



**TO:** Planning Committee South

**BY:** Head of Development and Building Control

**DATE:** 18<sup>th</sup> March 2025

**DEVELOPMENT:** Erection of 29 dwellings with associated landscaping, open space, parking and creation of new vehicular access

**SITE:** Land To The South of Furners Lane, Henfield, West Sussex

**WARD:** Henfield

**APPLICATION:** DC/24/1538

**APPLICANT:** **Name:** Refer to Company Name **Address:** C/O ECE Planning, 64-68 Brighton Road, Worthing, BN11 2EN

**REASON FOR INCLUSION ON THE AGENDA:** More than eight persons in different households have made written representations within the consultation period raising material planning considerations that are inconsistent with the recommendation of the Head of Development and Building Control.

**RECOMMENDATION:** To approve full planning permission subject to appropriate conditions and the completion of a Section 106 Legal Agreement within four months of the decision of this Committee, or such longer period as is agreed by the Director of Place acting reasonably and properly.

## **1. THE PURPOSE OF THIS REPORT**

- 1.1 To consider the planning application.

### **DESCRIPTION OF THE APPLICATION**

- 1.2 Full planning permission is sought for the development of the site to create 29 new dwellings, comprising a mix of 1, 2, 3 and 4-bed dwellings (the greater proportion being 3-beds at 38%). Of the 29 dwellings, 35% would be for affordable housing, with 10 units provided on site and financial contributions for the 0.15 dwelling shortfall to be secured through a section 106 legal agreement. Officers have engaged with the applicant to secure changes to the original proposal, including on design and layout, landscaping, and open space provision. These changes are detailed in later sections of this report.
- 1.3 The application site comprises two fields separated by the existing access road to Backsettown Farm. The residential development is proposed in the western half of the site across both fields, with a new site access off Furners Lane to the north, informal open space, retained trees and upgraded Public Footpath 2548 to the west, and new tree planting along

the southern boundary. The eastern half of the site is proposed as open space, with a balancing pond, swales and footpaths.

- 1.4 The dwellings are a mix of 1.5 (approximately 2.8m to the roof eave and approximately 7.35m in total height) and 2-storey (approximately 5.0m to the roof eave and approximately 9.2m in total height) detached, semi-detached and terraced buildings, situated along the main site road and secondary streets. The dwellings are mostly arranged with back-to-back rear gardens, other than the four at the very south of the site with rear gardens facing outwards. Red mixed brick is proposed as the predominate finishing material with red/brown tile hanging and white, taupe and dark grey horizontal weatherboarding also proposed for some dwellings. Brown and dark grey roof tiles are proposed with a mix of gabled and hipped roofs, some with chimneys.
- 1.5 Primary site access would be via a new vehicular and pedestrian access from Furners Lane which runs along the northern site boundary. To facilitate this access, a section of hedgerow will need to be removed. 55 allocated car parking spaces and 15 garage spaces are proposed for the 29 dwellings, with 15 visitor spaces. Each dwelling will be provided with an electric vehicle charging point and cycle storage.
- 1.6 The proposal seeks to achieve biodiversity net gain onsite and water neutrality through a bespoke scheme combining water efficiency measures and offsite offsetting.

#### DESCRIPTION OF THE SITE

- 1.7 The 2.9ha site lies to the south of Furners Lane (Class D), and to the east of a cluster of buildings that make up Backsettown Farm which includes Grade II Listed Backsettown House. A row of single storey bungalows along Furners Mead mark the western boundary of the site, and several 2-storey dwellings in The Daisycroft border the site to the south. The Bowling Green and Allotment Gardens also demark the site's southern boundary. To the north of the site along Furners Mead are a number of larger 2-storey detached dwellings. The site is largely unmanaged scrub land and contains an access drive from Furners Lane which runs along its western edge and crosses the centre of the site in an east/west direction to provide access to Backsettown House.
- 1.8 Public Right of Way 2548 is located to the western side of the site and provides links to the residential area of Furners Mead to the west, Furners Lane to the north, Public Right of Way 2547 to the east and Henfield Common to the south. There is an electricity pylon in the eastern part of the site which crosses the site east to west. Amongst the existing vegetation on site, there are four Oak trees on the site which are protected by Tree Preservation Orders, two veteran Oak trees (VT1 and VT12) adjacent to the existing vehicular access driveway from Furners Lane (covered by TPO/1491) and two Oak trees in the southerly part of the site (covered by TPO/1339).
- 1.9 There is no planning history on the site, but the site has been allocated by Henfield Parish Council for residential development for around 30 houses within Policy 2.3 of the made Henfield Neighbourhood Plan.

## 2. INTRODUCTION

### 2.1 STATUTORY BACKGROUND

### 2.2 The Town and Country Planning Act 1990.

#### RELEVANT PLANNING POLICIES

### 2.3 The following Policies are considered to be relevant to the assessment of this application:

## **National Planning Policy Framework (NPPF)**

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

Policy 1 - Strategic Policy: Sustainable Development  
Policy 2 - Strategic Policy: Strategic Development  
Policy 3 - Strategic Policy: Development Hierarchy  
Policy 4 - Strategic Policy: Settlement Expansion  
Policy 15 - Strategic Policy: Housing Provision  
Policy 16 - Strategic Policy: Meeting Local Housing Needs  
Policy 24 - Strategic Policy: Environmental Protection  
Policy 25 - Strategic Policy: The Natural Environment and Landscape Character  
Policy 26 - Strategic Policy: Countryside Protection  
Policy 27 - Settlement Coalescence  
Policy 31 - Green Infrastructure and Biodiversity  
Policy 32 - Strategic Policy: The Quality of New Development  
Policy 33 - Development Principles  
Policy 35 - Strategic Policy: Climate Change  
Policy 36 - Strategic Policy: Appropriate Energy Use  
Policy 37 - Sustainable Construction  
Policy 38 - Strategic Policy: Flooding  
Policy 39 - Strategic Policy: Infrastructure Provision  
Policy 40 - Sustainable Transport  
Policy 41 - Parking

