



**VISTA**  
PLANNING  
PLANNING STATEMENT

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## PLANNING STATEMENT

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Shelley Arms, Old Guildford Road, Broadbridge Heath, Horsham RH12 3JU

January 2025

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## 1. INTRODUCTION

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- 1.1 This Planning Statement has been prepared to accompany an application submitted to Horsham District Council and follows an earlier application that was withdrawn to allow time to deal with water neutrality. The application is submitted in Full and seeks planning permission for the erection of 4no dwellings with associated parking, amenity space and landscaping, along with revisions to the existing car park for the public house.
- 1.2 The application is accompanied by the following:
- Architectural Drawings by Ricketts Architects
  - Design and Access Statement prepared by Ricketts Architects
  - Water Audit Report prepared by Water Offsets Ltd
  - Noise Impact Assessment prepared by Delta Simons
  - Drainage Strategy prepared by Delta Simons
  - Arboricultural Impact Assessment and Method Statement prepared by SEED
  - Biodiversity Net Gain ('BNG') Assessment and Matrix prepared by SEED
  - Preliminary Ecological Appraisal prepared by SEED
- 1.3 By way of background, the application is submitted by the EI Group Ltd, part of the Stonegate Group; the largest pub company in the UK whose portfolio is comprised of over 4,500 sites, split across the managed division and leased and tenanted businesses (L&T).
- 1.4 The managed pubs division, which employs over 17,000 people, is split into Branded and Traditional pubs. Branded is comprised of: Slug & Lettuce, Popworld, Be At One and Venues. Traditional (unbranded) pubs are made up of: Proper Pubs, Classic Pub & Dining, Social Pub & Kitchen and Craft Union.
- 1.5 Within the managed division the company invest £100 million annually, maintaining and refurbishing pubs and bars, creating jobs and employing many local suppliers and contractors. Within the L&T division further significant sums are invested by their Publican Partners.

- 1.6 The key focus of the company is to provide a well invested, quality pub that is right for the respective community which it serves. With a portfolio of brands and concepts as well as a range of business models from managed, tenancy, lease, managed agreements (Craft Union) the management team review the portfolio to identify the opportunity that best fits the pub which sometimes involves moving pubs from one division to another.
- 1.7 Throughout this review often surplus land, car parking and pubs that have been unviable business operations are identified. This now presents an opportunity to release additional value which can be re-invested into the estate, including within the identified site or within the overall portfolio.
- 1.8 Stonegate pubs sit at the centre of their community for many reasons. Over £1.5 million is raised for local charities and community needs within the managed division alone; over 78% are involved in a community safety programme including Best Bar None, National Pubwatch, Purple Flag, Business Improvement Districts and Town Centre Management programmes as well as Community Alcohol Partnerships. Over 17,000 people are employed across the country within the managed division with many thousands more employed within the L&T division.
- 1.9 Stonegate Group also invest in support for rural communities and pubs, contributing to and working with ‘Pub is the Hub’, in providing essential facilities within rural communities.
- 1.10 The hospitality sector has been through a turbulent time since the Covid-19 pandemic, with the overall hospitality sector seeing the biggest economic decline of all sectors during the pandemic. The company’s strong leadership saw their people supported throughout with regular communication; mental-health assistance, financial support, personal access to colleagues and senior team members as well as significant financial and business support for their publican partners. A loyal and stable workforce emerged from the pandemic to face further challenges with the economic downturn, rising energy costs and interest rates.
- 1.11 Today, Stonegate’s performance remains market leading which in turn has enabled continued investment in their people, pubs and bars and in continuing to create jobs across the UK. This untapped opportunity to realise the value of unused assets will further add value to communities as Stonegate Group continues to invest for the future.

