

# Land at Shoreham Road, Small Dole

Planning and Affordable Housing Statement

**Boyer**

Prepared on behalf of Wates Developments Ltd | April 25

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**REPORT CONTROL**

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## 1. INTRODUCTION

- 1.1 This Planning Statement ("Statement") has been prepared in support of an outline planning application submitted on behalf of Wates Developments Ltd ("Wates") at Land at Shoreham Road, Small Dole ("the Site").
- 1.2 The application seeks outline planning permission for:

*Outline planning application for up to 45 dwellings (including affordable homes) with all matters reserved apart from access.*
- 1.3 The application is supported by several technical reports, in addition to this planning and affordable housing statement, as set out below:
  - Design and Access Statement (prepared by OSP);
  - Heritage Desk Based Assessment (prepared by Pegasus);
  - Ground Appraisal Report (prepared by Geo-Environmental);
  - Flood Risk & Drainage Strategy (prepared by JNP);
  - Landscape and Visual Assessment (prepared by SLR);
  - Illustrative Landscape Strategy (prepared by SLR);
  - Water Neutrality Statement (prepared by Nicholls/Motion);
  - Transport Statement (prepared by i-Transport);
  - Framework Travel Plan (prepared by i-Transport);
  - Air Quality Assessment (prepared by RSK);
  - Noise Impact Assessment (prepared by RSK);
  - Ecological Appraisal (prepared by Ecology Partnership);
  - Biodiversity Net Gain Statement (prepared by Ecology Partnership);
  - Arboricultural Impact Assessment (prepared by SJA);
  - Sustainability and Energy Statement (prepared by Bluesky Unlimited);
  - Minerals Assessment (prepared by IC Planning); and
  - Statement of Community Involvement (prepared by Cratus).
- 1.4 The submitted drawings for approval are as follows:
  - Site Location Plan (ref: SD-jas-SLP-01)
  - Proposed Access Arrangement Plan (ref: ITS19321-GA-013)

- 1.5 In addition to the above we have submitted, for illustrative purposes only, a copy of the indicative site layout (ref: 23088-C101E).
- 1.6 This Statement considers the planning merits of the proposal having regard to development plan policy and other material considerations, and places it in the context of a District that has a severe lack of housing supply. Against this context, this Statement demonstrates why planning permission should be granted for the proposed development.

## **2. THE SITE**

- 2.1 The site, edged red on the site location plan, has an area of approximately 5.45ha and is adjacent to the settlement boundary of Small Dole.
- 2.2 The land currently comprises a single grass field. It is bounded by existing housing along New Hall Lane to the north and to the east by a belt of vegetation, primarily consisting of blackthorn and hawthorn scrub, beyond which is the A2037 (Shoreham Road), the main road leading through Small Dole, and further residential development.
- 2.3 The western boundary is formed by scrub vegetation including an overgrown hawthorn hedge whilst a stream set down below a bank and flanked by mature trees runs along the southern boundary. Farmland is located beyond the western and southern boundaries.
- 2.4 The site is located close to the local services in Small Dole which consist of a general store/post office, village hall and The Fox Public House, whilst regular bus services operate along the A2037 to a number of destinations including Burgess Hill and Horsham.
- 2.5 The site is not located within a Conservation Area, nor are there any listed buildings adjacent to the site. The site is not adjacent to any Ancient Woodland and is not subject to any environmental designations (e.g. Site of Nature Conservation Interest) nor is it at risk from flooding. The site is approximately 400m from the edge of the South Downs National Park.

### **Planning History**

- 2.6 The relevant planning history pertaining to the Site is:
  - DC/15/0353 - Erection of up to 60 dwellings, provision of a new vehicular access from Shoreham Road and stopping up of existing access, together with associated open space, parking and landscaping (Outline). Refused – Appeal Withdrawn.
- 2.7 Application DC/15/0353 was refused for two reasons, summarised as follows:
  - 1 Site was located in the countryside, outside of the defined built up area. Harm to the open and rural landscape character of the countryside, and failure to respect or reflect the character of the nearby settlement.
  - 2 No S106 agreement to secure affordable housing provision or necessary infrastructure.
- 2.8 The planning policy circumstances at the time when this previous application was determined (in 2015) were very different and as such this previous decision does not establish a precedent. Instead, for the reasons set out within this statement we consider that there are compelling reasons why a different conclusion should be reached.

### 3. PROPOSED DEVELOPMENT

- 3.1 The proposed development seeks to provide up to 45 new homes within a landscape-led layout. The application is in outline with all matters reserved, save for access. Notwithstanding this, an Illustrative Masterplan has been prepared and which is contained within the supporting Design & Access Statement.
- 3.2 In summary, the proposals comprise the following elements which will deliver several benefits, namely:
  - Provision of up to 45 homes in a mix of housing, on a site which is both available and deliverable now, making a valuable contribution to the need for new housing in the Borough (against a backdrop of a 2.9 housing land supply position);
  - Provision of up to 16 new affordable homes (35%) in a mix of rented and shared ownership tenures;
  - Provision of a Biodiversity Net Gain (BNG) in excess of 10%; and
  - Provision of economic benefits in relation to the construction of the Site and longer-term local spending and jobs.
- 3.3 The vision is to create a sensitively designed development that is both sympathetic and of a high quality that is well integrated within the surrounding landscape.
- 3.4 Further information on the proposal and overall design approach is set out within the supporting Design and Access Statement.

## 4. PLANNING POLICY CONTEXT

- 4.1 Section 70 (2) of the Town and Country Planning Act 1990 indicates that the local planning authority shall have regard to the provisions of the Development Plan, so far as material to the application and to any other material considerations.
- 4.2 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires where regard is to be had to the Development Plan and confirms that applications for planning permission must be determined in accordance with the Plan, unless material considerations indicate otherwise.
- 4.3 The Development Plan for Horsham District Council includes the Horsham District Planning Framework (HPDF)(2015) and Henfield Neighbourhood Development Plan (June 2021).
- 4.4 The Council's HPDF is more than five years old; and as a result, the starting point for assessing the Council's housing requirement is that derived from the current Standard Methodology (SM). As a result of the revised standard methodology, this has increased the overall housing requirement for Horsham to 1,357 new homes (a 59% increase over and above the housing requirement set out within the current Local Plan).
- 4.5 The HDC Authority Monitoring Report 2022/23 sets out the district's latest housing position as of 1<sup>st</sup> April 2023, stating that HDC has a land supply of 2.9 years and is unable to demonstrate a five year supply.
- 4.6 In September 2021, Natural England issued a policy statement covering the Sussex North Water Supply Zone. The statement effectively stated that it cannot be concluded that the current rate of water abstraction in the Water Supply Zone was not having an adverse effect on the Arun Valley SPA, SAC and Ramsar sites. On this basis NE advised that any new development within areas reliant on water abstracted from these sites, including new development within Horsham District, must not add to this impact. As such, all new development is required to be 'water neutral' which has adversely affected new housing delivery in the District. Information relating to water neutrality issues is covered in greater detail within the supporting Water Neutrality Statement.
- 4.7 The Council has been working on a new Local Plan, with the emerging Horsham District Local Plan 2023-2040 submitted for examination in July 2024. Following the initial hearing sessions in December 2024, the Inspector raised significant concerns in relation to the soundness and legal compliance of the Plan in respect of a number of areas including meeting housing needs and the Sustainability Appraisal and whether the Council has complied with the Duty to Cooperate. The Inspector therefore cancelled the subsequent hearing sessions. At the current time there is a lack of clarity around the position of the emerging Local Plan.
- 4.8 In light of the above and given the number of unresolved objections to strategic policies of the Plan means that as a whole no more than limited weight can be attached to its strategic policies and so we have not undertaken a detailed assessment of this Plan as part of this

Statement. There are specific policies whereby some weight can be attached and where this is the case we have made reference to these.

### **Development Plan Policies**

#### *Horsham District Planning Framework (2015)*

4.9 The following policies from the Horsham District Planning Framework are relevant to the determination of this application:

- 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 25: Strategic Policy: The Natural Environment and Landscape Character;
- Policy 26: Strategic Policy: Countryside Protection;
- Policy 31: Green Infrastructure and Biodiversity;
- Policy 32: Strategic Policy: The Quality of New Development;
- Policy 33: Development Principles;
- Policy 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; and
- Policy 41: Parking.