### **Henfield Neighbourhood Plan (2021)**

Policy 1: A Spatial Plan for the Parish  
Policy 2: Housing Site Allocations  
Policy 2.3: Land West of Backsettown, Off Furners Lane, Henfield  
Policy 4: Transport, Access and Car Parking  
Policy 8: Broadband Infrastructure  
Policy 10: Green Infrastructure and Biodiversity

### **West Sussex Joint Minerals Local Plan (2018)**

Policy M9 - Safeguarding Minerals

### **Horsham District Local Plan (2023-40) (Regulation 19):**

Strategic Policy 1 – Sustainable Development  
Strategic Policy 2 – Development Hierarchy  
Strategic Policy 3 – Settlement Expansion  
Strategic Policy 6 – Climate Change  
Strategic Policy 7 – Appropriate Energy Use  
Strategic Policy 8 – Sustainable Design and Construction  
Strategic Policy 9 – Water Neutrality  
Strategic Policy 10 – Flooding  
Strategic Policy 11 – Environmental Protection  
Strategic Policy 12 – Air Quality  
Strategic Policy 13 – The Natural Environment and Landscape Character  
Strategic Policy 14 – Countryside Protection  
Strategic Policy 17 – Green Infrastructure and Biodiversity  
Strategic Policy 19 – Development Quality  
Strategic Policy 20 – Development Principles  
Strategic Policy 24 – Sustainable Transport  
Policy 25 – Parking  
Strategic Policy 37 – Housing Provision  
Strategic Policy 38 – Meeting Local Housing Needs  
Policy 40 – Improving Housing Standards in the District

**Other relevant documents:**

West Sussex County Council Guidance on Parking at New Developments 2020  
Open Space, Sport & Recreation Review 2021  
Air Quality and Emissions Mitigation Guidance for Sussex (2020)

**Supplementary Planning Guidance:**

Planning Obligations and Affordable Housing SPD (2017)  
Community Infrastructure Levy (CIL) Charging Schedule (2017)  
Henfield Parish Design Statement

**Planning Advice Notes:**

Facilitating Appropriate Development  
Authority Monitoring Report 2022/23 Chapter 3 Housing Land Supply  
Biodiversity and Green Infrastructure

**PLANNING HISTORY AND RELEVANT APPLICATIONS**

None.

**3. OUTCOME OF CONSULTATIONS**

- 3.1 Where consultation responses have been summarised, it should be noted that Officers have had consideration of the full comments received, which are available to view on the public file at [www.horsham.gov.uk](http://www.horsham.gov.uk).

**INTERNAL CONSULTATIONS**

- 3.2 **HDC Housing:** No Objection.  
[Summary] The Council's Housing Officer supports this application as the proposed affordable housing delivery is in line with current local demand and provides the minimum 35% (10 units) at 70% affordable rent and 30% shared ownership tenure split.
- 3.3 **HDC Landscape Architect:** Advice  
[Summary] The Landscape Architect is satisfied that the majority of their previous concerns have been addressed and recommend planning conditions. They maintain their concerns with regard to safeguarding veteran tree 1 and reduction in tree provision.
- 3.4 **HDC Conservation:** Advice.  
[In full] *'The heritage statement describes the significance of the listed buildings that will be affected by this proposal to develop the fields to the south of Furners Lane. Backsettown House remains recognisable as a historic farmhouse and there remains a visible connection with its surviving historic farm buildings despite separation of ownership. I agree that the proposal site probably had a functional relationship with the historic farmstead in the past and supports an understanding and appreciation of the significance of the listed building in its setting.'*

*The proposed development will be experienced in relation to the existing residential expansion of Henfield village. The proposed buffer zone between the proposed development and the listed building will provide some respite in terms of retaining some perception of separation of the historic farmstead from the village. However, the overall impact will be harmful due to a dilution of the ability to imagine the historic context of the listed building. I agree with the conclusion in the heritage statement that this harm is less than substantial and at the lower end of that scale. If you are minded to grant permission I have suggested conditions to ensure a high quality of finish.'*

- 3.5 **HDC Arboricultural Officer:** Advice.  
Final Comments 07.01.2025 and 18.02.2025 Advice.

[Summary] The Council's Arboricultural Officer advises that the design and layout does not strictly comply with the minimum buffer zone recommendations for veteran trees present on the site, however it is unlikely that incursions into the minimum buffer zone would have a significant impact/deterioration on the veteran trees health. The Council's Arboricultural Officer also considers that drainage connection works are unlikely to result in further disruption to tree rooting as there is an existing utility supply within Furners Lane and that the road is currently constructed to a standard that will take at least 20 ton vehicles. Planning conditions have been recommended accordingly.

Initial Comments 06.11.2024 Advice.

[Summary] The Council's Arboricultural Officer requested amendments to the access location and landscape design to ensure compliance with minimum buffer zone recommendations for veteran trees. The Council's Arboricultural Officer is satisfied that the direct loss of trees and established hedgerow associated with the proposed layout will not have a significant detrimental impact on landscape setting and can be mitigated within an acceptable scheme of landscape/tree planting befitting of a new development of the scale proposed.

**3.6 HDC Biodiversity and Ecology Officer:**

Final Comments 21.02.2025 No Objection.

[Summary] The Council's Biodiversity and Ecology Officer is satisfied that their previous concerns have been addressed and the proposal can achieve biodiversity net gain.

Initial Comments 07.11.2024 Advice.

[Summary] The Council's Biodiversity and Ecology Officer requested further clarification on the habitat survey, veteran trees, metric, landscape plan and draft HMMP.

**3.7 HDC Environmental Health: Objection.**

[Summary] The Council's Environmental Health objects to the proposal and requests additional information in regard to the proposed maintenance and management of rainwater harvesting systems.

