality or that it should be delayed awaiting an area-wide water neutrality strategy.
- 6.100. Applying recognised district-derived Census data occupancy levels across the site from up to 82 homes based on the provided indicative housing mix set out above would be some 180 persons (179.7). The revised water neutrality statement (25th March 2025) states that the aim will be a realistic water use target of 85 l/p/d across the development, leading to an average site-wide demand of 15,300 l/d. This efficiency target is to be achieved by way of aerated taps, and shower heads, efficient white goods installed, and low flush WCs, along with the installation of Smart water meters.
- 6.101. In order to deliver the required 15,300 l/d savings, the applicant is proposing 2 x on-site boreholes capable of abstracting some 16,000 l/d (combined), with the use of 2 x boreholes providing the necessary emergency back-up. It should be noted that as the principle of developing this site for housing is not in accordance with the development plan and the site is not otherwise one of the draft HDLP site allocations referred to at Appendix 2 of the FAD, this development does not meet the access criteria to be able to offset its water use via the Sussex North Water Certification Scheme (SNWCS).
- 6.102. Officers acknowledge that the site lies over Weald Clay (mudstone), which is designated as Unproductive Strata, and where water abstraction is noted to present difficulties. The test boreholes have been drilled to 100m depths each (located along the north side of the development site), and test pumping was carried out on two separate occasions in September 2024 for periods of 48 hours with a subsequent 48 hour drawdown recovery rates. The test boreholes also revealed productive bands of Sandstone and Limestone within the Weald Clay layer, which creates a water-bearing zone. Both tests revealed a constant rate of 58 cubic metres / day and a resting water level of 9m and 10m below the surface. The testing also revealed hard water with high sodium and conductivity, ammonium, iron and manganese levels, all of which can be subject to appropriate treatment, but noting that the water hardness will impact on the type of filtration that can be used.
- 6.103. The submitted Groundwater Investigation Report (April 2025) sets out a concept design of the filtration needed to treat any abstracted water at source, which includes the use of UV filters, reverse osmosis and a sediment filter, within an 8-stage process to ensure the water meets the UK Drinking Water standards. The system would rely on an emergency back-up system from the mains.
- 6.104. Following review of the Appropriate Assessment, Natural England are satisfied that the proposal would not lead to adverse impacts on terms of water neutrality, on the integrity of the identified sites, providing that appropriate mitigation is secured.
- 6.105. Accordingly, officers are not currently satisfied that the proposal can satisfactorily provide the level of certainty that the development would not contribute further to the existing adverse effect on the integrity of the Arun Valley SAC, SPA and Ramsar sites as required by policy 31 of the HDPP, NPPF paragraph 193 and the Council's obligations under the Conservation of Habitats and Species Regulations 2017.

Other Matters

Heritage Impacts:

6.106. 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. Chapter 16 of the National Planning Policy Framework (NPPF) follows this statutory provision and seeks to positively manage changes to the historic environment to ensure sufficient flexibility whilst conserving the important and irreplaceable nature of the designated asset. Chapter 16 requires decision-makers to consider whether a development proposal would lead to 'substantial' or 'less than substantial' harm to a designated heritage asset, and if so, describes how decisions should be steered in order to preserve the asset whilst allowing some flexibility for change, where appropriate.

6.107. The site does not adjoin or contain any designated heritage assets, nor are there any conservation areas adjoining the site. The submitted Heritage Desk-Based Assessment does consider the wider impact on a number of listed buildings within the wider area, with Pollards Hill Farm, some 460m to the east, and Brick Kiln Farm, some 540m south, being closest to the site. The Council's Heritage Officer is satisfied with the conclusions and that no harm would be derived to the identified listed buildings or their settings from the proposed development.

6.108. Furthermore, there are no Archaeological Notification Areas identified within the site and surrounding areas. The submitted Heritage Desk-Based Assessment concludes that whilst there is a potential for buried footings of former barns to be present on site, these are not considered to be present heritage assets.