#### *Henfield Neighbourhood Development Plan 2017-2031*

- Policy 1: A Spatial Plan for the Parish;
- Policy 4: Transport, Access and Car Parking;
- Policy 5: Utility Infrastructure;

- Policy 7: Education Infrastructure;
- Policy 10: Green Infrastructure and Biodiversity; and
- Policy 12: Design Standards for New Development.

### **Supplementary Planning Documents**

4.10 The council has a number of Supplementary Planning Documents (SPD). The documents of most relevance to this application are:

- Planning Obligations and Affordable Housing (2017)
- Facilitating Appropriate Development (2022)

### **Material Considerations**

#### *National Planning Policy Framework*

4.11 The NPPF sets out the Government's planning policies for England and how these are expected to be applied. It forms part of the overall framework of national planning policy and is a material consideration in decisions on planning applications. The NPPF aims to achieve sustainable development with paragraph 8 stating that there are three dimensions to sustainable development: economic, social and environmental.

4.12 The NPPF (2024) states that Local Planning Authorities should approach decision taking in a positive way to foster the delivery of sustainable development. Paragraph 39 states:

*"Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible."*

4.13 In respect to housing, paragraph 61 sets out that to support the Government's objective of significantly boosting the supply of homes; it is important that a sufficient amount and variety of land can come forward where it is needed.

4.14 To significantly boost the supply of housing, Local Planning Authorities should in accordance with paragraph 78:

*"Identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old..."*

4.15 Section 9 of the NPPF deals with 'Promoting Sustainable Transport'. Paragraph 109 stating:

*“Transport issues should be considered from the earliest stages of plan-making and development proposals, using a vision-led approach to identify transport solutions that deliver well-designed, sustainable and popular places. This should involve:*

- *making transport considerations an important part of early engagement with local communities;*
- *ensuring patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places;*
- *understanding and addressing the potential impacts of development on transport networks;*
- *realising opportunities from existing or proposed transport infrastructure, and changing transport technology and usage – for example in relation to the scale, location or density of development that can be accommodated;*
- *identifying and pursuing opportunities to promote walking, cycling and public transport use; and*
- *identifying, assessing and taking into account the environmental impacts of traffic and transport infrastructure – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains.”*

4.16 Paragraph 110 emphasises the need for significant developments to be situated within sustainable locations, stating:

*“The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering genuine choice of transport modes. This can help to reduce congestion and emissions and improve air quality and public health. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan making and decision making.”*

4.17 Paragraph 115 states that when assessing proposals, it should be ensured that:

- *“Sustainable transport modes are prioritised taking account of the vision for the site, the type of development and its location;*
- *safe and suitable access to the site can be achieved for all users;*
- *the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code; and*
- *any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree through a vision-led approach.*

4.18 Paragraph 135 states that planning decisions should ensure developments are:

- “(a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
- c) are 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);*
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*
- f) 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.*

4.19 Paragraph 136 states “*trees make an important contribution to the character and quality of urban environments and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure the long-term maintenance of newly planted trees, and that existing trees are retained wherever possible. Applicants and local planning authorities should work with highways officers and tree officers to ensure that the right trees are planted in the right places, and solutions are found that are compatible with highways standards and the needs of different users.*”

4.20 Paragraph 181 states “*when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment. Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that:*

- a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;*
- b) the development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment;*

- c) *it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;*
- d) *any residual risk can be safely managed; and*
- e) *safe access and escape routes are included where appropriate, as part of an agreed emergency plan.”*

4.21 Chapter 15 is concerned with conserving and enhancing the natural environment. Paragraph 187 states “*planning policies and decisions should contribute to and enhance the natural and local environment by [...] (d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures and incorporating features which support priority or threatened species such as swifts, bats and hedgehogs”.*

4.22 The approach to dealing with biodiversity in the context of planning applications is set out at paragraph 193:

*“When determining planning applications, local planning authorities should apply the following principles:*

- (a) *if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts) adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;*
- (b) *development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;*
- (c) *development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons, and a suitable compensation strategy exists; and*
- (d) *development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.”*

4.23 Chapter 16 of the NPPF relates to ‘Conserving and Enhancing the Historic Environment’. Specifically, paragraph 205 states:

*“When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of*

*whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.”*

## 5. PLANNING ASSESSMENT

5.1 This chapter assesses the development proposals against the relevant development plan policy and other material considerations. The key issues to be considered in the determination of the application are set out and discussed below.

### Location of Development

#### *Spatial Strategy*

5.2 The HDPF seeks to ensure development takes place in a manner that retains and enhances the settlement pattern and the rural landscape character of the District, but still enables settlements to develop in order for them to continue to grow and thrive. Within built-up area boundaries development is accepted in principle, whereas land outside settlement boundaries is considered to be in the countryside and development is more strictly controlled.

5.3 Policy 3 sets out the Council's settlement hierarchy which defines Small Dole as a 'Smaller Village' which is defined as '*Villages with limited services, facilities, social networks but with good accessibility to larger settlements (e.g. road or rail) or settlements with some employment but limited services, facilities or accessibility. Residents are reliant on larger settlements to access most of their requirements*'. Policy 4 relates to Settlement Expansion and states that the expansion of settlements will be supported where the 5 criteria of the Policy are met. We undertake an assessment against these criteria below:

*Criterion 1 - The site is allocated in the Local Plan or in a Neighbourhood Plan and adjoins the existing settlement edge as defined by Built Up Area Boundary (BUAB) - Whilst the application site is immediately adjacent to the Small Dole BUAB to the north and east the site is not allocated in either the Local Plan or Henfield Neighbourhood Plan. On this basis the proposals would not be fully in accordance with this criterion.*

*Criterion 2 - The level of expansion is appropriate to the scale and function of the settlement the proposal relates to - The level of expansion proposed for Small Dole is appropriate based on the settlements scale and function as measured by its current range of facilities. This is consistent with Small Dole's position in the Settlement Hierarchy being within the Smaller Villages category. The proposal is for up to 45 new homes and will help contribute a level of housing growth suitable for the scale and function of Small Dole. On this basis the proposals would be consistent with this criterion.*

*Criterion 3 - The proposal demonstrates that it meets local housing needs or will assist the retention and enhancement of community facilities and services - In light of the pressing need for new market and affordable housing across the District and the Council's current housing land shortfall means that the proposals would contribute to meeting the identified need. In addition, the economic benefits associated with the proposed new housing (e.g. new resident spend) will contribute to maintaining the viability and sustainability of existing services within Small Dole. On this basis the proposals would be consistent with this criterion.*

*Criterion 4 - The impact of the development individually or cumulatively does not prejudice comprehensive long-term development, in order not to conflict with the development strategy*

- There are no other sites proposed in Small Dole (within Henfield Parish). As a result, the proposed development would not prejudice any comprehensive development elsewhere. On this basis the proposals would be consistent with this criterion.

*Criterion 5 - The development is contained within an existing defensible boundary and the landscape character features are maintained and enhanced* - Wherever possible, existing vegetation along the site's boundaries would be retained, and reinforced where necessary, to ensure that landscape and visual effects are primarily contained within the site. The native, structural planting would also further contain landscape and visual effects, help to integrate the development into the landscape. Built form would be located on the lower ground within the south-eastern extents of the site to help contain the proposed development and reduce visual effects. The combination of retaining and strengthening vegetation along the south boundary, locating built form on the lower ground and proposing structural native planting throughout the site would soften and reduce visual effects from the elevated positions within the South Downs National Park. On this basis the proposals would be consistent with this criterion.