The Council's Environmental Health Officer has reviewed the Ground Contamination Desk Study Report and is satisfied with the assessment and conclusions and recommends conditioning the proposed onsite investigations.

The Council's Environmental Health Officer recommends a planning condition to secure details of a Construction Environmental Management Plan (CEMP).

**3.8 HDC Air Quality Officer: No Objection.**

[Summary] The Council's Air Quality Officer agrees with the proposed mitigation of contributions and recommends planning conditions for a CEMP and Dust Mitigation Measures which draw upon the recommendations in the submitted Air Quality Assessment Report.

**3.9 HDC Environment Management, Waste and Cleansing: No Objection.**

[Summary] Following the review of the swept path and bin collection points, the Council's Waste and Recycling Officer has no concerns.

**3.10 HDC Water Neutrality Officer: No Objection**

OUTSIDE AGENCIES

**3.11 WSCC Highways:**

Final Comments 26.02.2025 No Objection.

[Summary] Following the review of additional information, WSCC Highways are satisfied that their previous concerns have been addressing. This includes that appropriate footway

improvements are proposed to be secured by a section 278 agreement, the Road Safety Audit has been sufficiently updated, and disabled parking bays are clearly illustrated on the site plan. Accordingly, WSCC Highways do not consider that the proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 115), and that there are no transport grounds to resist the proposal.

Initial Comments 30.10.2024 Advice.

[Summary] WSCC Highways requested additional information on Backsettown Farm access, wider pedestrian infrastructure improvements, swept path tracking, updated Travel Plan, additional pedestrian connections, updated Road Safety Audit, and visitor parking spaces. WSCC Highways also confirm that sufficient vehicle and cycle parking is proposed, and that the proposed development would not give rise to a material impact to the operational capacity of the nearby road network by virtue of trip generation and traffic.

**3.12 WSCC Public Rights of Way (PROW): No Objection.**

[Summary] WSCC PROW Officer understands that the proposal will directly impact upon PROWs and raises no objection subject to planning conditions and securing improvements within a legal agreement.

**3.13 Archaeology Consultant: Advice.**

[Summary] The Archaeology Consultant has reviewed the submitted archaeological assessment and advises that as recommended within the archaeological assessment further investigations are required which should be secured through planning condition.

**3.14 Ecology Consultant: No Objection**

[Summary] Following the review of additional information, the Council's Ecology Consultant are satisfied that sufficient ecological information has been provided to support the proposed development and recommends planning conditions on mitigation and enhancement measures, CEMP (Biodiversity), precautionary method statements, Biodiversity Enhancement Layout, and Lighting.

**3.15 NatureSpace Partnership: Advice**

Final Comments 23.01.2025 Advice.

[Summary] NatureSpace Partnership maintain that due to the close proximity of a positive great crested newt record precautionary working measures should be developed and submitted so they can then be secured by planning condition.

Initial Comments 12.11.2024 Objection.

[Summary] NatureSpace Partnership requests that additional Great Crested Newt surveys are undertaken in 2025 or the applicant confirm their utilisation of the District Licence scheme.

**3.16 Southern Water: Advice.**

[Summary] Southern Water provide advice and recommend planning conditions on connection to the public sewer, rainwater harvesting, SuDS and water features.

**3.17 Lead Local Flood Authority (LLFA): No Objection.**

[Summary] Following the review of additional information, the LLFA are satisfied that the Flood Risk Assessment and Drainage Strategy accounts for local flood risk issues and surface water drainage at the site location. They recommend planning conditions accordingly.

**3.18 WSCC Minerals and Waste Planning Authority: No Objection.**

[Summary] WSCC Minerals and Waste Planning Authority are satisfied that the overriding need for the development outweighs the safeguarding of the mineral and it has been adequately demonstrated that prior extraction is not practicable or environmentally feasible.

3.19 **WSCC Fire Officer:** Comment.

[Summary] WSCC Fire Officer recommends planning conditions to secure additional fire hydrant(s) provision for the proposed development.

3.20 **Natural England (Water Neutrality):** Objection.

[Summary] Natural England request further information on the proposed borehole offsetting scheme and whether there is hydrological connectivity to the Wealden Greensand Semi-Confined Aquifer and potential impacts on Arun Valley designated sites.

3.21 **Sussex Police:** Comment.

[Summary] Sussex Police has responded with advice on design and security.

3.22 **Henfield Parish Council:** No Objection.

[Summary] Henfield Parish Council raise no objection and request involvement with naming of roads. They also recommend a planning condition to control construction traffic and are very disappointed that solar panels are not included.

## PUBLIC CONSULTATIONS

3.23 Thirteen letters of objection have been received from six addresses, objecting to the application on the following grounds:

- Furners Lane is narrow, single lane subject to agricultural traffic and partly in a conservation area and cannot support the additional traffic from the proposed development.
- Increase risk to highway safety, including pedestrians, along Furners Lane from increase in construction and operational traffic, including deliveries.
- Site allocation was for access off Furners Mead rather than Furners Lane.
- Access should be further from Brackley and Badger House for highway safety.
- Request highway improvements/modifications, including: reduce Furners Lane and Furners Mead to 20mph; weight limit, signage and hours limit for construction vehicles; giveway and other signage; and roundabout at A281 junction.
- Overdevelopment, quantum of units should be reduced.
- Question need for housing.
- Insufficient local amenities and infrastructure to support development.
- Does not accord with site allocation in Henfield Neighbourhood Plan, including no single storey dwellings, not accessible and poor design.
- Does not reflect pattern of development in Henfield, layout too dense and buildings too tall.
- Question proposed finishing materials and height of affordable housing. Recommend muted colours, including slate, flint, taupe and greys, use of weatherboarding and brick to reflect agricultural setting and surrounding built landscape.
- Impact to Conservation Area.
- Impact to listed buildings.
- Impact to residential amenity, including noise, overshadowing, overlooking, dust and air quality.
- Impact to oak trees and loss of hedgerow along Furners Lane.
- There are existing drainage issues and development will increase flood risk.
- Swales will encourage vermin.
- Request details of management company and how trees, hedgerows and drainage will be managed and maintained.
- Farming first – should be kept for agriculture and priority to farming traffic.