Contaminated Land:

6.109. The Council's Environmental Health team has reviewed the submitted Preliminary Land Quality Risk Assessment (Rev V1) and consider that the risks from contamination to future users has now been adequately assessed. However, it is advised that further chemical testing of soils is carried out to confirm the full range of ground conditions across the site. Officers are satisfied that these testing details can be requested as an appropriate pre-commencement condition, which would satisfy the requirements of NPPF para 189 and HPDF policy 24

Climate Change:

6.110. Policies 35, 36 and 37 require that development mitigates to the impacts of climate change through measures 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 the following embedded measures to build resilience to climate change and reduce carbon emissions:

- Air Source Heat Pumps
- PV panels
- Increased
- Efficient building fabric
- Water efficiency measures

6.111. Under Part S of the Building Regulations, each new dwelling is expected to be provided with an active EV charge point.

6.112. It has therefore been sufficiently demonstrated that local plan policies requirements related to energy use and sustainable construction (HPDF Policies 36 and 37) have been complied with, and appropriate measures could be secured by planning condition.

Air Quality:

6.113. The application site is not located within or close to any of the district's defined Air Quality Management Areas (AQMAs), however, on account of the quantum of development, comprising a 'major' development, an Air Quality Assessment (AQA) has been submitted.

6.114. The revised Air Quality Assessment (AQA) arrives at a total damage cost arising from the proposed development over 5 years as £26,319, but based on 2026 which is the estimated year of completion/ occupation. The submitted AQA states that:

"Road traffic impacts associated with the operation of the Proposed Development can be considered as having an 'insignificant' effect on local air quality. As such, long-term scheme-specific mitigation measures in relation to operational effects arising from road traffic emissions are therefore not considered to be necessary."

6.115. To address the damage cost calculations, a number of post-development mitigation measures are embedded into the accompanying Travel Plan:

- Financial Incentive - Travel voucher to spend e.g. on bus pass / bikes (£150 per household = £12,300)
- use of website and Newsletters, marketing and communication to encourage sustainable and active modes of travel, such as car sharing
- Facilitating home working
- EV charge point per dwelling in line with Part S of the Building Regulations

6.116. Although a number of the suggested measures are policy compliant, such as the inclusion of EV charge points and high-speed broadband to facilitate home-working, Officers consider that an appropriate planning condition can be secured to specify the total damage cost and to secure appropriate mitigation measures. Furthermore, the damage cost calculation should be revised as part of the details sought to reflect the price-base of the year of the appraisal. A suggested condition is therefore considered appropriate as an acceptable mechanism to mitigate air quality impacts arising from the proposed development, as required under HDPF policy 24

Minerals Safeguarding:

6.117. Under the West Sussex Joint Minerals Local Plan (JMLP July 2018) the site falls within the Brick Clay Mineral Safeguarding Area and would occupy some 3.52ha of land. A Minerals Resource Assessment has been submitted to identify whether economically viable mineral resources are present on site, and whether prior extraction is practicable.

6.118. Policy M9 (iii) of the West Sussex Joint Minerals Local Plan requires that for non-mineral development (such as residential development), the decision maker must determine whether the overriding need for the development outweighs the safeguarding of the mineral. In addition, the applicant must demonstrate that prior extraction is not practicable or environmentally feasible. It is acknowledged that there is a relative abundance of Brick Clay in the south east, therefore its safeguarding is a lower priority than other more scarce minerals such as Horsham Stone. In this instance, the application site in its entirety presents a potential site for extraction. However, given the location of the resource it may present planning-related constraints such as noise or transport movements.

6.119. The submitted Minerals Resource Assessment (contained within the Planning Statement) sets out potential extractions of the Brick Clay resource (Weald Formation) would be constrained by its relatively small size, access through the existing properties to the north and Ancient Woodland to the west.

6.120. Furthermore, the Council's housing supply position at present means that the need for more housing units carries significant weight in decision making. The proposal therefore satisfies the requirements of Policy M9 (iii) of the West Sussex Joint Minerals Local Plan.

6.121. WSCC Minerals Officer acknowledges the applicant's brief Mineral Resource Statement submitted as part of the Planning Statement, which sets out that the environmental constraints around the site could undermine the feasibility for any significant mineral resource to be extracted without prejudicing the non-mineral development, along with the site's location on the edge of the built-up area. The WSCC Minerals Officer also acknowledges that no formal assessment of these constraints has been provided, but also notes the relative abundance of brick clay within the county.