- 5.4 In light of the above, we consider that the proposals partially accord with criterion 1 and fully accord with criteria 2-5 of Policy 4. On this basis there is some conflict with this Policy. In light of this there would also be some limited conflict with Policy 26 which seeks to protect the rural character and undeveloped nature of the countryside.
- 5.5 Policy 15 of the HDPF, set a housing figure for the district to be delivered over the Plan Period (2011-31) of 'at least 16,000' homes (which translates in an average of 800 homes per annum). This will in part be achieved by 'the provision of at least 1,500 homes throughout the district in accordance with the settlement hierarchy, allocated through Neighbourhood Planning.'
- 5.6 Policy 1 of the Henfield Neighbourhood Plan (HNP) sets out the spatial plan for the Parish which is consistent with that of the HDPF with the Policy stating that "*Development proposals outside of these boundaries [the BUAB] will be supported where they conform, as appropriate to their location in the neighbourhood area, to national, HDPF and South Downs Local Plan policies in respect of development in the countryside*". The supporting text (para 5.6) makes reference to this being consistent with Policy 4 of the HDPF.
- 5.7 To support the HNP a Housing Needs Assessment was to determine a proportionate amount of the 1,500 home figure for Henfield. In doing so it identified a series of options which after review amounted to an average of 272 new homes (or 19 new homes per annum over the Plan period). As a result Policy 2 of the Neighbourhood Plan allocated sites that would deliver 270 new homes over the Plan period. This does not include the application site. On this basis, we consider that there would be conflict with Policy 1 of the HNP. The weight to be attached to this conflict is considered at the end of this chapter.

***Sustainable Development***

5.8 Policy 1 (Sustainable Development) of the HDPF states that when considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. Policy 2 (Strategic Development) continues by seeking to ensure that the needs of the community are met through sustainable growth in a variety of ways including continuing to support in principle the sustainable development of settlements through an appropriate scale of development which retains the existing settlement pattern.

5.9 Paragraph 110 of the NPPF reflects the above stating "*the planning system should actively manage patterns of growth in support of these objectives....opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making.*" In addition, paragraph 115(a) states that for applications, it should be ensured "*sustainable transport modes are prioritised taking account of the vision for the site, the type of development and its location.*"

5.10 The site is reasonably well located with access to a range of services and facilities. Within the direct vicinity of the site there are footways on the eastern side of Shoreham Road, which to the south provide access to a convenience store, post office and a public house, all within 350 metres of the site access. A range of employment opportunities, schools and shops are available within Henfield, the majority of the facilities are located on the A281 High Street, circa 3 kilometres to the north. As part of the proposals a footpath to the north is also provided, improving connectivity.

5.11 In terms of public transport, the nearest bus stops are located to the south of the site opposite and adjacent to Sands Lane circa. 310m and 395m from the site, within the 400m typically recognised as being a reasonable bus stop catchment. Both bus stops accommodate timetable information, and the southbound bus stop also has a shelter and raised kerb. The stops are served by services 100 and 106 operated by Compass Travel. The no. 100 bus service provides a useful connection and operates on a typically hourly basis between Monday and Saturday providing connections to key destinations such as railway stations at Horsham, Billingshurst and Burgess Hill, where onward connections can be made via train towards London, Crawley and Brighton. Additionally, an on-site car club is proposed as part of the development which would assist in reducing reliance on the private motor car.

5.12 In summary, the proposal has sought to maximise sustainable transport solutions within this location and that the services and facilities available are appropriate for the scale of proposed development which is considered to be a proportionate expansion of Small Dole having regard to its position in the settlement hierarchy. In addition, the proposal includes a range of measures to improve the current situation and promote the use of sustainable modes of travel, which can be secured within a section 106 agreement.

5.13 The proposal insofar as it relates to the sustainability of the site is considered to be compliant with Policies 1 and 2 of the HDPF and relevant paragraphs within the NPPF.

**Technical Assessment***Landscaping and Visual Impact*

- 5.14 To support this application, a Landscape and Visual Assessment has been prepared by SLR Consulting Ltd.
- 5.15 Strategic Policy 25 of the HPDF seeks to protect, conserve and enhance the landscape character of the area, taking into account areas identified as being of landscape importance.
- 5.16 The site is not included within, nor is it immediately adjacent to, a landscape or landscape related designation. However, it is located within the setting of the South Downs National Park, which is approximately 210 metres to the east of the site at its nearest point, and there are Open Access areas on Truleigh Hill, approximately 1.6km south west of the site, which afford views over Small Dole.
- 5.17 In terms of landscape characteristics, whilst the site is generally visually enclosed, it is possible to gain long views towards Truleigh Hill, in the National Park, from the higher sections of the site at the northern edge. The site also forms part of panoramic views from the Open Access area on Truleigh Hill. The site is visible in these views, particularly the upper, northern parts of the site, and the western edge. The south eastern part of the site is more visually enclosed by landform and existing vegetation.
- 5.18 The LVA considers that visual effects to the north and east would be limited to the site's immediate context, as the existing settlement and well-established vegetation would contain views. To the west, views of the proposed development would be constrained by the combination of limited publicly accessible land and existing dwellings and vegetation containing the majority of views. To the south, the well established vegetation along the southern boundary and immediately sound of the site would contain the majority of views.
- 5.19 The proposals would not directly impact the setting of the South Downs as its setting already comprises existing settlements and therefore residential development is already characteristic of the setting. The report notes that the introduction of built form to a greenfield site will always result in negative landscape effects. However, in this case, the location of the site means that the landscape effects would be localised and focused upon an area which is already influenced by built form.
- 5.20 In light of the above, the approach is to concentrate development in the most enclosed part of the site, at its south eastern corner. Public access to the northern part of the site will be encouraged through the provision of a green, a viewing point and a community orchard to preserve important views into and out of the site. A Local Area of Play (LAP) will also be provided.
- 5.21 In addition, new woodland and other tree planting on the site, including orchards, would be introduced as would the reinforcement of existing hedgerows along the eastern and southern part of the site to further reduce the potential for landscape and visual effects on footpaths to the south of the site, and users of Henfield Road to the east. Public access to the northern

part of the site will be encouraged through the provision of a viewing point to allow the public to enjoy open views towards the South Downs as well as the provision of a play area.

- 5.22 This approach is considered to successfully minimise the visual impact of new development and provide high quality open space to serve the future occupants of the development and local residents.
- 5.23 It is anticipated that the proposed new housing will be limited to 2 storeys, in a variety of building types to create an attractive and interesting streetscene, whilst keeping building heights to a minimum. The retained trees and hedgerows along the site boundaries together with additional soft landscaping provide a perimeter framework in which the development is set.
- 5.24 As such, the appraisal has concluded that the landscape effects resulting from the proposed development would be highly localised as the application site is partially enclosed by well established hedgerows and trees; the proposed development would be located in a landscape that already comprises existing development and infrastructure associated with Small Dole, and the proposed development adheres to the various landscape design guidance and key principles. Therefore, the proposed development would result in major/ moderate and negative effects on the field which forms the application site. All other effects would be no higher than moderate/minor and negative, including from the South Downs.
- 5.25 Overall, it is considered that new development is capable of responding positively to the local context and would deliver a high quality form of new development with any landscape harm being limited. This approach would successfully minimise the visual impact of new development, in line with the overall approach of Strategic Policy 25 of the HDPF.

#### *Design*

- 5.26 To support this application, a Design and Access Statement has been prepared by OSP. This sets out the vision for the site which is to bring forward this site to deliver much needed homes for Small Dole in a well-designed, sustainable, landscape led development.

Please see the accompanying Design and Access Statement for full details as to how the proposals have been developed and designed, such that they are capable of complying with Policy 33 of the HDPF.

#### *Transport and Highways*

- 5.27 To support this application, a Transport Statement (TS) has been prepared by i-Transport.
- 5.28 Policy 40 of the HDPF supports development which integrates with the wider network of routes; includes opportunities for sustainable transport; provides safe and suitable access for all vehicles, pedestrians, cyclists, horse riders, public transport and the delivery of goods.
- 5.29 The proposed access remains unchanged from the design submitted with the 2015 planning application for 60 dwellings, to which West Sussex County Council raised no objection.