3.24 Four letters commenting on the scheme have been received from four addresses, providing comments on the following grounds:

- Question whether sufficient traffic studies have been undertaken.

- Support level of affordable housing proposed, subject to appropriate design features.
- Support retention of oak trees and green buffer zone around Backsettown farm.
- Request no street furniture to discourage loitering.
- Request management plan for open space.
- Request separation between footways in open space areas and existing residential properties to maintain security.
- Request existing ditches retained as swales to control drainage.
- Increase in traffic will damage Furners Lane but unclear how this will be remediated.
- Furners Lane and London Road junction not fit for purpose and increase in traffic.

#### **4. HOW THE PROPOSED COURSE OF ACTION WILL PROMOTE HUMAN RIGHTS**

- 4.1 The application has been considered having regard to Article 1 of the First Protocol of the Human Rights Act 1998, which sets out a person's rights to the peaceful enjoyment of property and Article 8 of the same Act, which sets out their rights in respect to private and family life and for the home. Officers consider that the proposal would not be contrary to the provisions of the above Articles.
- 4.2 The application has also been considered in accordance with Horsham District Council's public sector equality duty, which seeks to prevent unlawful discrimination, to promote equality of opportunity and to foster good relations between people in a diverse community, in accordance with Section 149 of the Equality Act 2010. In this case, the proposal is not anticipated to have any potential impact from an equality perspective.

#### **5. HOW THE PROPOSAL WILL HELP TO REDUCE CRIME AND DISORDER**

- 5.1 It is not considered that the development would be likely to have any significant impact on crime and disorder.

#### **6. PLANNING ASSESSMENTS**

##### **Principle of Development:**

- 6.1 The application site is situated partially within the Henfield Built Up Area Boundary (BUAB), with the proposed built development within the BUAB in the western half of the site and open space, swales and pond proposed in a countryside location outside the BUAB in the eastern half of the site. This reflects the Henfield Neighbourhood Plan (HNP) Policy 2.3 site allocation plan for approximately 30 homes on the site and accords with the requirements of Horsham District Planning Framework (HDPF) policies 2, 3 and 4 and HNP Policy 1 which supports development within defined BUAB's and on allocated sites.
- 6.2 As the site location conforms with Policy 2.3 of the HNP, the principle of development on the site is considered acceptable, subject to the detailed considerations as set out below to any site-specific constraints, and the detail of the scheme – including how it demonstrates accordance with the broader criteria of HNP Policy 2.3.

##### **Housing Mix and Affordable Housing**

- 6.3 HDPF Policy 16 requires a mix of housing sizes, types and tenures to meet the needs of the district and local communities and recognises that the appropriate mix of different housing types and sizes will depend upon the established character and density of the neighbourhood. HDPF Policy 16 is also clear that of the number of proposed dwellings, 35% of the provision be for affordable housing with a tenure split of 70% affordable rented and 30% intermediate tenure (e.g. shared ownership).



- 6.4 The proposal is for on-site delivery of 10 affordable housing units (34.5%) split at a ratio of 70:30, in accordance with policy requirements. The 7 affordable rent units are proposed at plots 11-12 and 16-20, and 3 shared ownership units are proposed at plots 13-15. The applicant has also confirmed that the shortfall of 0.15 affordable units (Nb 35% equates to 10.15 homes) will be overcome from financial contributions agreed through a section 106 legal agreement.
- 6.5 The Housing Register in Henfield currently has 142 households waiting for housing of which is broken down to 28 households (20%) in need of a 1-bedroom unit, 32 households (22%) in need of a 2-bedroom unit, 57 households (40%) in need of a 3-bedroom unit and 25 households (18%) in need of 4 or more bedrooms. Households with a 3 or 4-bedroom need are currently the longest waiting on our housing register waiting on average 3 times longer than households with a 1 or 2-bedroom need.
- 6.6 The Council's Housing Officer raises no objection as the proposed affordable housing units are in line with current local demand, including 40% provision of affordable 3-bed units, and meets the policy requirements for a minimum 35% affordable housing provision at a 70:30 ratio. Officers concur with the Council's Housing Officer and are also satisfied with the proposed affordable housing provision and tenure split and accords with the HDPF Policy 16 requirements.
- 6.7 The Council's Strategic Housing Market Assessment (SHMA, 2019) recommends an open market mix of 1, 2, 3 and 4-bed dwellings, at a target split of 5%, 30%, 40% and 25%. The overall housing mix proposed, set out below in table 1 deviates slightly from the recommended mix as outlined in the SHMA (2019).

*Table 1: Comparison of SHMA and proposed housing tenure split (percentages)*

Beds	SHMA (2019)	Proposed housing tenure mix (open market housing and affordable)	Henfield Housing Register	Affordable housing tenure mix
1	5% (1.5 homes)	7% (2x affordable only)	20%	20% (2x affordable rent dwellings)
2	30% (8.7 homes)	21% (6) (2x open market; 4x affordable)	22%	40% (3x affordable rent dwellings and 1x shared ownership dwellings)
3	40% (11.5 homes)	38% (11) (7x open market; 4x affordable)	40%	40% (2x affordable rent dwellings and 2x shared ownership dwellings)
4+	25% (7.3 homes)	34% (10x open market only)	18%	0%

- 6.8 HDPF policy 16 is clear that the appropriate mix of different housing types and sizes will depend upon the established character and density of the neighbourhood. Officers consider that in the context of the existing built character, particularly along Furners Lane and The Daisycroft where there are larger dwellings, the slight undersupply of 2-beds and slight oversupply of 4-beds is congruent with the established character of the area. As such, Officers consider that the proposed housing tenure mix is in this instance acceptable in accordance with HDPF policy 16.