6.122. Therefore, in this instance, the safeguarding of the brick clay resource is considered a low priority, whilst the need for housing within the district can be adequately demonstrated. The proposal therefore satisfies the requirements of Policy M9 (b) (iii) of the West Sussex Joint Minerals Local Plan.

Community Infrastructure Levy (CIL) and S106 Heads of terms

S106 Heads of Terms:

6.123. In the event that planning permission is approved, HDPF Policy 39 requires new development to meet additional infrastructure requirements arising from the new development. The provision of affordable housing must be secured by way of a Legal Agreement, as would contributions to infrastructure and off-site improvements including sustainable transport commitments and air quality mitigation measures.

6.124. A s106 legal agreement to secure the obligations necessary to make this application acceptable in planning terms is currently being drafted. The headline obligations are to include the following:

- 35% Affordable Housing (29 units)
- Travel Plan Monitoring fee
- £150 Sustainable Travel Voucher per dwelling
- Securing Public Open Space, LAP and access to the PRoW_2804

Community Infrastructure Levy (CIL):

6.125. Horsham District Council has adopted a Community Infrastructure Levy (CIL) Charging Schedule which took effect on 1st October 2017. This development constitutes CIL liable development. In the case of outline applications, the CIL charge will be calculated at the relevant Reserved Matters stage. This would comply with expectations of HDPF Policy 39.

6.126. Community Infrastructure Levy (CIL) funds raised by the new development shall be used to support the delivery of projects identified in the District Council's Infrastructure Delivery Plan (IDP) (July 2024). The IDP is identified as a key document forming part of the evidence base in Local Plan preparation that assesses the quality and capacity of infrastructure within a local planning authority area and sets out the infrastructure likely to be required to support new development across Horsham District. This includes emergency services such as the Sussex Police Service (current provision/ planned provision/ key issues and future considerations). No evidence has been submitted to indicate a requirement for the mitigation of impacts on other forms of local infrastructure, such as education or healthcare facilities.

Sussex Police comments

6.127. Sussex Police are seeking a financial contribution to the capital 'cost' of policing new growth equating to £9,000 to be used towards ANPR cameras on Worthing Road / Mill Straight. The justification for this contribution appears premised on it being required in part to mitigate the increased population resulting from the development and in part to subsidise a reduction in grant funding for Sussex Police in recent years.

6.128. The Council's Infrastructure Delivery Plan and CIL Charging Schedule sets out that emergency service funding is covered by CIL in Horsham district, rather than individual contributions from individual development sites. As such services can be funded directly via CIL, it is not reasonable to oblige the applicant to provide this additional funding for Sussex

Police via the s106 agreement. Furthermore, there is no direct evidence that this particular development proposal will increase the risk of crime or disorder such that this bespoke contribution is necessary. As such, the request is not deemed necessary to mitigate the impact of the development, is not considered directly related to the development, or fairly and reasonably related in kind to the development, thereby failing to meet the tests for a planning obligation set out at paragraph 58 of the NPPF and at Reg 122 of the CIL Regulations.