- 5.30 Vehicular access will be achieved via a simple priority junction with Henfield Road. The site access arrangement provides a 5.5m wide carriageway with a 2m footway either side of the access with a pedestrian crossing with dropped kerbs and tactile paving to provide access to the existing footway along Shoreham Road.
- 5.31 During the course of a Highways pre-application request, WSCC requested a pedestrian connection to be provided to the south of the site in order to provide a more direct route to the existing bus stops and local facilities. This has been implemented as part of the proposal, with a new 2m footway to be provided on the western side of Henfield Road which ties into the existing footway. A dropped kerb and tactile paving crossing have also been identified at the Sands Lane junction and the New Hall Lane junction.
- 5.32 Visibility splays of 2.4m x 61m to the south and 2.4m x 58m to the north can be achieved, in accordance with the Manual for Streets parameters.
- 5.33 Policy 41 of the HDPF requires developments must provide adequate parking and facilities to meet the needs of anticipated uses. Consideration should be given to the needs of cycle parking, motorcycle parking, charging plug-in or other low emission vehicles and the mobility impaired.
- 5.34 Car and cycle parking is proposed to be provided in line with the County Council's parking standards. The TS highlights sufficient car parking spaces are able to be provided to serve the development, including unallocated resident and visitor spaces, consistent with the demands that are anticipated by the Council's parking calculator.
- 5.35 It is envisaged that parking will be provided through integral and detached garages, off street parking to the front and side of plots and on street unallocated spaces. Cycle parking will be provided in secure, covered locations.
- 5.36 In terms of delivery and servicing, the illustrative masterplan has been designed to accord with the principles of the building regulations in respect of provision for waste/recycling collection and access for emergency vehicles.
- 5.37 In line with the draft 'West Sussex County Council Development Travel Plan Policy' document, a separate Travel Plan Statement (TPS) has also been prepared (report ref: ITS19321-003A). This outlines measures to support and encourage more active and sustainable travel among future residents. These include measures such as the provision of a travel 'Welcome Pack' to future residents of the development; provision of on site car club; and incentives to promote the use of sustainable travel such as travel vouchers for use on public transport season tickets.
- 5.38 The TS includes an analysis of expected trip generation arising from the proposed development. The analysis demonstrates that the proposals would have an imperceptible impact on the operation of these junctions, and on this basis, it is considered that the proposals will not interfere with the operation of the adjoining highway network in terms of capacity.

5.39 We therefore conclude that the Site would comply with Policies 40 and 41 of the Horsham District Planning Framework and Policy 4 of the HNP and the relevant paragraphs in chapter 9 of the NPPF.

*Ecology*

5.40 Policy 31 of the HDPF states that development proposals which result in the loss of existing green infrastructure will be resisted unless appropriately mitigated; development will be required to contribute to the enhancement of existing biodiversity and where felling trees is necessary, replacement planting will be required.

5.41 The proposals have been developed in line with the Councils Biodiversity and Green Infrastructure Planning Advice Note (2022).

5.42 To support this application, a Preliminary Ecological Appraisal (PEA) has been prepared by Ecology Partnership.

5.43 The PEA confirms that that no statutory or non-statutory nature conservation designations are present within or adjacent to the Site, however there are several within 2km of the site. The PEA concludes that none of the designations within the surrounding area are likely to be adversely affected by the proposals.

5.44 A Phase 1 Habitat Survey has also been undertaken which establishes that a large central area of mown semi-improved grassland dominates the habitats on site with a narrow block of deciduous woodland dominating the southern boundary. The eastern and western boundaries consist of hedgerows dominated by scrub and the northern boundary is largely shared with adjacent properties back gardens with some areas of scrub habitat.

5.45 It is not considered that the loss of the grassland would be significant in terms of local habitat loss, and areas for enhancements will be incorporated into the detailed design. The habitats within the Site support several protected species and have the potential to support species protected under both National and European legislation. Accordingly, additional surveys were carried out in relation to badgers, bats, dormice and reptiles.

5.46 These further surveys concluded that dormice were considered likely absent, and therefore the development is not considered to be constrained by this species.

5.47 Given that the areas of value to bats, (hedgerows and boundary features), would be largely retained, the survey concludes that there would be no direct impact on bat activity. Further mitigation measures such as sensitive lighting have been recommended to protect the species against indirect impacts from development.

5.48 In relation to reptiles, the additional survey work concluded that the recommendations for mitigation and enhancement will ensure that no individuals will be harmed by the development and that their conservation status will remain unaffected by the development. Evidence of badger activity was found on site, however the layout of the scheme ensures protection of this species.

5.49 Several mitigation measures have been proposed to minimise the risk of harm to protected species, with compensatory measures proposed, where appropriate, to maintain the conservation status of local populations. Including additional surveys prior to the commencement of works, which can be secured by way of condition.

5.50 In conclusion, the proposals have sought to minimise impacts and subject to the implementation of appropriate avoidance, mitigation and compensation measures, the proposals will not result in significant harm to biodiversity.

5.51 We therefore conclude that the Site would comply with Policy 31 of the HDPF, Policy 10 of the HNP and paragraphs 187 and 193 of the NPPF.

*Water Neutrality*

5.52 To support this application, a Water Neutrality Statement has been prepared by Motion.

5.53 Following the issue of Natural England's Position Statement on Water Neutrality within the Sussex North Water Supply Zone (SNWSZ), the application must demonstrate that the development can be water neutral.

5.54 Given the existing site comprises an open field, there will be a significant net increase in water demand. As such, the proposals could not be considered to be water neutral and further offsetting measures must be considered.

5.55 The Council are in the process of establishing the Sussex North Offsetting Water Scheme (SNOWS) which once in place would be capable of providing the necessary mitigation. As set out in Section 6 the site is proposed for allocation within the emerging Local Plan and so is eligible to acquire potential credits through this scheme. Notwithstanding this and as set out in detail within the supporting Water Neutrality Statement, the water demand arising from the proposals is able to be supplied by installing two boreholes and using the water drawn to meet the needs of future occupiers without the need to rely on mains supply.

5.56 On this basis, whether through SNOWS or the installation of two boreholes it has been demonstrated that the proposals would be water neutral, in accordance with Natural England's requirements.

*Flood Risk and Drainage*

5.57 To support this application, a Flood Risk Assessment (FRA) has been prepared by JNP.

5.58 Strategic Policy 38 of the HDPF requires all proposals to follow a sequential approach to flood risk management, giving priority to development sites with the lowest risk of flooding and making required development safe without increasing flood risk elsewhere. Proposals must comply with the tests and recommendations set out in the Horsham District Strategic Flood Risk Assessment (SFRA).

5.59 This FRA demonstrates that flood risk from all sources has been considered in the proposed development. It is also consistent with the Local Planning Authority requirements with regard to flood risk. The Site lies in an area designated by the EA as Flood Zone 1 and is outlined to

have a chance of flooding of less than 1 in 1,000 (<0.1%) in any year from fluvial sources. The Site is also not considered to be at significant flood risk from all other sources.

- 5.60 The proposed development is classified as 'More Vulnerable' and therefore considered appropriate within Flood Zone 1 without application of the Exception Test. The FRA considers all sources of flooding with the level of risk concluded as either 'No risk' or 'Very low risk' in all cases. It is therefore considered that development of the Site should not be precluded on flood risk grounds.
- 5.61 The proposed drainage strategy follows the drainage hierarchy. In order to limit discharge off site, the site has been designed to provide sufficient attenuation SuDS features routing the surface water to the onsite attenuation basin which will accommodate up to the 1 in 100 year plus 45% climate change event.
- 5.62 In accordance with the surface water hierarchy, infiltration has been deemed unfeasible, therefore discharging to the watercourse to the south is proposed. Given the site drains naturally in this way, utilising / enhancing the existing connection will act to mimic the natural scenario, discharging surface water directly to these local watercourses is considered feasible. The post-development runoff rate would be limited to the existing greenfield rate.
- 5.63 The proposals will ensure that the development will not increase the flood risk to the site or surrounding areas and we therefore conclude that the Site would comply with Strategic Policy 38 of the HDPF and paragraph 181 of the NPPF.