## **Design and Appearance**

- 6.9 Policy 32 of the HDPF states that good design is a key element in sustainable development and seeks to ensure that development promotes a high standard of urban design, architecture and landscape. Policy 33 of the HDPF states that development proposals should make efficient use of land, integrate effectively with the character of the surrounding area, use high quality and appropriate materials, retain landscaping where feasible (and mitigate loss if necessary) and ensure no conflict with the character of the surrounding town or landscape. HNP Policy 2.3 allocates the site for approximately 30 single storey dwellings. Policy 2.3(a) states that the design and layout should be informed by the character of the site, including appropriate scale and massing in keeping with the character of the surroundings. This includes the single storey nature to the west along Furners Mead and landscape buffer and open space area to the east. Policy 2.3(c) particularly supports single storey dwellings and requires dwellings suitable for older and downsizing households to meet local housing needs.
- 6.10 The proposed layout comprises of 29 residential units and new vehicular site access in the western half of the application site, within the Henfield BUAB, and enhanced open space in the eastern half of the application site. The residential units are arranged along the main site road, which runs from the site access towards Backsettown Farm and up to the northeast of the proposed development, and three secondary streets which come off the main site road and have shared surfacing. The units are mix of detached, semi-detached and terraced 1, 2, 3 and 4 bed units at 1.5 and 2 storey heights. Two 2-story terraces are located in the centre of the site along the main site road, where it is furthest from existing residential properties and which Officers consider provides a natural, slightly denser site centre and engaging main road frontage.
- 6.11 Officers note that HNP Policy 2.3 details the allocation for approximately 30 single storey dwellings and dwellings suitable for older and downsizing households (2.3 (c)) but that single storey dwellings are not proposed as part of this scheme. However, of the 29 dwellings, 10 are 1.5-storey. The 1.5-storey dwellings give the appearance of single storey dwellings but with accommodation in the roof to support downsizing households and families. The 1.5-storey dwellings measure approximately 2.8m to the roof eave and approximately 7.35m in total height. The majority of the height is in the roof due to a more traditional roof pitch at approximately 45 degrees. Officers consider that this scale reflects that of the local built environment and results in an in-keeping massing. Furthermore, the 1.5 storey dwellings are predominately located at the southern end of the site, which Officers consider provides a soft and respectful transition to the neighbouring residential properties along Furners Mead to the west and The Daisycroft to the south, in accordance with HNP Policy 2.3(a). Officers further consider that the provision of two-storey dwellings ensures a suitable housing tenure mix reflecting local need for family homes and affordable housing and has been appropriately designed into the site layout such that it is in keeping with the wider built landscape in accordance with HNP Policy 2.3(a). Officers also note that Henfield Parish Council have raised no objection to the provision of two-storey dwellings.
- 6.12 In addition to this, the 1.5 storey dwellings include a bedroom on the ground floor, ensuring older occupants could be suitably accommodated. More broadly, approximately 28% of the properties are proposed to be built to M4(2) or M4(3) regulations to ensure suitability for older occupants and to allow for future adaptability, with several properties, including affordable housing units, being wheelchair accessible. Whilst it is accepted that single storey dwellings are not proposed within this scheme, Officers consider the wider reasoning for this requirement, namely, to be of a congruous scale and massing with the existing built landscape and provide dwellings suitable for older and downsizing households, has been met. In view of this, Officers are satisfied that the HNP Policy 2.3(c) requirements, in the context of the broader policy aims, are appropriately addressed.
- 6.13 The proposed building material palette comprises of red and brown multi brick with red/brown vertical tile hanging and white, taupe and dark grey horizontal weatherboarding across the development, particularly at corner frontages. Red/brown and dark grey roof tiles are

proposed with a mix of gabled and hipped roofs, some with chimneys. Traditional features, including brick banding and plinths are also proposed. This reflects brick and tile colour palettes and use of horizontal boarding along Furners Lane, Furners Mead and The Daisycroft. Officers are satisfied therefore that the proposed finishing materials are high quality and reflect those in the local built form, in accordance with HDPF policies 32 and 33 and HNP Policy 2.3(a). 1.8m high timber fencing is proposed between the private amenity gardens with the exception of those with boundaries fronting a road where 1.8m high brick walls will be used, which Officers are satisfied will ensure appropriate security and separation between public and private space.

### **Landscape, Trees and Open Space**

- 6.14 HDPF Policy 31 states that development will be supported where it demonstrates that it maintains or enhances the existing network of green infrastructure. Development proposals will be required to contribute to the enhancement of existing biodiversity and should create and manage new habitats where appropriate. HDPF Policy 33 and HNP Policy 2.3(f) supports developments that retain existing important landscape and natural features, including existing mature trees and hedgerows. HNP Policy 2.3(e) and (f) requires proposals take account of visibility and key views as per the photograph on page 35 of the HNP (view east towards Backsettown) and should maintain and enhance the sites rural character. HNP Policy 2.3(k) and (l) requires all external lighting to be designed to minimise light pollution and for the open space provision outside the BUAB to be safeguarded, designed and provided to an agreed timetable for use by residents and the wider community. HNP Policy 10(2) supports proposals which maintain or increase biodiversity, including wildlife habitats and green corridors, and retains existing hedgerows, scrub and trees, in particular Category A and B trees. HNP Policy 10(3) supports proposals where their layout and landscape schemes result in a positive visual and landscape impact, maintain the amenity value of trees, and positively contribute to the landscape character of the area.