Conclusions and Planning Balance

- 6.129. In accordance with planning law, the starting point for the assessment of this proposal is to consider whether or not it accords with the provisions of the adopted development plan, which in this case comprises the HDPF only. The site is not allocated for housing development in the HDPF, a made neighbourhood plan, or in a site allocations document, therefore in the first instance it must be concluded that the development of the site for housing is contrary to Policies 2, 4, and 26 of the HDPF.
- 6.130. In acknowledging that the Council cannot demonstrate a 5 year housing land supply position, paragraph 11(d) of the NPPF is engaged, directing Local Authorities to approve development unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance⁷ provides a strong reason for refusing the development proposed; or
 - 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 combination⁹
- 6.131. Limb (i) is not engaged, as the proposed development is considered to be capable of achieving a water neutral position by way of an on-site borehole, and associated filtration system to provide a reliable potable water supply. No other conflicts have been identified in relation to this site with regard to archaeological interest, areas at risk of flooding, Local Green Space, National Park, National Landscape, or designated heritage assets as required for consideration under footnote 7.
- 6.132. The second limb (ii) of para 11(d) directs local authorities to grant planning permission for housing developments where the policies which are most important for determining the application are out of date, unless '*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 (footnote 9)*'. By 'framework' it is the policies in the NPPF against which the proposal is to be assessed.
- 6.133. In assessing this application, officers have identified that an element of landscape harm would result in conflict with HDPF policies 25, 31, 32 and 33. However, following revisions to the layout, which now secures tree RPAs, and increased buffer zone planting, officers consider that the identified harm has been suitably diminished, and can be further resolved at detailed matters stage, such that the weight that should be attached to the residual harm should be considered limited at most.
- 6.134. In terms of benefits, the proposal would provide for up to 82 homes, including a level of affordable housing in line with current policy requirements. Furthermore, the proposal would suitably accord with the FAD whilst (subject to conditions and a legal agreement) key matters including impact on highway safety and capacity, ecology, heritage, flood risk and drainage,

and sustainably/climate change are judged to be acceptable. Some economic benefit would be provided from construction jobs and activity, whilst the proposal includes significant off-site BNG improvements to meet and exceed that statutory requirement for a 10% net gain. Officers note that the proposed development can achieve suitable vehicular, pedestrian and cycle access, and furthermore would deliver cycle and pedestrian links to the village, with the site being considered to be sustainably located in this regard.

6.135. In addressing the planning balance, officers advise that the indicative masterplan and parameter plan evidences that the development of this site would be capable of integrating robust and defensible landscape buffers and boundaries, thereby reducing the degree of landscape harm. The parameter plan sets out generous landscaped edges to the site, including a deep buffer with the ancient woodland to the western side, with the proposed development thereby retaining the site's existing field boundaries and its relationship with the adjoining landscape and settlement edge. Whilst details such as development layout and design would be secured under any eventual reserved matters, it is clear that the site has the capacity to include a suitable development density to respect its immediate context.

6.136. Officers therefore consider that, applying the Paragraph 11d 'tilted balance', the benefits of the development, in light of the Council's significant housing land supply shortfall, are sufficient to materially outweigh the conflict created at a strategic level by way of the site being located beyond the defined BUAB of Southwater. Therefore, the proposal is recommended for approval subject to the completion of a S106 agreement and appropriate conditions. This recommendation would remain unaltered in the event the HDLP is formally withdrawn prior to the issuing of the formal decision notice.

7. RECOMMENDATION

7.1 To approve outline planning permission subject to the completion of a S106 agreement and the conditions set out below:

1 List of the Approved Plans

2 Outline Permission:

(a) Approval of the details of the layout of the development, the scale of each building, the appearance of each building, and the landscaping of the development (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

(b) Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission.

(c) The development hereby permitted shall be begun either before the expiration of 3 years from the date of this permission, or before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

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 substantial compliance with the following Parameter Plans submitted as part of the Outline approval to fix the development principles:

- Parameter Plan (reference: 02.40 (10) 10)

Reason: To ensure that satisfactory provision for outdoor play and recreation is made within the development, in the interests of the amenity of future occupiers of the development, in

accordance with Policies 32, 33, 39 and 43 of the Horsham District Planning Framework (2015).

4 Regulatory Condition: The Reserved Matters submissions for Open Space and landscape shall include full details (including, but not limited to, type of play equipment, surfacing, planting, fencing, seating and signage for the local area of play). The details shall accord with the guidance set out in the Open Space, Sports and Recreation Review (June 2021).

