



HORSHAM DISTRICT COUNCIL CONSULTATION

TO:	Horsham District Council – Planning Dept
LOCATION:	Land to the South of Broadbridge Way, Broadbridge Heath, West Sussex
DESCRIPTION:	Full Planning Application for the erection of 89no. residential dwellings comprising dwellings (54no.) and apartments (35no.), 36% affordable homes, creation of new vehicular access on to Sergeant Way, provision of public open space, landscaping and drainage solutions.
REFERENCE:	DC/25/0894
RECOMMENDATION:	Advice / No Objection / Objection / More Information / Modification / Refusal

SUMMARY OF COMMENTS & RECOMMENDATION:

The site consists of two undeveloped fields near the centre of Broadbridge Heath, which had previously been safeguarded for a primary school and related playing pitches. It is understood that there is no longer a need for the site for educational purposes.

The general consensus of policy colleagues is that the site itself should not be regarded as open space per the NPPF definition as it does not provide for important opportunities for recreation and sport. There is little prospect of this occurring given that the site is not being promoted for a school and thus school playing fields are not going to be brought forward. It therefore is not assessed that the development of the site would lead to a loss of open space.

The application proposes 89 homes. It is considered that the site is sustainably located, with excellent access to services and facilities. Planning policies generally support residential development in such locations. In addition, a minimum of 36% affordable housing is proposed, but it is understood that this could increase and even provide the entire development as affordable housing. The level of affordable housing is policy compliant and additional affordable homes are to be welcomed.

Notwithstanding that the site is not assessed to be open space, there is an identified deficit of open space in Broadbridge Heath and, as currently understood, the proposal does not make sufficient provision to meet the needs arising from the proposed development. Though it may be that CIL could be used to fund improvements to existing open space, should a scheme of 100% affordable housing come forward, this would not generate CIL payments.

The lack of provision/certainty that open space needs would be met should be assessed negatively in the determination of the application unless addressed by an amended application or condition/legal agreement.

Both national and local policies identify that land should be used efficiently and that appropriate densities should be achieved. In this regard, it is heavily questioned whether the proposed development does this. In particular, it is not understood why the eastern parcel proposes housing at low densities, conflicting with national and local policies, as well as relevant SPDs.

MAIN COMMENTS:

Introduction

Preamble

These comments discuss national and local policy (emerging, historic and adopted) that relate to the proposed development. I do not set out advice on every issue that may be of relevance to the proposal and do not reference every policy in its entirety. Instead my comments focus on three main issues:

- Whether the principle of residential development is supported on this site
- Whether the proposal meets open space requirements
- Whether the proposal would use land efficiently and deliver development at appropriate densities

My comments also provide contextual information about the site and the history of the wider development in which the site sits.

The comments do not discuss the Council's Housing Land Supply position or Housing Delivery Test performance in any detail. However, the case officer will be aware that the 'tilted balance' is effect per NPPF para 11dii) unless it is assessed that the exemptions identified in 11di) and related footnote 7 apply. In addition, the comments provide no commentary relating to the need for development to be water neutral, to which the case officer will also be aware.

Development Plan

The development plan includes the Horsham District Development Framework (HDPF, 2015), the West Sussex Joint Minerals Local Plan (2018), the West Sussex Waste Local Plan (2014) and adopted (or 'made') Neighbourhood Plans. The respective Minerals and Waste Local Plans are not relevant in this case and there is no Neighbourhood Plan in Broadbridge Heath. As such, the HDPF is the only part of the development plan of relevance to this proposal.

Though no longer part of the development plan, the comments refer to the Council's previous Development Plan Document known as the Core Strategy (2007) to provide context to the site. The Supplementary Planning Documents (SPDs) relevant to the site are considered material to the determination of the application and are referenced where applicable.

The Horsham District Local Plan

The Council submitted the Horsham District Local Plan (HDLP) for examination in July 2024. Examination hearings started in December 2024 but the remaining hearings were cancelled by the Inspector in a Holding Letter (IFL) dated 16 December 2024. In April 2025, the Inspector's subsequent Interim Findings Letter was received which recommended that the Plan be withdrawn, due to his view that the Council had failed to satisfactorily comply with the legal Duty to Co-operate.

The HDLP remains a material consideration, albeit of limited weight, as a Council approved spatial strategy/agreed policy position, unless it is withdrawn. It is intended that Cabinet will make a decision on whether to withdraw the Local Plan on 17 September 2025.

In his IFL, the Inspector has indicated that in relation to its evidence base "*the Council could utilise much of the good and comprehensive work already undertaken*" to commence work on a new Local Plan. There is therefore no reason to think that relevant sections of the local plan evidence could not equally be used in determining planning applications. In this respect, my policy comments refer to such evidence base where relevant.

The proposal

The proposal is predominantly a residential scheme of 89 homes, of which at least 36% would be classed as affordable. It is understood the applicants are actively exploring options to increase the amount of affordable housing and may deliver the scheme entirely as affordable housing.