#### Landscape

- 6.15 The application site is located within LW11: Eastern Scarp Footslopes of the West Sussex Landscape Character Assessment, and D2: Henfield and Small Dole Farmlands of the Horsham District Landscape Character Assessment (2003). The key characteristics for D2 include smoothly rolling topography, mixed arable and pasture farmlands, with irregular shape fields, historic springline settlements/farmsteads and a few narrows sometimes sunken roads.
- 6.16 The proposed site is an irregularly shaped, undeveloped field, comprising grass, trees and scrub. The site boundaries are varyingly defined, some with close board fence, though the majority benefit from hedgerow, reinforcing the rural qualities of the area.
- 6.17 The proposed residential development is set within the western parcel of the site within the BUAB, and the eastern parcel is proposed as open space landscape buffer outside the BUAB in a countryside location. The open space areas include amenity grass areas, benches and mown strip footways through the retained and species rich grassland areas. Trees are also proposed within this area alongside marginal planting, shrub planting, and mixed native hedgerows to enhance the site's existing green site boundaries. Officers consider that this helps to maintain the rural landscape and open views of the site within the green buffer zone and deliver on open space provision in accordance with HDPF Policy 31 and HNP Policies 2.3(f) and (l). Officers are satisfied that full details of the open space provision as per HNP policy 2.3(l) can be secured through the legal agreement.
- 6.18 A balancing pond in the northeast and swales along the residential developments eastern boundary are also with a wet/dry planting mix as part of the sites SuDS provision. Open space is also proposed in the northwest of the site, albeit this will be informal with a focus on species rich grassland meadow mix and mulching for the veteran trees in accordance with

HDPF Policy 31 and HNP Policies 2.3(f) and 10(2). As illustrated in the submitted Design and Access Statement, the key view east towards Backsettown is preserved within the proposed layout in accordance with HNP Policy 2.3(e). Detailed lighting shall be secured by planning condition in accordance with HNP Policy 2.3(k).

- 6.19 The Council's Landscape Architect is satisfied that the proposal will not give rise to unacceptable landscape character and visual effects, and that their initial concerns with regard to access, hard landscaping and boundary treatment, soft landscaping, SuDS and lighting have been largely addressed such that they are satisfied that the rural qualities experienced on site and within the wider landscape can be retained and enhanced through appropriate mitigation. They maintain concerns with regard to incursion of the site access into the veteran trees buffer zone, however as detailed in the Trees section below, Officers are satisfied the proposal will not result in deterioration of the veteran trees. The Council's Landscape Architect also raises concern at the reduction in onsite tree provision. However, given the existing open nature of the site and well vegetated site boundaries, Officers consider that the proposed site layout and tree provision is suitable to ensure adverse visual effects will not arise.

### Trees

- 6.20 To facilitate the development and new site access, three low quality, category C trees (T25, T26 and T27) and part of a hedgerow (H8) are proposed to be removed. The trees are located centrally along the northern side of the existing access track to Backsettown House and H8 is located along the site's northern boundary with Furners Lane.
- 6.21 To mitigate the loss of these trees and section of hedgerow and to enhance the existing provision, 46 new trees are proposed around the onsite streets and open space.
- 6.22 No other trees are proposed to be removed. A Tree Protection Plan (TPP) has been submitted which illustrates the proposed location of tree protection fencing. The TPP also identifies encroachment into the root protection areas (RPAs) of 7 trees, including 2 veteran trees. Accordingly, a no-dig surfacing is proposed within this area.
- 6.23 The proposed site access does include a slight incursion into the minimum buffer zone for the TPO veteran oak trees (T1 and T2) in the northwest corner of the site. The TPP marks the construction exclusion zone and small section of buffer zone to be occupied by the new access within the veteran trees RPAs. Due to legal and technical issues, it has not been possible to relocate the site access elsewhere such that it would be outside the buffer zone. Trial excavation has been undertaken at 20m from the tree stems, which did not reveal roots over 25mm in diameter.
- 6.24 The Council's Arboricultural Officer advises that if an appropriate site specific Arboricultural Method Statement is produced and latterly complied with, to sensitively undertake the proposed rooting environment changes around the tree stems and that is combined with a landscape change for the remainder of the buffer zone that accords with the NPPF guidance in this respect, the trees would not foreseeably suffer directly from the development beyond the loss of all rooting and rooting viability at and beyond the alignment of the proposed new access road. They further advise that the potential extent of root severance required to implement the road position is unlikely to have a significant impact/deterioration on the trees' health.
- 6.25 NPPF paragraph 193c) is clear that development resulting in the deterioration of irreplaceable habitats, such as veteran trees, should be refused. In this case, both the applicant and the Council's Arboriculturist do not consider that the slight incursion into the proposed veteran tree buffer zone would result in a significant impact or deterioration to T1 or T2. As it is not possible for the layout to be revised to completely remove the access from the veteran tree buffer zones and the proposal will not result in deterioration of the veteran

trees, Officers do not consider that there are grounds to refuse this application under NPPF paragraph 193c). Officers are satisfied that the proposed mulching, permeable PROW 2548 paving and removal of the existing vehicle access from within the buffer zone will ensure the safeguarding and longevity of these trees in accordance with HDPF Policy 33 and HNP Policies 2.3(f) and 10(2).

- 6.26 Officers are therefore satisfied that the proposed development meets the HDPF Policy 33 and HNP Policies 2.3(f) and 10(2) requirements to enhance the existing green infrastructure and retain important mature trees and hedgerows.