5 Pre-Commencement Condition: Prior to or in conjunction with the submission of each Reserved Matters application for the development hereby permitted, details of a scheme for the disposing of surface water by a means of sustainable drainage system shall be submitted to and approved in writing by the Local Planning Authority in accordance with the approved drainage strategy and discharge rates as contained within the approved Flood Risk Assessment/Drainage Strategy dated 07/04/2025 and additional appendices dated 01/07/2025. The scheme shall be implemented in full in accordance with the approved details and the National Standards for Sustainable Drainage Systems (June 2025) prior to first use of the development. The submitted details shall:

- Provide information about the design storm period and intensity, the method employed to delay and control the surface water discharge from the site via a proposed Sustainable drainage system and the measures taken to prevent pollution of the receiving surface water.
- Demonstrates that the proposed surface water drainage system does not surcharge in the 1 in 1 critical storm duration, flood in the 1 in 30 plus climate change critical storm duration or the 1 in 100 critical storm duration,
- Demonstrates that any flooding that occurs when taking into account climate change for the 1 in 100 critical storm event in accordance with NPPF does not leave the site uncontrolled via overland flow routes

Reason: To ensure the flood risk is adequately addressed and not increased in accordance with NPPF and Policy 38 in Horsham District Planning Framework (2015).

6 Pre-Commencement Condition: Not later than the submission of the first Reserved Matters submission, no works which impact the breeding / resting place of Hazel Dormouse shall commence in any circumstance, unless the local planning authority has been provided with either:

- (a) a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 (as amended) authorizing the specified activity/development to go ahead; or
- (b) a statement in writing from the Natural England to the effect that it does not consider that the specified activity/development will require a licence.

Reason: To conserve protected and Priority species in accordance with Policy 31 of the Horsham District Planning Framework (2015), and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s17 Crime & Disorder Act 1998.

7 Pre-Commencement Condition: No development, other than the drilling of the borehole, 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).

8 **Pre-Commencement Condition:** No development (including any ground clearance or site levelling), other than the drilling of the borehole, shall commence until the following demolition and construction details have been submitted to and approved in writing by the Local Planning Authority. The details shall be limited to the following 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:
 - 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,
 - v. location of on-site parking,
 - vi. locations and details for the provision of wheel washing facilities and dust suppression facilities
- (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

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 33 and 40 of the Horsham District Planning Framework (2015).

9 **Pre-Commencement Condition:** No development (including demolition pursuant to the permission granted, ground clearance, or bringing equipment, machinery or materials onto the site), other than the drilling of the borehole, shall commence 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 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. Any trees or hedges on the site which die or become damaged during the construction process shall be replaced with trees or hedging plants of a type, size and in positions agreed by the Local Planning Authority.

Reason: As this matter is fundamental to ensure the successful and satisfactory protection of important trees and hedgerows on the site in accordance with Policy 33 of the Horsham District Planning Framework (2015).

10 **Pre-Commencement Condition:** No site levelling works shall take place until full details of the existing and final land levels and finished floor levels (in relation to nearby datum points) have been submitted to and approved by the Local Planning Authority in writing. The details shall include the proposed grading of land areas including the levels and contours to be formed, showing the relationship of proposed land levels to existing vegetation and surrounding landform. The site levelling works shall be completed in accordance with the approved details prior to the commencement of development of any building within the site.

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 33 of the Horsham District Planning Framework (2015).

11 **Pre-commencement Condition:** No development, other than the drilling of the borehole, shall commence until evidence that water from the borehole has been sampled by a person who has undertaken the DWI certification of persons scheme for sampling private water supplies and analysed by a laboratory that is accredited to the ISO 17025 Drinking Water Testing Specification and the findings submitted to the Local Planning Authority. In the event the samples show that any of the parameters are above the prescribed concentrations or values, as detailed in Schedule 1 of the Private Water Supplies (England) Regulations 2016, no development shall commence until a mitigation scheme has been submitted to and been approved in writing by the Local Planning Authority that demonstrates how the water will be treated to meet the requirements of Schedule 1 of the Private Water Supplies (England) Regulations 2016 (or subsequent superseding equivalent). The mitigation scheme shall then be implemented in full prior to first occupation of any dwelling and shall be retained and maintained at all times thereafter.

Reason: To ensure the development is water neutral to avoid an adverse impact on the Arun Valley SACSPA and Ramsar sites in accordance with Policy 31 of the Horsham District Planning Framework (2015), Paragraph 193 of the National Planning Policy Framework (2024), and to enable 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).