The site

The site comprises two fields which collectively amount to around 2.4 hectares. It is free of built form and lies within the built-up area of Broadbridge Heath. The site was originally safeguarded for use as a primary school and related playing fields, but it is understood that this is no longer needed for educational purposes and therefore the site's lawful use is agricultural.

Context

The case officer is aware of the history of the site, so a full review is unnecessary, however key contextual information is summarised below.

The site formed part of land was originally identified in the West Sussex County Structure Plan 2001-2016 (Policy LOC1) and subsequently the application site formed part of a strategic allocation for 2,000 dwellings and related infrastructure, facilities and services in Policy CP7 of the Horsham District Core Strategy (2007). It is recognised that neither the Structure Plan nor Core Strategy form part of the development plan.

The Land West of Horsham Masterplan SPD (2008) was subsequently adopted to provide further details relating to the strategic allocation. Of importance to this particular application, the SPD identifies that the wider area in which the application site should provide homes, greenspace and neighbourhood play area, a neighbourhood centre and a 2.5ha site for a primary school. It also explained that residential development closest to local services and facilities at the heart of the expanded community is to be built at a higher density.

The Land West of Horsham Design Principles and Character Areas SPD (2009) identifies that the site lies within Character Area 3 – the Neighbourhood Centre. The document makes clear that while an average density of around 45 dwellings per hectare should be achieved within the entire strategic allocation, it would be appropriate for residential development to deliver higher densities (60-65 dwellings per hectare) in this character area. The SPDs were not withdrawn and are considered to be relevant and material to the determination of any application.

In alignment with the strategic allocation, DC/09/2101 (permitted 03/10/2011) granted the "erection of 963 residential units, community facility including land for a primary

school, neighbourhood centre, youth and recreational facilities, other formal and informal open space, landscaping and environmental works, transport and access arrangement, new east-west link road, improvements to Five-Oaks roundabout, realignment and partial closure of existing A264 Broadbridge Heath by-pass and other ancillary works". This set aside 2.35ha for a primary school on the land subject to the current application. The development of other aspects of the permission are largely complete.

Principle of Development

I note that the application site was safeguarded for a primary school and related playing fields. I am aware however that instead of providing a new school to serve the new development, improvements were made to the pre-existing school in Broadbridge Heath in order to meet needs. Thus, my understanding is that there is no need for the school or playing fields and there is no prospect of that changing, with the time period for the delivery of a school having lapsed. As such, its lawful use is agricultural.

The site is currently free from development, but that does not mean that it is open space per planning policy. The NPPF's glossary defines open space as *"All open space of public value, including not just land, but also areas of water (such as rivers, canals, lakes and reservoirs) which offer important opportunities for sport and recreation and can act as a visual amenity."* It is difficult to argue that this land is of public value as it does not currently provide opportunities for sport and recreation and, as stated above, there is no prospect of such opportunities being provided. It is not identified in the HDPF (nor was it identified in the HDLP) as being open space or having any other specific designation. As such, the consensus in the Policy Team is that it should not be classified as open space in policy terms. Thus, the development does not conflict with national and local policies which, taken as a whole, seek to protect a loss of open space.

Accordingly, the proposed residential development lies within the built-up boundary of Broadbridge Heath, a settlement which has a good range of services (as identified by HDPF Policy 3) – to which many are located nearby to the site. Further, the SPDs that relate to the wider strategic allocation identify residential uses as appropriate for the area. The principle of residential development is therefore acceptable.

Additionally, the development proposes 36% of the dwellings as affordable homes, which complies with requirements in HDPF Policy 16 (3a).

Notwithstanding the adopted policy position, attention is drawn to the Horsham Local Plan Viability Study (November 2023) that suggested that 45% affordable housing would be viable on greenfield sites, which fed into draft policy contained within the HDLP. To that end, it is understood that the applicants are exploring opportunities to increase the proportion of affordable housing within the development, with the potential that the entirety of the site could be affordable housing. An increased affordable offer would be welcomed.

Open Space Requirements

HDPF Policy 39 seeks to ensure adequate infrastructure is provided to serve new development. The case officer is advised to look at the wording of the policy in its entirety, but in short it:

- Seeks to ensure that there is sufficient capacity in existing infrastructure, or suitable arrangements are made to provide necessary infrastructure (clause 1)

- Seeks to ensure that any extra infrastructure capacity is provided in time to serve new development to ensure that existing infrastructure/residents are not adversely affected (clause 2)
- Identifies that CIL, planning obligations or conditions can be used to bring forward necessary infrastructure (clause 3)

Additionally, HDPF policy 32(5) explains the expectation that development would be expected to secure high quality open spaces and Policy 43 identifies support for development meeting needs as identified in the current Sport, Open Space and Recreation Study and other relevant studies. It is considered that the HDPF is consistent with national policy, which also recognises the importance of open space – for instance in NPPF Paragraphs 98(a) and 103.

As explained in the section above, it is not assessed that development proposed would lead to a loss of open space. However, the development itself does generate the need for open space provision and, given the policy context, this is an important consideration.