### **Heritage**

- 6.27 Policy 34 of the HDPF recognises that heritage assets are an irreplaceable resource, and as such should be sustained and enhanced through positive management of development affecting heritage assets. Policy 34 (6) further requires development to secure the viable and sustainable future of heritage assets through continued preservation by uses that are consistent with the significance of the heritage asset. HNP Policy 2.3(b) is clear that the setting of Backsettown House listed building should be preserved.
- 6.28 The heritage statement describes the significance of the listed buildings that will be affected by this proposal to develop the fields to the south of Furners Lane. Backsettown House remains recognisable as a historic farmhouse and there remains a visible connection with its surviving historic farm buildings despite separation of ownership. The Council's Conservation Officer concurs that the proposal site probably had a functional relationship with the historic farmstead in the past and supports an understanding and appreciation of the significance of the listed building in its setting.
- 6.29 The proposed development will be experienced in relation to the existing residential expansion of Henfield village. The proposed buffer zone between the proposed development and the listed building will provide some respite in terms of retaining some perception of separation of the historic farmstead from the village. However, the overall impact will be harmful due to a dilution of the ability to imagine the historic context of the listed building. The Council's Conservation Officer concurs with the conclusion in the heritage statement that this harm is less than substantial and at the lower end of that scale. They recommend planning conditions on the specific finishings to ensure a high quality of finish.
- 6.30 In respect of the harm identified to the setting of the listed building, paragraph 215 of the NPPF requires that this harm should be weighed against the public benefits of the proposal. The weight attached to the harm attributed to the impact on the setting of the heritage asset is addressed in the Planning Balance section below.

### **Residential Amenity:**

- 6.31 HDPF Policy 33 and HNP Policy 2.3(a) and (d) states that development should consider the scale, massing, and orientation between buildings, respecting the amenities and sensitivities of neighbouring properties and ensure all existing residential properties bordering the site are protected from unacceptable harm, such as from overlooking or noise.
- 6.32 The nearest residential properties are those situated at the northern end of The Daisycroft, whose rear gardens back onto the application sites southern boundary. This is a vegetated boundary, which will provide some visual screening. Additional tree planting is proposed to fill some gaps along the southern boundary and provide additional visual and acoustic screening from the turning head of units 23, 24, 25 and 26. Units 24 and 25 are set between 14.6m and 17.4m from the nearest dwellings and are angled with their side elevations to the site boundary. Officers are satisfied this dwelling orientation and separation distance will existing residential amenity is maintained and will not result in a loss of privacy in accordance with HDPF Policy 33 and HNP Policy 2.3. The dwellings along The Daisycroft are 2-storey

whereas the closest proposed dwellings are the 1.5 storey dwellings, with traditionally pitched roofs. Officers consider that the scale and massing of the proposed 1.5 storey dwellings will provide a soft transition to those on The Daisycroft and will not result in any overlooking in accordance with HDPF Policy 33 and HNP Policy 2.3.

- 6.33 Residential properties are also located to the west, with the rear gardens of several single storey dwellings along Furners Mead backing onto the application site's western site boundary. All but one of the proposed units are located at least 25m from the existing dwellings along Furners Mead, which Officers consider is sufficient separation distance to ensure the development will not result in adverse harm to residential amenity to the existing neighbouring properties in accordance with HDPF Policy 33 and HNP Policy 2.3. Unit 29 is approximately 18.9m from 23 Furners Mead, but as with units 24 and 25, this is orientated with a side elevation to the side boundary and is a 1.5 storey dwelling. Officers are therefore satisfied that given the existing vegetation screening, separation distance, and building orientation and height, the proposed development will not result in adverse harm to residential amenity to all neighbouring properties along Furners Mead in accordance with HDPF Policy 33 and HNP Policy 2.3.
- 6.34 There is some existing vegetation along the site's north site boundary which is proposed to be enhanced. In view of this, and the separation distance provided by Furner Lane, Officers consider that the proposed development will not result in harm to the residential amenity of properties to the north of the site along Furners Lane.
- 6.35 In accordance with HNP site allocation Policy 2.3, no built development is proposed outside the Henfield BUAB, and the greenspace buffer is provided between Backsettown Farm and the proposed residential development. Accordingly, Officers are satisfied that given these distance and proposed planting in between, the proposal will not harm the residential amenity of Backsettown Farm properties to the east, in accordance with HDPF Policy 33 and HNP Policy 2.3.
- 6.36 Officers recognise that there will be a change to the visual and acoustic experience of PROW users as a result of the proposed development. However, the proposed development also includes separating the vehicle access from PROW 2548 as well as providing improvements to the other sections of PROW 2548/1, which Officers consider will improve the experience of users of the PROWs. Overall, while PROW users experience will change as a result of the proposed development, Officers are satisfied that the neighbouring amenity of the public footpath users will not be adversely impacted by the proposed development in accordance with HDPF Policy 33.

#### **Highways Impacts:**

- 6.37 HDPF Policy 40 states that transport access and ease of movement is a key factor in the performance of the local economy. The need for sustainable transport and safe access is vital to improve development across the district. HDPF Policy 41 states adequate parking facilities must be provided within the developments to meet the needs of the anticipated users. HNP Policy 2.3(h) required any submission to include a comprehensive transport assessment and Policy 2.3(n) requires an adequate number and position of electric vehicle charging points. HNP Policy 2.3(m) states PROWs should be retained and enhanced and upgraded to cycleways where appropriate. HNP Policy 4 requires development to demonstrate safe pedestrian routes, protect existing footpath networks, and demonstrate cycle ways can be achieved. Policy 4 also requires adequate off-road car parking provision in accordance with West Sussex Parking Standards, and for roads, cycle ways and footpaths to conform with West Sussex Highway Standards.