12 **Pre-commencement Condition:** No development other than the drilling of the borehole shall commence until a management and maintenance plan for the borehole, pump and treatment plant has been submitted to the Local Planning Authority for its approval in writing. The management and maintenance plan shall include, but necessary be limited to, the following details:

- The sampling regime and parameters etc, recognising that the sampling will need to be undertaken a DWI certified sampler and analysed by a UKAS accredited lab.
- Detail on how any failure of any samples will be investigated and managed.
- Details, including a plan or schematic, showing the supply - storage tanks, treatment etc, and means to record the total water consumption of each unit
- Detail on what type of treatment that will be installed on the supply with information clearly indicating that it is appropriate for the amount of water being used.
- Detail on how the treatment system, pipework, tanks etc will be cleaned and maintained and who will maintain them for the lifetime of the development. This should include any re-activation of the system after it has been out of use due to lack of rainfall/use.

- The completion and sharing of the Regulation 6 risk assessment by a suitably competent person (as required by the Private Water Supply (England) Regulations 2016) prior to the water supply being put into use.
- Detail on the continuity of supply during dry periods extending beyond 35 days.
- Arrangements for keeping written records of all sampling, results of analysis, inspection, cleaning, and maintenance.
- Details of contingency plans to ensure any failure's or reported concerns with the supply are investigated and rectified as soon as possible, including timeframes. This should include notification of the investigation and corrective actions to the Local Planning Authority

The management plan shall be implemented as approved and maintained for the lifetime of the development. The management plan shall be reviewed annually and any revisions shall be submitted to and approved in writing by the local planning authority.

Reason: To ensure the development is water neutral to avoid an adverse impact on the Arun Valley SACSPA and Ramsar sites in accordance with Policy 31 of the Horsham District Planning Framework (2015), Paragraph 193 of the National Planning Policy Framework (2024), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

13 Pre-Commencement Condition: No development, other than the drilling of the borehole, shall commence until a construction environmental management plan (CEMP: Biodiversity) has been 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 (Biodiversity) 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 in accordance with Policy 31 of the Horsham District Planning Framework (2015), and allow the LPA 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).

14 Pre-Commencement Condition: No development, other than the drilling of the borehole, shall commence until a scheme for sound attenuation against external noise has been submitted to and approved by the Local Planning Authority, and shall include an overheating assessment. The approved sound attenuation works shall be completed before the dwellings are occupied and be retained thereafter.

Reason: As this matter is fundamental in the interests of residential amenities by ensuring an acceptable noise level for the occupants of the development in accordance with Policy 33 of the Horsham District Planning Framework (2015).

15 **Pre-commencement Condition:** No development, other than the drilling of the borehole, 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).

16 **Pre-commencement (slab level) Condition:** No development above slab level of any part of the development hereby permitted shall take place until areas of structural and mitigation vegetation suitable for advance planting are identified, submitted to and approved in writing by the Local Planning Authority, along with a timetable for their implementation. These are likely to include enhancement planting along existing boundaries and along existing landscape features within the site. Confirmation of the delivery of these landscape works shall be submitted to the Local Planning Authority in writing.

Reason: To ensure identified adverse visual effects are satisfactorily mitigated, including during construction, and in the interests of visual amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015).

17 **Pre-commencement (slab level) Condition:** No development shall commence until full details of 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 be coordinated with the landscaping 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 33 of the Horsham District Planning Framework (2015).

18 **Pre-commencement (slab level) Condition:** Prior to any works above slab level, a Biodiversity Enhancement Strategy for protected, Priority and threatened species, prepared by a suitably qualified ecologist in line with the recommendations of the Ecological Impact Assessment (Ecosupport Ltd., April 2025), 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 or product descriptions to achieve stated objectives;
- c) Locations of proposed enhancement measures by appropriate maps and plans (where relevant);
- d) Persons responsible for implementing the enhancement measures; and
- e) Details of initial aftercare and long-term maintenance (where relevant).