#### *Heritage and Archaeology*

- 5.64 To support this application, a Heritage Desk-Based Assessment has been prepared by Pegasus Group. There are no designated heritage assets located within the site.
- 5.65 Policy 34 of the HDPF requires development affecting heritage assets to make reference to the significance of assets; reflect current best practice; reinforce the special character of the historic environment through appropriate siting, scale, form and design; make a positive contribution to the character and distinctiveness of the area; and retain and improve the setting of heritage assets, including views, public rights of way, trees and landscape features, including historic public realm features.
- 5.66 A review of available evidence, comprising the Sussex HER data; National Heritage List and historic mapping, concludes that there has been no previous archaeological activity within the 1km Study Area, and overall the potential for significant buried archaeological remains from any period within the site is considered to be low. Archaeology is therefore not anticipated to be a constraint to the development of the site.
- 5.67 The Heritage Assessment identifies just one heritage asset as being potentially sensitive to the proposals, namely the Grade II Listed New Hall (NHLE 1286390). However, taking account of the existing baseline and the sensitive design of the proposals, the Heritage Assessment concludes that the proposals are not anticipated to impact upon the overall experience of views from and towards the heritage asset. Furthermore, the historic

association (in relation to landownership) between the site and the listed building has been severed and is not legible on the ground, nor is there any intervisibility.

- 5.68 With regard to other heritage assets in the vicinity of the Site, assessment has concluded that the Site does not form any part of setting that positively contributes to the overall heritage significance due to the nature of the asset and a lack of visual connections, spatial relationships or historic connections. Accordingly, the proposed development is not anticipated to result in a change that would impact upon the overall heritage significance of these assets.
- 5.69 We therefore consider that the proposals would comply with Policy 34 of the HDPF and the relevant paragraphs in chapter 16 of the NPPF.

#### *Trees*

- 5.70 To support this application, an Arboricultural Implications Report (AIR) has been prepared by SJA trees.
- 5.71 SJA trees conducted a survey of 79 individual trees, 20 groups of trees and two hedgerows growing within or immediately adjacent to the site. Most of the trees on the site are restricted to the boundaries of the field with only some situated in adjacent, off-site gardens and fields. The arboricultural composition is predominantly comprised of native broadleaved species with English oak being the most prevalent.
- 5.72 The AIR confirms that the assessment of the impact of the proposals on the existing trees concludes that no mature, ancient, veteran or notable trees, no category 'A' or 'B' trees, and no trees of high landscape or biodiversity value are to be removed.
- 5.73 The proposed removal of one group of trees and the partial removal of four groups of trees, will represent a negligible alteration to one of the main arboricultural features of the site, and only a minor alteration to the overall arboricultural character of the site and will not have an adverse impact on the arboricultural character and appearance of the local landscape.
- 5.74 No trees are to be pruned to facilitate implementation of the proposals. Furthermore, there will be no incursions into the Root Protection Areas (RPAs) of any of the trees to be retained.
- 5.75 None of the proposed dwellings or private gardens are likely to be shaded by retained trees to the extent that this will interfere with their reasonable use or enjoyment by incoming occupiers, which might otherwise lead to pressure on the Local Planning Authority to permit felling or severe pruning that it could not reasonably resist.
- 5.76 The proposed development will not result in the removal of trees which form important landscape and natural features or trees which are of significant local amenity or landscape value. Furthermore, the development retains the pattern of woodlands, fields, hedgerows and trees. As such, the proposals are compliant with Policies 26 and 33 of the HDPF and Policy 10 of the HNP.

*Sustainability and Energy*

5.77 To support this application, as Sustainability and Energy Statement (SES) has been prepared by bluesky unlimited.

5.78 The statement confirms that the proposals will follow the Energy Hierarchy and will meet the requirements outlined in Policy 36 of the HDPF through a c59% reduction in carbon dioxide emissions.

5.79 It is acknowledged that HDC have declared a Climate Emergency and the proposed development would fully align with the Council's actions for addressing the climate crisis. This will be achieved through incorporating passive design measures including maximising passive solar gain, utilising efficient building fabric and minimising air leakage. Active design measures will also be incorporated including efficient lighting and controls and installation of heat pumps to new homes.

5.80 Further consideration of opportunities to provide additional renewable energy such as PV panels will be considered further at the detailed stage.

5.81 The water efficiency measures incorporated within the homes will ensure the water use equates no more than 84.45 litres per person per day, less than the 110 litres standard required by the Building Regulations (includes 5 l/p/d for external water use).

5.82 Overall, the proposals for the scheme are in line with the principles of sustainable development as well as the policy requirements of the NPPF and Policies 35, 36 and 37 of the HDPF.

*Noise*

5.83 To support this application, a Noise Assessment (NA) has been prepared by RSK.

5.84 A baseline survey was undertaken to quantify and characterise the existing noise sources prevailing across the proposed development site. An initial site noise risk assessment was then undertaken to identify the potential likelihood of adverse effects due to noise.

5.85 The Noise Assessment concludes standard double glazing in combination with masonry construction façade will provide adequate sound insulation from external noise levels to meet the criterion for both daytime and nighttime, with no further noise mitigation necessary.

5.86 Noise levels within external amenity areas are typically below the BS 8233 recommended upper limit and are likely to reduce following the construction of dwellings. No additional acoustic mitigation measures are therefore considered necessary to achieve appropriate noise levels within external amenity areas.

*Air Quality*

5.87 To support this application, an Air Quality Assessment (AQA) has been prepared by RSK which presents the findings of an assessment of existing/baseline air quality conditions, potential air quality impacts during the construction and operational phases of the proposed development.

5.88 Construction works for the proposed development have the potential to lead to the release of fugitive dust and particulate matter. An assessment of the likely significant effects of construction phase dust and particulate matter at sensitive receptors has therefore been undertaken following the IAQM's construction dust guidance. It is considered that no significant impacts are anticipated during the construction phase, with the implementation of the appropriate measures.

5.89 In relation to the impact resulting from the operation phase, no significant combustion sources are proposed as part of the scheme, as such the principal operational phase air quality impact is likely to be associated with traffic emissions as a result of any changes in traffic flows. Based on the traffic data provided by the project transport consultant, it is understood that the proposed development is not predicted to cause an increase in more than 500 AADT for LDVs or 100 AADT for HDVs. It is therefore considered unlikely that the development will have a significant impact on local and ambient air quality, and further assessment of the operational phase traffic is not considered to be required.

5.90 A review of baseline air quality conditions, including local monitoring data, and consideration of the location of the sensitive receptors within the application site, found that the future site users of the proposed development are unlikely to be exposed to poor ambient air quality. Therefore, the overall air quality impact of the development is considered to be 'not significant'.

5.91 Based on the results of the AQA, it is judged that with appropriate mitigation, the proposed development complies with relevant national and local planning policies and that there are no air quality constraints for the development proposal.

*Contamination*

5.92 To support this application, a Ground Appraisal Report has been prepared by Geo-Environmental. The key findings are as follows:

- The ground conditions comprise topsoil and made ground overlying the bedrock of the Lower Greensand Group. This is likely to necessitate a minimum foundation depth of 0.9m, remote from trees. Foundations which span the clay, silt, siltstone and sandstone should be nominally reinforced to account for differential settlement.
- Any deep excavations within made ground are likely to require additional support.
- Groundwater was encountered at depths of between 1.90mbgl and 2.48mbgl. Where excavations are taken below the groundwater table are likely to require additional support.

- Perched groundwater was recorded at varying depths and locations across the Site. Dewatering may therefore be required to facilitate foundation excavation.

5.93 In summary it is considered that no remedial measures are required to protect future end users, soft landscaping or the stream on the southern boundary.

**Compliance with Development Plan**

5.94 In summary, the proposals have been assessed against the relevant policies of the Development Plan and whilst there is some conflict with Policies 4 and 26 of the HDPF and Policy 1 of the HNP in all other respects the proposals are in accordance with the Development Plan policies.

5.95 In determining the weight to be afforded to this non-compliance it is necessary to consider paragraph 11(d) of the NPPF. This states that where the policies which are most important for determining the application are out-of-date planning permission should be granted unless the application of policies in the NPPF that protect areas or assets of particular importance provides a strong reason for refusal or the adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

5.96 The NPPF, at footnote 7, identifies protected areas and assets of particular importance whilst footnote 8 clarifies policies are out of date in circumstances where an LPA is unable to demonstrate a 5 year supply of deliverable sites or has a Housing Delivery Test result of less than 75%.