In relation to this, the Open Space, Sport and Recreation Review (2021) sets out local open space standards (quantity, quality and accessibility). It applies the quantity standard to each Parish based on ONS Mid-2018 population estimates for 2018 [5,637] and also, from predicted population increases per Parish, for 2037 [6,526]. It meets the requirements of paragraphs 103 and 104 of the NPPF.

The Review document shows Broadbridge Heath has an overarching deficiency in open space and is deficient in a number of Open Space typologies, including Parks and Gardens which takes into account space for sport.

Based on 2018 population there was an open space deficiency of around -1.4 sqm per resident, circa -0.79 hectares. This is predicted to increase, if no additional open space is provided, to a -4.88 hectare deficiency by 2037, circa -7.5 sqm per resident. In respect of Parks and Gardens the 2018 deficiency is -0.9 sqm per resident, circa -0.5 hectares, and the 2037 deficiency is -1.73 hectares, circa -2.65 sqm per resident.

Given the deficiencies identified, it is all the more important that new development in Broadbridge Heath makes adequate provision to meet its own needs. In this instance, our calculations (attached as an appendix to these comments) suggest that a need for 0.72 hectares of open space is generated by the development. Though, I cannot find anything in the Design and Access Statement (DAS) to indicate the size of the 'small' (as described on page 15 of the DAS) public open space, it does not appear to be close to 0.72 hectares required. Put simply, this is clearly insufficient and not acceptable, on its own, in policy terms.

Whilst not preferred, I do however accept that open space needs are capable of being met via CIL. Though I am unaware of any active projects within Broadbridge Heath in the Infrastructure Delivery Plan (and even if there were there is no guarantee that CIL funds would be directed to them), CIL funds could be used to fund improvements to existing facilities (such as improved drainage to increase capacity on existing fields that are limited in times of inclement weather).

However, I have been made aware that there is a desire to increase the affordable housing offer on site and could comprise 100% of the site (per the DAS). Affordable

homes are not subject to CIL. In such an instance there would be a policy conflict and this would weigh against the proposal.

The most preferential outcome is for the site to be redesigned to ensure that a sufficient amount of open space is provided within the site and secondly, for such provision to be directly provided off site. If neither is possible, then a condition or legal agreement should be imposed/entered into, in the event of increased affordable housing (beyond the 36%) and reduced/nil CIL receipts, to ensure funding for sufficient open space provision to be made.

Efficient Use of Land

Following on from The Land West of Horsham Masterplan SPD (2008), The Land West of Horsham Design Principles and Character Areas SPD (2009) set out that it would be appropriate to deliver residential development at between 60 and 65 dwellings per hectare (dph) in the area within which the application site lies – recognising that the area was to have higher densities than other parts of Broadbridge Heath. I also note that HDPF Policy 32 (4) seeks the optimisation of sites.

Further, the NPPF puts a strong emphasis on optimising densities (particularly paragraphs 129 and 130). I identify the following aspects of paragraph 130 that I think are particularly important:

- "Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning... decisions avoid homes being built at low densities." HDC clearly fall into this category.
- Clause c) explains that LPAs "should refuse applications which they consider fail to make efficient use of land".
- NPPF paragraph 130 also identifies that area-based character assessments (which the Land West of Horsham Design Principles and Character Areas SPD acts as in this case) and masterplans (The Land West of Horsham Masterplan SPD (2008) in this case) could promote efficiently used sustainable places.

From a basic calculation there are 89 homes proposed on 2.4 hectares of land. This equates to around 37 dwellings per hectare. This is not close to the density identified as appropriate in the SPDs and is not considered to optimise the site per local and national policies described above.

I accept that not all of the site is developable, given the proposal to retain the existing tree belt running through the centre of the site and thus I use the densities identified by the applicant in the DAS – 62dph on the western parcel and 40dph on the eastern parcel.

In terms of densities, there are no policy conflicts with the western parcel. 62dph is in the appropriate range of the SPD. However, page 14 of the DAS suggests "high density development was originally proposed on the site but this did not work on the eastern side. However, we then settled on... a low density approach to the eastern side but with a sustainable development with 40dph".

Given the self-identified 'low density' of the eastern parcel, there is a policy conflict. I note the explanation that the scheme 'did not work' at higher densities on the eastern parcel, but it is not clear to me how this judgement has been made. Had a similar density of 62dph on the western side been replicated on the eastern side, 10-20 additional units could be provided. I judge this to be of significance given the policy

context and the sustainability of the site and would encourage the applicant to revisit the layout of the proposal to achieve a greater quantum of development.

It is ultimately for the case officer to determine whether the density is appropriate, taking account of all factors. However, given the information that I have reviewed, I would heavily question whether the site has been optimised.

Extent of policy comments

These comments address only to those which relate to the principle of development. It is for the case officer to consider detailed matters and to assess the merits of the proposal against all relevant policies and material considerations.

ANY RECOMMENDED CONDITIONS

It is recommended a condition or legal agreement be imposed/entered into to ensure sufficient open space provision is made, in certain circumstances, as described in the report.

NAME:	Tal Kleiman
DEPARTMENT:	Strategic Planning
DATE:	07/08/2025