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

Reason: To conserve protected and Priority species in accordance with Policy 31 of the Horsham District Planning Framework (2015), and allow the LPA 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)

19 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until full details of all hard and soft landscaping works shall have been submitted to and

approved, in writing, by the Local Planning Authority for that phase. The details shall include plans and measures addressing the following:

- Details of all existing trees and planting to be retained and removed.
- Planting and seeding plans, including a schedule specifying plant numbers, sizes, densities and species in Latin names
- Coordination of planting plans with ecological mitigation, compensation and enhancement measures set out in Section 7 of the Ecological Impact Assessment by Ecosupport, dated April 2025.
- Hard and soft written specifications (NBS compliant) including ground preparation, cultivation and other operations associated with plant and grass establishment
- Supplier information for plant stock in proximity to Ancient Woodland – only locally-sourced planting stock should be used and only certain tree nurseries are suppliers of accredited UK Sourced and Grown stock
- Tree pit and staking/underground guying details, including details for sloping ground and position of root barriers if required
- Details of all hard surfacing materials and finishes, including layout, colour, size, texture, coursing and levels
- Details of all boundary treatments - such as walls, fencing and railings - including location, type, heights and materials
- Details of minor artefacts and structures – such as bin stores, cycle stores, street furniture, play equipment and signage – including location, size, colour and specification
- Details of existing and proposed levels for all external earthworks associated with the landscape proposals – such as SuDS, play areas, retaining walls, mounding etc - including cross sections where necessary
- Details of all external lighting
- Details of rain gardens

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. 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 shall be wilfully damaged or uprooted, felled/removed, topped or lopped without the previous written consent of the Local Planning Authority until 5 years after completion of the development. Any proposed or retained planting, which within a period of 5 years, 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 visual amenity in accordance with Policies 30, 31, and 33 of the Horsham District Planning Framework (2015)

20 Pre-Occupation Condition: No part of the development hereby permitted shall be occupied until a Landscape Management and Maintenance Plan (LMMP) has been submitted to and approved in writing by the Local Planning Authority. The details should apply to all communal hard and soft landscape areas and shall include:

- Long term design objectives
- Management responsibilities
- A description of landscape components
- Management prescriptions
- Maintenance schedules
- Accompanying plan delineating areas of responsibility

The landscape areas shall thereafter be managed and maintained in accordance with the approved details unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure a satisfactory development and in the interests of visual amenity and nature conservation in accordance with Policy 33 of the Horsham District Planning Framework (2015).

21 **Pre-Occupation Condition:** The development hereby approved shall not be first occupied until details of the maintenance and management of the sustainable drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall be implemented prior to the first occupation of the development hereby approved and thereafter managed and maintained in accordance with the approved details in perpetuity. The Local Planning Authority shall be granted access to inspect the sustainable drainage scheme for the lifetime of the development. The details of the scheme to be submitted for approval shall include:

- i. a timetable for its implementation,
- ii. details of SuDS features and connecting drainage structures and maintenance requirement for each aspect,
- iii. a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

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 NPPF and Policy 38 in Horsham District Planning Framework (2015).

22 **Pre-Occupation Condition:** The development hereby approved shall not be first occupied until a detailed 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 NPPF and Policy 38 in Horsham District Planning Framework.

23 **Pre-occupation Condition:** No dwelling shall be first occupied until evidence has been submitted to and been approved in writing by the Local Planning Authority that water taken from the tap within the dwellings has been:

- a) sampled by a person who has undertaken the DWI certification of persons scheme for sampling private water supplies,
- b) has been analysed by a laboratory that is accredited to the ISO 17025 Drinking Water Testing Specification and
- c) meets the requirements of Schedule 1 'Prescribed concentrations or values' of the Private Water Supplies (England) Regulations 2016 (or subsequent superseding equivalent).

Reason: To ensure the development is water neutral to avoid an adverse impact on the Arun Valley SACSPA and Ramsar sites in accordance with Policy 31 of the Horsham District Planning Framework (2015), Paragraph 193 of the National Planning Policy Framework (2024), and to enable 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).

24 Pre-Occupation Condition: No part of the development hereby permitted shall be occupied until an air quality mitigation plan has been submitted to and approved in writing by the Local Planning Authority. The air quality mitigation plan should contain measures equal in value to the calculated environmental damage cost as calculated against the price-base of the appraisal's date, and account for emissions over a five-year period starting from the assumed opening year, avoiding the duplication of measures that would normally be required through other regimes and include (but not be limited to) the measures detailed in paragraph 7.2.2 of the Air Quality Assessment Rev V2 (Dec 2024).