5.97 We consider each point in turn. The Council's latest Authority Monitoring Report (AMR) (January 2024) sets out the District's housing position as of 1st April 2023. For the period 2023-28, the Council identify a 2.9 year supply which translates into a numerical deficit of 1,888 new homes. The issue of water neutrality within the Sussex North Water Resource Zone (SNWRZ) has led to a substantial decline in the determination of planning applications which is reflected in the AMR. As set out in Appendix 2 of the AMR only 5 major planning applications were approved between April 2022 and March 2023. This equates to 127 new homes. The extent of minor applications approved over the same time period totalled just 58 new dwellings. It is evident that future housing supply will continue to be constrained by water neutrality issues, at least in the short term.

5.98 In respect to the Housing Delivery Test (HDT) the most recent results were published on 12 December 2024. In respect to Horsham, for the three years 2020/21 to 2022/23 the total dwelling requirement was 2,770 dwellings. During this period 1,726 dwellings were delivered. This resulted in a HDT Measurement of 62% and the Presumption in favour of Sustainable development as a consequence.

5.99 In light of the above, irrespective of whichever metric is used the Council is unable to demonstrate a sufficient housing land supply meaning that the presumption in favour of sustainable development, as set out in paragraph 11(d)(ii) is potentially applicable.

5.100 As a consequence of the Water Neutrality Position Statement by the Natural England all development in the SNWRZ is required to demonstrate that it is 'water neutral' to protect the habitat sites within the Arun Valley designations. As a result, the Council is required to determine whether water neutrality can be demonstrated. If the proposed development cannot demonstrate this then the tilted balance set out in paragraph 11d) is not engaged, and in accordance with limb (i) and paragraph 193(a) of the NPPF the application should be refused. As set out the Water Neutrality Statement forming part of this application the proposed development can achieve water neutrality within the SNWRZ. In the case of the application site there are no other protected areas or assets of particular importance that would be affected by development at the site. On this basis, footnote 7 would not result in the presumption of sustainable development being disengaged in this case.

5.101 In summary it is clear that the presumption in favour of sustainable development is applicable in this case. On this basis given that Policies 4 & 26 of the HDPF and Policy 1 of the HNP relate to the supply of new housing means that they can be considered out of date and as a consequence no more than limited weight can be attached to the conflict with these policies.

5.102 Notwithstanding the above, paragraph 14 of the NPPF outlines that in situations where the presumption applies (which it does in this case), the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits, provided the following apply:

- the neighbourhood plan became part of the development plan five years or less before the date on which the decision is made; and
- the neighbourhood plan contains policies and allocations to meet its identified housing requirement.

5.103 Henfield Neighbourhood Plan was 'made' in June 2021 and so is currently less than 5 years old although it should be noted that its formal adoption was delayed by the Covid-19 pandemic as the examiners report was published in May 2020 with much of the evidence base somewhat dated (for example the supporting housing needs assessment prepared by AECOM was published in 2017). Irrespective of this, as the Plan includes housing allocations (which does not include the application site or any other site in Small Dole within Henfield Parish) means that it does benefit from the protection afforded by paragraph 14.

5.104 The following chapter carries out an assessment of other relevant material considerations and scheme benefits to inform an assessment around the presumption in favour of sustainable development.

## 6. MATERIAL CONSIDERATIONS / SCHEME BENEFITS

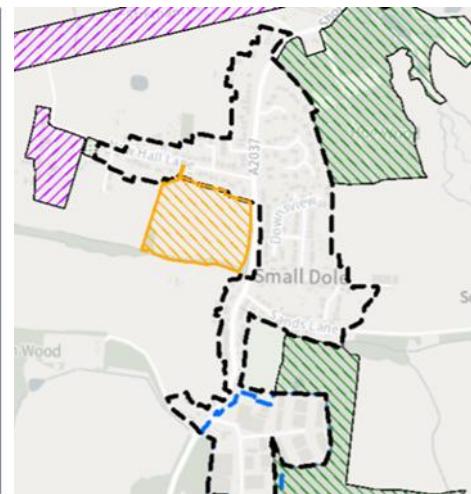
6.1 The previous chapter concluded that the only conflict with the Development Plan was in respect to Policies 4 and 26 of the HDPF and Policy 1 of the HNP however given the current housing land supply only limited weight can be attached to this conflict. Whilst this is the case, it is necessary to consider the implications of paragraph 14 of the NPPF. In the first instance it is relevant to consider the language of paragraph 14 which is not definitive i.e. the use of the word 'likely' is evident that there are circumstances whereby planning permission can be granted even where the tests of paragraph 14 are met. For the reasons set out below we consider that there are circumstances that, collectively, represent strong material considerations in favour of the proposed development.

### ***Draft Local Plan – Proposed Allocation***

6.2 The site has been promoted through the Council's development plan for a number of years and was assessed as part of the Council's SHELAA (site ref: SA538) which along with land at Highdown Nursery (SA505) was identified as a potential housing allocation within the Council's Local Plan Regulation 18 published in February 2020. Whilst the Council's draft Local Plan process was delayed due to water neutrality issues, when the Regulation 19 version of the Local Plan was published in January 2024, the site remained proposed for allocation, the only proposed allocation in Small Dole (within Henfield Parish).

6.3 This version of the Local Plan was supported by an evidence base including a Sustainability Appraisal and a host of other supporting reports. The proposed allocation (HA16) is set out below (the extent of which is hatched orange on the proposals map extract):

| <b>Strategic Policy HA16: Small Dole Housing Allocations</b> |  |
|--|--|
| 1.   | The following sites are allocated, as shown on the Policies Map, for the provision of at least 40 homes:   |
|  | <ul style="list-style-type: none"> <li>SMD1: Land west of Shoreham Road [Henfield]. 5.5 hectares (40 homes)</li> </ul>   |
| 2.   | In addition to meeting national and Local Plan requirements, development will be supported where proposals:  |
| <b>SMD1</b>  | <ol style="list-style-type: none"> <li>Are limited to the eastern end of the site with a significant proportion of the site (western and northern parts) given to public open space and recreation use;</li> <li>Deliver sustainable drainage systems (SuDS) along the southern boundary;</li> <li>Are designed to take account of the rural character around the site, and incorporate measures to mitigate against any harm to the landscape character; and</li> <li>Deliver access from the A2037.</li> </ol> |



6.4 The Council's emerging Local Plan was submitted for examination in July 2024 and whilst the examining Inspector has raised concerns with the draft Local Plan, none of which relate to the proposed allocation of the site. As such, whilst it is our view that only limited weight can

be attached to the strategic policies of this emerging Plan, greater weight could be attached to individual policies where there are no substantive unresolved objections such as in respect to Policy HA16. On this basis, in line with paragraph 49a&b of the NPPF we consider that weight can be attached to draft Policy HA16 in the decision-making process. Furthermore, even in the scenario that the Local Plan is found unsound and a new Plan is prepared then we consider that given the amount of work undertaken by both the applicant and the Council in respect to the proposed allocation and the increasing need for new housing (which we expand below) means that we consider that the site will continue to be identified as a proposed allocation.

- 6.5 As summarised below the proposals would fully accord with the criteria set out by SMD1 for the following reasons.
- 6.6 The proposals concentrate development in the most enclosed part of the site, at its south eastern corner, whilst encouraging public access to the northern part of the site, to allow the public to enjoy open views towards the South Downs. In addition new woodland and other tree planting on the site, including orchards, would be introduced as would the reinforcement of existing hedgerows along the eastern and southern part of the site. Overall, this approach would be consistent with the requirements of criteria a & c.
- 6.7 The proposals mimic the existing site drainage and drain surface water to the watercourse to the south. The post-development rate of runoff into the watercourse would therefore be limited to the existing (greenfield) rate. In order to achieve this it would be logical for the surface water to be routed to a detention basin at the natural low point, adjacent to the existing watercourse that runs along the sites southern boundary as required by criterion b.
- 6.8 The proposed means of access will be taken from the A2037. The visibility splays at the site access and Shoreham Road junction are contained within the public highway boundary and can therefore be provided and maintained in perpetuity. It would be proposed to provide a pedestrian footway from the site access to the north and south, connecting with the existing footway provision on Shoreham Road. The proposals therefore accord with criterion d.
- 6.9 On this basis, the proposed development would fully accord with emerging site allocation policy.