## 2. SITE DESCRIPTION

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- 2.1 The application seeks planning permission for the erection of 2 No. 3 bedroom dwellings and 2 No. 2 bedroom dwellings comprising two pairs of semi-detached houses. The proposed houses would be orientated to the east of the site with the rear gardens extending to the west, adjoining a reconfigured pub car park.
- 2.2 Access to the new houses would be taken from Weston Avenue just to the South of its junction with Gratwick End. Two parking spaces are provided for each new dwelling.
- 2.3 The proposed houses would be two storeys in height and would be of traditional design featuring gable roofs and mock Tudor detailing.
- 2.4 The reconfigured parking area would provide 42 spaces for the public house, with 4 of them allocated for disabled parking.
- 2.5 Four individual trees and two groups would be removed as part of the proposals. None of these rank higher than a Category C in the submitted Tree Survey. New landscaping is proposed to offset the loss of vegetation / biodiversity.
- 2.6 The submitted drainage strategy proposes to limit discharge off site to just 4.15 l/s by utilising permeable paving, an attenuation tank and a hydrobrake.
- 2.7 The application is the same as application reference numbers DC/21/2281 and DC/24/0475 with the exception that additional information has been supplied with regard to water neutrality, in order to address the sole reason for refusal of that application. Note that the car parking has been re-arranged to avoid encroaching on the recently TPO'd tree to the front of the site (Ref TPO/1567 issued on 15 May 2024)
- 2.8 The works to address the water neutrality matter are set out within the relevant report but have involved undertaking upgrading works to a number of residential properties within the catchment that are owned by a local registered provider.

### 3. PROPOSED DEVELOPMENT

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- 3.1 The application site is a rectangular plot of land to the north of Old Guildford Road and has an area of approximately 0.24 hectares. The application site comprises a car park serving the Shelley Arms Public House. To the west and south-west lies the Shelley Arms Public House which comprises a two-storey detached rendered building and the pub garden.
- 3.2 The site is bordered to the north and east by a new residential development of 165 houses and a 60- bed care home.
- 3.3 To the south the site faces Old Guildford Road, with modern 20th century residential development located on the opposite side of the road to the south.

## 4. PLANNING HISTORY

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- 4.1 DC/24/0475 – Erection of four dwellings with associated parking, amenity space and landscaping. Re-configuration of pub car park (resubmission of DC/18/1895). Withdrawn on 3 May 2024.
- 4.2 The application was withdrawn due to the need to provide more certainty that the proposed water neutrality measures could be delivered. Since the application was withdrawn, as will be explained in this statement, the applicant and their consultant team have engaged with various bodies, including a local registered provider (Raven Housing Trust), to deliver upgrades to a number of residential properties that lie within the Sussex North Water Resource Zone.
- 4.3 DC/21/2281 – Erection of four dwellings with associated parking, amenity space and landscaping and a new parking layout for the public house - Refused 18th May 2022 for the following single reason:

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

- 4.4 DC/18/1895 – Erection of with associated parking, amenity space and landscaping and a new parking layout for the public house – Granted 23rd November 2018.

## 5. PLANNING POLICY

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5.1 The Development Plan for Horsham District Council comprises Horsham District Planning Framework (HDPF), adopted November 2015.

5.2 The following policies of the HDPF are considered relevant to the application proposal:

- Policy 1 - Strategic Policy: Sustainable Development
- Policy 2 - Strategic Policy: Strategic Development
- Policy 3 - Strategic Policy: Development Hierarchy
- Policy 31 - Green Infrastructure and Biodiversity
- Policy 32 - Strategic Policy: The Quality of New Development
- Policy 33 - Development Principles
- Policy 37 - Sustainable Construction
- Policy 38 - Strategic Policy: Flooding
- Policy 41 – Parking

5.3 The emerging new Local Plan has been submitted for Examination. The Examination Inspector wrote to the Council on 16 December 2024 to cancel planned hearing sessions in January 2025 due to “significant concerns about the soundness and legal compliance of the Plan”. The Council have refuted this in writing, responding the same day. It is not known what the outcome of this will be but is evident that, at this time, little weight can be given to emerging policies. This Statement therefore considers only adopted policies of the Local Plan, as listed above, and those within the National Planning Policy Framework (‘NPPF’).