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

25 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: In accordance with fire and safety regulations in accordance with Policy 33 of the Horsham District Planning Framework (2015).

26 Pre-Occupation Condition: No part of the development hereby permitted shall be occupied until the necessary in-building physical infrastructure and external site-wide infrastructure to enable superfast broadband speeds of a minimum 30 megabits per second through full fibre broadband connection has been provided to the premises.

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).

27 Pre-Occupation Condition: No part of the development hereby permitted shall be first occupied until such time as the vehicular access serving the development has been constructed in accordance with the details shown on the drawing titled 'VISIBILITY SPLASH AND CAR TRACKING AT ACCESS' and numbered 091.0018-0002.

Reason: To ensure adequate parking, turning and access facilities are available to serve the development in accordance with Policy 40 of the Horsham District Planning Framework (2015).

28 Pre-occupation Condition: No internally and/or externally located plant, machinery equipment or building services plant (in relation to the borehole and water treatment system) shall be operated until an assessment of the acoustic impact arising from the operation of all such equipment has been undertaken and has been submitted to and approved in writing by the Local Planning Authority. The assessment shall be undertaken in accordance with BS 4142:2014 and shall include a scheme of attenuation measures to mitigate any adverse impacts identified in the acoustic assessment and ensure the rating level of noise emitted from the proposed building services plant is no greater than background levels. The scheme as approved by the Local Planning Authority shall be fully installed prior to first operation of the plant and shall be retained as such thereafter.

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

29 Regulatory Condition: No unit hereby permitted shall be connected to or draw supply from the mains water supply except for emergency purposes in the event of a temporary failure of the borehole. Where a temporary failure has occurred, the occupiers shall immediately undertake the contingency measures set out in the management and maintenance plan agreed under condition 12 until such time as the system is fully operational. The occupiers of each unit shall keep an ongoing record of all water taken from the mains supply and hold written evidence to explain why it was necessary as an exceptional measure to take water from the mains supply.

Reason: To ensure the development is water neutral to avoid an adverse impact on the Arun Valley SACSPA and Ramsar sites in accordance with Policy 31 of the Horsham District Planning Framework (2015), Paragraph 193 of the National Planning Policy Framework (2024), and to enable 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).

30 Regulatory Condition: All mitigation measures and/or works shall be carried out in accordance with the details contained in the Ecological Impact Assessment (Ecosupport Ltd., April 2025), Ecological Impact Assessment (Ecosupport Ltd., December 2024) and Lighting Strategy Revision 5 (SLR Consulting Ltd., December 2024), 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 and enhance protected and Priority species and allow the LPA 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 Development Framework

Reason: To ensure the flood risk is adequately addressed and not increased in accordance with NPPF and Policy 38 in Horsham District Planning Framework.

31 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).

32 Regulatory Condition: If the outline application hereby approved does not commence within one year from the date of the planning consent, the approved ecological mitigation measures secured through condition shall be reviewed and, where necessary, amended and updated.

The review shall be informed by further ecological surveys commissioned to:

- i. establish if there have been any changes in the presence and/or abundance of protected species, and
- ii. identify any likely new ecological impacts that might arise from any changes.

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 the erection of up to up to 82 dwellings with vehicular and

pedestrian accesses, public open space, noise mitigation measures, landscaping, foul and surface water drainage and associated works.

Works will then be carried out in accordance with the proposed new approved ecological measures and timetable.

Reason: To allow the LPA 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).

33 **Regulatory Condition:** Prior to first use of the borehole system, details of the Source Protection Zone for the borehole shall be provided to the Local Planning Authority and Environment Agency, alongside evidence that all landowners within the Source Protection Zone have been notified of the borehole and their responsibilities to avoid contamination of the borehole supply.

Reason: To ensure the quality of water is maintained and the development is water neutral to avoid an adverse impact on the Arun Valley SACSPA and Ramsar sites in accordance with Policy 31 of the Horsham District Planning Framework (2015), Paragraph 193 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).

BNG statutory condition