#### ***Need for New Housing / FAD***

- 6.10 As set out in the Housing Needs Assessment that underpinned the Neighbourhood Plan, the Plan was prepared in the context of the Horsham Development Plan Framework (HDPF) (2015). Policy 15, set a housing figure for the district to be delivered over the Plan Period (2011-31) of 'at least 16,000' homes (which translates in an average of 800 homes per annum). This will in part be achieved by 'the provision of at least 1,500 homes throughout the district in accordance with the settlement hierarchy, allocated through Neighbourhood Planning.'
- 6.11 The purpose of the Housing Needs Assessment was to determine a proportionate amount of this figure for Henfield. In doing so it identified a series of options which after review

amounted to an average of 272 new homes (or 19 new homes per annum over the Plan period). As a result Policy 2 of the Neighbourhood Plan allocated sites that would deliver 270 new homes over the Plan period.

- 6.12 Alongside the publication of the NPPF (in December 2024) a new stock based standard method was published which increased the overall housing requirement for Horsham to 1,357 new homes (a 59% increase over and above the housing requirement set out within the current Local Plan). On this basis, it is a clear that there has been a significant increase in housing needs in the District since the evidence base for the Neighbourhood Plan was prepared, such that it is necessary to approve development on sites beyond those currently allocated in the Neighbourhood Plan (which was no doubt a reason why the site is proposed for allocation in the currently emerging Local Plan).
- 6.13 In light of this, the Council's 5-year housing shortfall supply and in recognition of the key objective of Government policy to significantly boost the supply of homes, the Council published a Facilitating Appropriate Development (FAD) document in October 2022. This forms a material planning consideration in decision making. The advice contained in the FAD is guidance only and does not form policy.
- 6.14 The FAD sets out the weight that can be given to current and emerging local policy and has been produced to enable the Council to act proactively to continue to deliver housing in a sustainable manner. Paragraph 5.7 of the FAD closely reflects the wording of Policy 4, other than it requires sites to adjoin an existing settlement, in place of the requirement for it to be an allocated site. As set out within paragraph 5.3 of this statement the proposals would be consistent with the FAD and so whilst it is not part of the development plan, it is a material consideration of significant weight which seeks to address the housing shortfall within the District. We consider that there should be significant weight in support of the proposal in light of its compliance with the FAD criteria.
- 6.15 In summary, the District has a substantial housing land shortfall which is having real world implications on the availability and affordability of housing. It is considered that a rigorous application of the spatial strategy would undermine attempts to remedy this situation especially on a site that is proposed for allocation within an emerging Local Plan and is consistent with all criteria set out in interim planning guidance. Furthermore, as set out below the proposals would deliver multiple benefits.

### **Scheme Benefits**

- 6.16 In addition to the provision of new market housing, the proposed development would deliver significant benefits which are summarised below:

#### *Affordable Housing*

- 6.17 Policy 16 of the HDPF sets out the strategic approach to affordable housing delivery. It requires that 35% of homes on qualifying developments be provided as affordable housing, responding to the significant need across the Borough and the affordability challenges caused by high house prices and rents. The policy also requires a mix of housing sizes,

types, and tenures in line with the latest Strategic Housing Market Assessment (SHMA). Paragraph 6.8 further supports this by promoting a target tenure split of 70:30 between rented affordable and intermediate housing. Policy 2 of the Neighbourhood Plan seeks that proposals on housing allocations comply with this requirement.

- 6.18 The Council's evidence base highlights a substantial and increasing need for affordable housing. The Council's 2014 Affordable Housing Needs Update (AHNU), which informed the adopted HDPF, presented its findings on affordable housing needs for the period 2014/15 to 2032/33 in the form of several scenarios, based on high and low estimates for:
- 6.19 Total gross households on the waiting list which identifies the low estimate for net affordable dwellings needed per annum as 225 and 382 for the high estimate; and
- 6.20 The reasonable preference waiting list which identified the low estimate for net affordable dwellings needed per annum as 246 and 404 for the high estimate.
- 6.21 The 2019 SHMA, which informed the emerging Local Plan identifies a need for 10,060 net affordable homes over a 20 year period (2019/20 to 2038/39). This equates to a net need of 503 affordable homes per year. The data identifies a growing need for affordable housing provision, far outpacing previous projections. The higher level of affordable housing need identified in the 2019 SHMA underscores the urgent need for increased delivery of affordable homes to meet the needs of local residents.
- 6.22 In terms of affordable housing delivery, since the start of the HDPF period (2014/15), the Council has delivered 2,056 gross affordable homes, averaging 158 dwellings per year. Compared to total housing completions (8,409 dwellings), affordable homes have accounted for only 24% of all new housing stock. Over this period, 85 affordable homes were lost through Right to Buy, equating to 4% of gross additions. Taking these losses into account, the Council's net affordable housing delivery stands at 1,940 homes, averaging 194 homes per year.
- 6.23 The 2019 SHMA identifies a significantly higher need of 503 affordable homes per year. Since the beginning of the 2019 SHMA period in 2019/20, the Council has delivered just 679 net affordable homes over five years. This results in a cumulative shortfall of 1,836 affordable homes against a net need for 2,515. These figures demonstrate persistent shortfalls in affordable housing delivery, which continue to widen as demand increases.
- 6.24 In light of this, the proposed development would make a positive contribution to addressing the critical housing needs of the District by delivering a balanced mix of affordable homes that supports a range of incomes. It aligns with national planning policy objectives, which emphasises meeting housing needs in full and delivering a variety of affordable housing options. On this basis we consider that the provision of new affordable housing is a significant benefit of the proposals that should be afforded substantial weight.

*Publicly Accessible Open Space*

- 6.25 As part of the proposals, significant areas of new publicly accessible areas of open space are proposed with new built form located on the lower parts of the site. It is envisaged that this area of open space will comprise of the following different typologies:
- 6.26 Amenity Greenspace comprising of informal open space for kickabout football, picnicking and dog walking etc, as well as providing viewing point of the South Downs escarpment and recreational walking route (hoggin footpaths) that contribute to a wider circular route within the site. In addition, native shrub and tree planting will provide shelter.
- 6.27 Natural & semi-natural greenspace that will comprise of native woodland, tree, shrub and hedgerow planting along with grasslands and drainage basin which would reinforce the green infrastructure of the district. Footpaths within this area comprise mown paths and timber boardwalk across the drainage basin which contribute to a wider circular route.
- 6.28 Childrens play comprising of two Local Areas of Play (LAPs) to ensure all children can easily access play facilities (within 100m of all dwellings and off the circular walking route). Given the open spaces rural character, it is envisaged that play areas will comprise of natural features such as stepping logs, rocks and grass mounds.
- 6.29 The proposed level of provision will exceed policy standards (as illustrated in the landscape section of the supporting Design and Access Statement) and will be accessible to both existing and proposed residents. On this basis, we consider that this level of provision is an important benefit of the proposed development that should be afforded significant weight.

*Biodiversity Net Gain*

- 6.30 The Biodiversity Net Gain (BNG) Assessment submitted demonstrates that the proposed development is capable of achieving a c18% net gain on-site. This level exceeds the 10% requirement of the Environment Act which we considered to represent a benefit of development which should be afforded moderate weight.

*Economic Benefits*

- 6.31 The proposal would generate economic benefits, both short term during the construction phase, and during the lifetime of the schemes. There would also be further economic benefit arising due to future residents spending in local shops and facilities. Collectively we consider that the economic benefits should be afforded moderate weight.
- 6.32 Overall, in addition to the delivery of new market housing it is considered that the proposals will deliver multiple benefits that individually should be afforded between moderate and very substantial weight in the decision-making process.