### **National Planning Policy Framework (‘NPPF’) December 2024**

5.4 Paragraph 2 of the Framework reconfirms the requirement that applications for planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise.

- 5.5 Paragraph 2 of the Framework confirms that the Framework is, "a material consideration in planning decisions".
- 5.6 Paragraph 7 states that, "the purpose of the planning system is to contribute to the achievement of sustainable development". Paragraph 8 explains the planning system has three overarching objectives to achieve sustainable development: economic, social and an environmental objective.
- 5.7 There will be degrees of conflict between policies and planning objectives. However, paragraph 39 sets out that decision takers should approach decision making in a positive and creative way and should "use the full range of planning tools available....and work proactively with applicants to ensure developments that will improve the economic, social and environmental conditions of the area." It reads on to say that decision takers "at every level should seek to approve applications for sustainable development where possible."
- 5.8 Paragraph 11 requires applications to be considered with a presumption in favour of development. In situations where a council cannot demonstrate a 5-year land supply, as is the case in Horsham, paragraph 11d states that permission should be granted, unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the NPPF taken as a whole. Footnote 7 lists "habitat sites" are within the ambit of "policies within the Framework that protect areas or assets of particular importance". It is therefore acknowledged that the titled balance (paragraph 11d) is not triggered in this instance.
- 5.9 Paragraph 56 of the framework is clear that suitably worded conditions should be used to make proposals acceptable, where they would otherwise be considered unacceptable when determining an application.
- 5.10 With regard to design and amenity, Section 12 of the Framework underlines the importance that the Government attaches to design and sets out several objectives that developments should aim to ensure in order to facilitate good design. This includes optimising the potential of a site to accommodate development. Development should also respond to local character, reflecting the identity of local surroundings and materials.

- 5.11 Paragraphs 61 and 73 outline the importance of bringing forward a sufficient and varied amount of housing land, which includes small sites which are able to make an important contribution to housing requirements.
- 5.12 Paragraph 124 stresses the importance of making effective use of land for new development, including homes.
- 5.13 Section 12 states that planning policies and decisions should ensure that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change.

## 6. THE MAIN MATTERS

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- 6.1 Given the fact that the proposal is almost identical to app no. DC/21/2281 which was only refused for a single reason, coupled with the fact that the previous withdrawn application raised no unresolved issues aside from that same issue, it is considered the principal issue relates to water neutrality.

### **Water Neutrality**

- 6.2 The proposed development site falls within the Sussex North Water Resource Supply Zone. A directive from Natural England states that all new residential and commercial accommodation with high-water uses in this area will need to meet the Habitat Regulations Assessment (HRA) requirement to demonstrate water neutrality.
- 6.3 This measure has been set out to protect ecological flows and reduce the demand for increased water abstraction from the wells at Hardham. It is believed that this could potentially adversely impact the integrity of the Arun Valley which has the following protected designations; Sites of Special Scientific Interest, Special Protected Area, Special Area of Conservation and Ramsar.
- 6.4 Therefore the development is required to achieve water neutrality in order to meet this directive. The LPA website gives guidance regarding how water neutrality statements should be presented, which should include details of baseline water consumption; proposed demand; water reduction measures; and offsetting measures.
- 6.5 The previous, withdrawn, application sought to address these concerns. During that previous application, the LPA noted that the mitigation strategy sought to offset the water demand offsite via 'the water bank'. The LPA went on to advise that whilst offsite offsetting is acceptable they would need to know where exactly the offsetting is to take place *upfront* in order to progress the application and to finalise the legal agreement to secure the mitigation.