***Conclusions on the Presumption in Favour of Sustainable Development***

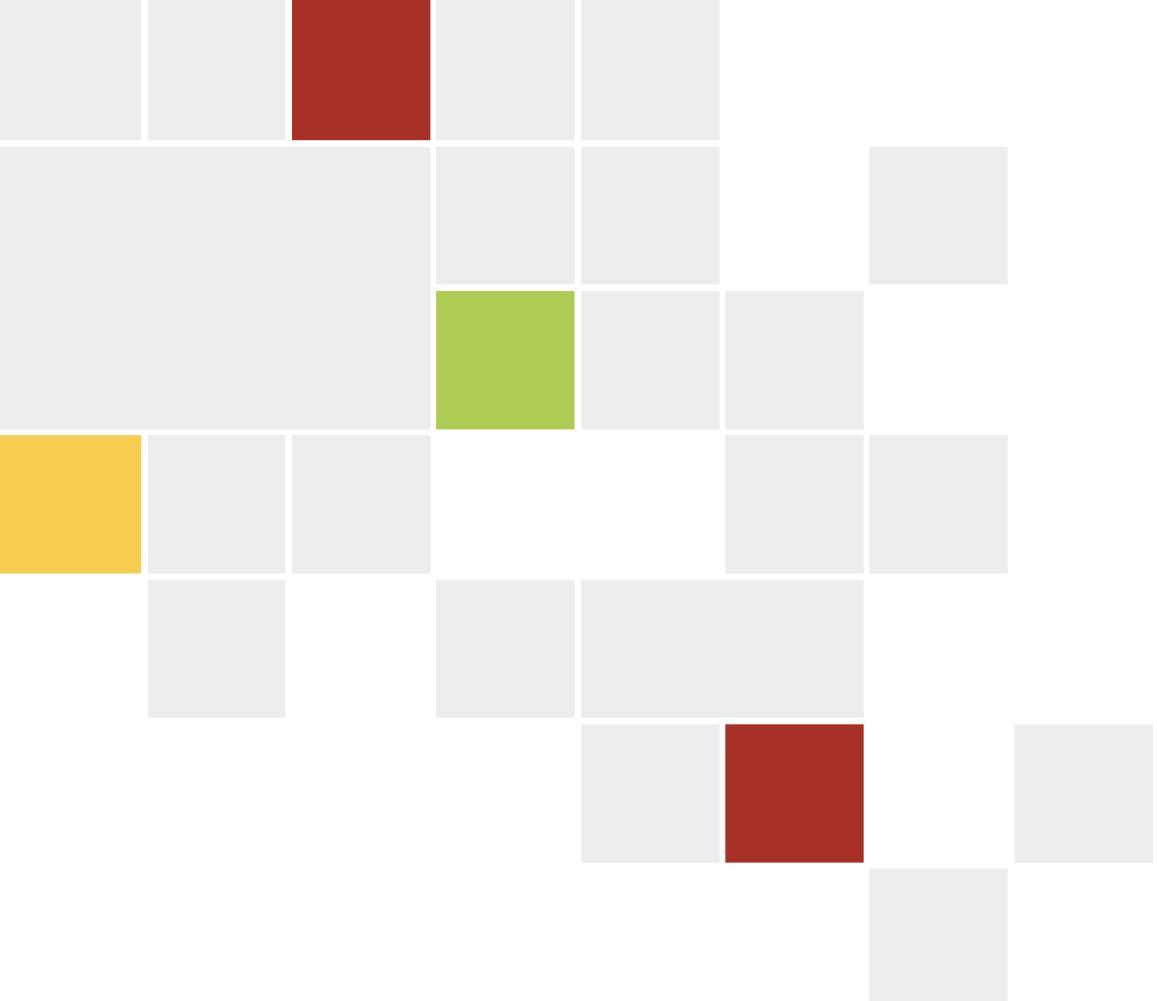
- 6.33 The Council is unable to demonstrate a sufficient housing land supply meaning that the presumption in favour of sustainable development, as set out in paragraph 11(d)(ii) is engaged.
- 6.34 As set out the Water Neutrality Statement forming part of this application the proposed development can achieve water neutrality. In the case of the application site there are no other protected areas or assets of particular importance that would be affected by development at the site. On this basis, footnote 7 would not result in the presumption of sustainable development being disengaged in this case.
- 6.35 The Henfield Neighbourhood Plan is less than 5 years old and includes allocations to meet its identified need (at that time). On this basis, it benefits from the protections afforded by the NPPF. Notwithstanding this, there are a number of material considerations that weigh in favour of the proposals, namely the fact the site is proposed for allocation in the emerging Local Plan (with the proposals complying with the draft allocation requirements), the increasing need for new housing, the various benefits associated with the proposals (that individually should be afforded between moderate and very substantial weight in the decision-making process) and the fact that the site is in a sustainable location.
- 6.36 In light of the above we do not consider that, in this case, conflict with the Neighbourhood Plan would significantly and demonstrably outweigh the numerous benefits. Only limited weight can be attached to conflict with policies of the development plan / other harm and so on this basis when considered collectively the benefits outweigh any harm meaning that planning permission should be granted without delay.

## 7. STATEMENT OF COMMUNITY INVOLVEMENT

- 7.1 To support this application, a Statement of Community Involvement (SCI) has been prepared by Cratus.
- 7.2 The SCI confirms that a leaflet containing a feedback form was mailed to 404 properties surrounding the site on 28<sup>th</sup> February 2025. To date, two responses to the feedback form have been received via email and a further one was returned via the freepost address.
- 7.3 Additionally, Horsham District Councillors and Henfield and Upper Beeding parish councillors were contacted in February 2025, and the applicant attended a meeting with members of Henfield Parish Council, Upper Beeding Council and members of the public on 26<sup>th</sup> March 2025.
- 7.4 The issues identified within the comments and our responses to each are set out in detail in the SCI and summarised below.
- 7.5 Concerns were raised in regard to compatibility with the HNP, however for the reasons expanded with this statement we consider that there are significant material considerations that outweigh any conflict with the HNP. Concerns were also raised regarding traffic congestion and capacity of the local road network. The application is accompanied by a Transport Statement which concludes that the proposals would have a negligible impact on the local road network.
- 7.6 Feedback was also received regarding the capacity of existing infrastructure to cope with additional development, as well as a current lack of community facilities to serve the future occupants. The proposal will contribute to necessary infrastructure provision via the Councils Community Infrastructure Levy and will also provide children's play areas as well as extensive public open space.
- 7.7 A desire to see pedestrian access from New Hall Lane was expressed through the consultation. This has now been incorporated into the illustrative masterplan.

## 8. CONCLUSION

- 8.1 The application seeks outline planning permission for a residential development of 45 new homes together with associated vehicular access. All matters are reserved save for access however an indicative layout has been prepared to show how the site could be developed.
- 8.2 The proposals only conflict with Policies 4 and 26 of the HDPF and Policy 1 of the HNP however given the current housing land supply only limited weight can be attached to this conflict. In light of the Council being unable to demonstrate a sufficient housing land supply means that the presumption in favour of sustainable development, as set out in paragraph 11(d)(ii) of the NPPF is potentially applicable.
- 8.3 As set out in the Water Neutrality Statement forming part of this application the proposed development can achieve water neutrality. In the case of the application site there are no other protected areas or assets of particular importance that would be affected by development at the site. On this basis, footnote 7 would not result in the presumption of sustainable development being disengaged in this case.
- 8.4 The Henfield Neighbourhood Plan is less than 5 years old and includes allocations to meet its identified need (at that time). On this basis, it benefits from the protections afforded by the NPPF. Notwithstanding this, there are a number of material considerations that weigh in favour of the proposals, namely the fact the site is proposed for allocation in the emerging Local Plan (with the proposals complying with the draft allocation requirements), the increasing need for new housing, the various benefits associated with the proposals (that individually should be afforded between limited and very substantial weight in the decision-making process) and the fact that the site is in a sustainable location.
- 8.5 In light of the above it is not considered that, in this case, conflict with the Neighbourhood Plan would significantly and demonstrably outweigh the numerous benefits. Indeed it is considered that a rigorous application of the spatial strategy would undermine attempts to remedy the significant housing land shortfall especially on a site that is proposed for allocation within an emerging Local Plan and is consistent with all criteria set out in interim planning guidance.
- 8.6 On this basis, it is concluded that the many benefits would outweigh the adverse impacts of development as the proposals would generate significant economic, social and environmental gains consistent with the objectives of the NPPF and the statutory development plan. As such, in line with the presumption in favour of sustainable development we would urge the Council to grant planning permission without delay.



Choose office address.

**Boyer**