- 6.6 In order to resolve this, the applicant's consultant team had to engage local bodies to secure specific properties (in this case residential properties) where the offsetting could take place. To allow time to explore this, the application was withdrawn.
- 6.7 In the intervening period, and working alongside Raven Housing Trust, the mitigation has been refined, specific properties identified and the work has been undertaken.
- 6.8 The submitted Water Audit Report, prepared by Water Offsets Ltd, calculates that the proposed development would generate a maximum annual water demand of 249,492 litres. This demand is offset by a combination of on site greywater recycling and offsetting work undertaken at properties owned by Raven Housing Trust (RHT). The measures used at these properties includes the use of the 'Control Flow HL2024' which has been proven to significantly improve water efficiency.
- 6.9 The mitigation has been undertaken at 8no. properties, all of which lie within the Sussex North Water Supply Zone. Those properties, identified within the Water Audit Report, have an annual water offsetting volume of 256,230 litres which is greater than the water demand estimated to be generated by the proposed development.
- 6.10 It is therefore considered that the proposal would achieve water neutrality and overcome the previous reason for refusal and the concerns raised within the previous (withdrawn) application. The proposal would thus comply with Policy 31 of the HDPF, the NPPF and duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).
- 6.11 Since the work has already been undertaken, we'd welcome the opportunity to discuss with the LPA as to how this is appropriately dealt with i.e. via planning condition or legal agreement. The applicant is happy to proceed on either basis and looks forward to discussing this in more detail during the course of the application.

## **Other Matters**

- 6.12 There have been no material Policy or circumstantial changes since the earlier application was determined in May 2022 and the December NPPF has not materially changed the policy landscape on a national level with regard to the specifics of this application. Therefore, all other aspects of the proposal remain acceptable subject to suitably worded conditions and / or obligations.
- 6.13 It is noted that the LPA cannot demonstrate a 5 year housing land supply. The last published 5 Year Land Supply was just under 3 years. Therefore, it is essential that every opportunity is taken to maximise the effective use of windfall sites within sustainable locations. Due to the current housing land supply of the LPA, it is considered that significant weight is to be placed on the delivery of housing.
- 6.14 The Framework is clear that Local Planning Authorities are required to boost significantly the supply of housing, regardless of their housing land supply position and states that housing applications should be considered in the context of the provision in favour of sustainable development.
- 6.15 In addition to the previous point, the Framework also states that Local Authorities should: “Support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes”, a point even more pertinent given the current housing land supply.
- 6.16 It is considered that the development site and proposed scheme would accord with this section of the Framework. The site would be considered a small sized site and can make an important contribution to the authority’s housing delivery, which can also be built out in a timely manner.
- 6.17 With regard to wider development management matters, no previous objections in the two preceding applications have been raised with regard to highways, drainage, ecology, parking or design and amenity. During the previous (withdrawn) application, the LPA’s arboricultural officer did raise concern about the car parking for the pub encroaching within the RPA of the tree that fronts the site; a tree that in May 2024 was protected by way of a Tree Protection Order (TPO). During the course of that application, the car park layout was amended to remove 4no. spaces that encroached on the RPA. No objections were raised from the local

highway authority and the amendment resolved the concerns of the arboricultural officer. That amended plan now forms part of this application such that the protected tree is safeguarded, and adequate parking will remain to serve the pub.

- 6.18 In light of the above, it is considered that the application proposals accord with the policies of the Local Plan. It is therefore considered that the principle of the development is deemed to be acceptable.

## 7. CONCLUSION

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- 7.1 The proposal achieves water neutrality and therefore overcomes the previous reason for refusal. The submitted Water Audit Report sets out the estimated water use for the proposed development and has identified properties to undertake mitigation. The work, as set out within that report, has been carried out such that the Council can be confident that in allowing this development there will be water neutrality.
- 7.2 There has been no material change in Policy or circumstances since the previous decision in May 2022, therefore all other matters are considered to be accepted subject to the imposition of suitably worded conditions and / or obligations.
- 7.3 The LPA cannot demonstrate a 5 year housing land supply and in that context the benefits of providing even a modest amount of housing are significant.
- 7.4 In light of the above the proposed development accords with the development plan; and no material planning considerations indicate that the proposal should be refused, thus, subject to conditions, the LPA are respectfully asked to recommend the application for approval.