#### **Access**

- 6.38 HNP Policy 2.3(i) requires vehicular access into the site be provided from Furners Mead, as detailed on the policies map for the site allocation. Paragraph 5.31 of the HNP states that subject to appropriate technical issues being satisfied, the site has potential to be served by an alternative access from Furners Lane to the north of the site. The Planning and Affordable Housing Statement states that due to legal and technical issues, it is not possible to form the vehicular access from Furners Mead. Therefore, access is proposed from Furners Lane to the north of the site.
- 6.39 There is an existing site access off Furners Lane which currently serves Backsettown Farm and is shared with PROW 2548. However, this is insufficient to support the proposed development. Therefore, a new site access is proposed a short distance east of the existing site access. The existing access is proposed to be reduced in width to prohibit vehicle traffic and solely be used as PROW 2548. It is noted that Backsettown Farm has a separate access for farm vehicles further east along Furners Lane, but Backsettown House and Backsettown Farmstead will be served by the new site access.
- 6.40 The Traffic Assessment details that an Automatic Traffic Count (ATC) Speed Survey was conducted both east and west of the proposed access along Furners Lane over a 7 day period. The results of the speed survey establish a required visibility splay of 2.4m x 25m to the east and 2.4m x 28m to the west. The Proposed Access Plan at Appendix F of the Technical Note Response to WSCC illustrates that the proposed site access will achieve this, and therefore Officers are satisfied that the proposed site access will operate safely in accordance with HDPF Policy 41, albeit noting that it departs from the HNP Policy 2.3(i) requirements.

#### Parking

- 6.41 The WSCC Parking Guidance for New Developments recommends that for 35 dwellings at the proposed housing tenure split, a provision of 63 allocated parking spaces and 6 unallocated spaces should be provided (69 spaces in total). The Parking Provision Plan details 55 allocated vehicle parking spaces (including garages for plots 23 and 26) and 15 visitor spaces (70 spaces in total excluding garages). 15 garages are proposed and while WSCC Parking Guidance advises these can count toward 0.5 of a space, the garages have not been included within the proposed provision as these do not meet the required 3m x 6m size with the exception of the two at plots 23 and 26.
- 6.42 WSCC Highways advise that whilst the allocated provision is below the required 63 spaces it is noted that some of the garages provided do meet required dimensions. Furthermore, a total of 15 visitor spaces are dispersed throughout the site including along the spine road. WSCC Highways therefore considers that parking provision broadly meets the demand and could be accommodated within the site, without anticipated overspill to the public highway. Officers are satisfied that sufficient parking is proposed to support the proposed development in broad accordance with the WSCC Parking Guidance for New Developments, HDPF Policy 41 and HNP Policy 4.
- 6.43 The Proposed Site Plan illustrates two accessibility visitor spaces, and the Detailed Site Plan illustrates the locations of cycle storage for 2 cycle spaces and 1 active electric vehicle charging points for each residential dwelling, in accordance with HNP Policy 2.3(n) and the WSCC Parking Guidance for New Developments. WSCC Highways and Officers are satisfied with this provision and that this can be secured through planning condition.

#### Traffic

- 6.44 The Traffic Assessment sets out that the residential trips arising from the proposed development have been calculated using TRICS data and based on discussions with WSCC Highways. From this, the development is predicted to generate approximately 15 additional two-way vehicle trips in the morning peak hour and approximately 13 additional two-way

vehicle trips in the evening peak hour. The ATC Speed survey results detailed in the Traffic Assessment showed an 85 percentile speed of 22mph east bound and 20mph west bound. This suggests an average maximum of 230 two-way movements, past the proposed access point, per day which averages to less 10 vehicles per hour. In view of this, WSCC Highways consider the additional movements on Furners Lane contrasted against the existing would not give rise to a material impact to the operational capacity of the nearby road network and therefore Officers are satisfied that the anticipated level of vehicle movements is acceptable.

#### Public Rights of Way (PROW) and pedestrian connectivity

- 6.45 PROW 2548 runs along the western site boundary and PROW 2548/1 runs off 2548 out towards Furners Mead. PROW 2548 is proposed to be upgraded along the site boundary. This includes reducing the width of PROW 2548 to stop vehicle access where it is currently shared with the existing site access track as this will be served by the new site access. PROW 2548 will also incorporate a permeable surface to improve the setting of the veteran oak trees. PROW 2548/1 is proposed to be upgraded to a limestone path. WSCC PROW recognise that the proposal will impact upon PROWs and raise no objection subject to securing the proposed improvements by legal agreement. They also recommend a planning condition for a Traffic Management Plan. Officers are satisfied that these changes can be secured by legal agreement with WSCC and meet the requirements of HNP Policies 2.3(m) and 4.
- 6.46 The application site is well located in close proximity to Henfield centre and associated amenities, which can be accessed by foot or bike via Furners Lane or Furners Mead and PROW 2548/1. Officers do however recognise that the concerns raised by representations regarding the lack of a continuous footway along Furners Lane. WSCC Highways have raised similar concerns and recommend that some additional improvements could be made to promote safe and suitable access for all. Accordingly, the applicant has provided the Proposed Footway Improvements Plan which illustrates opportunities for new dropped kerbs and tactile paving to provide greater pedestrian connectivity through Furners Mead. WSCC Highways and Officers consider that these improvements will improve the safety and accessibility of the site's connectivity with the wider area, and that the detailed delivery of these improvements can be secured through a legal agreement with WSCC. Accordingly, Officers are satisfied that the proposal accords with HDNP Policy 40 and HNP Policy 4

#### **Ecology:**

- 6.47 Policy 31 of the HDPF states that development proposals will be required to contribute to the enhancement of existing biodiversity and should create and manage new habitats where appropriate and that particular consideration will be given to the hierarchy of site and habitats in the district. HNP Policy 2.3(g) requires applications at this site be supported by a full ecological and biodiversity assessment with any reasonable mitigation implemented in full.
- 6.48 Circular 06/2005 identifies that the presence of protected species is a material consideration when considering a development proposal that, if carried out, would be likely to result in harm to the species or its habitat. Therefore, it is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed application, is established before planning permission is granted. Information on biodiversity impacts and opportunities should inform all stages of development, and an ecological survey is usually necessary where the type and location of development are such that the impact on biodiversity may be significant and existing information is lacking or inadequate.
- 6.49 Accordingly, an Ecological Impact Assessment (EclA) have been submitted. The EclA details desk studies and site surveys for reptiles, bats, dormice and great crested newts (GCN). The EclA further includes an impact assessment and proposed mitigation for reptiles and bats. To further support this, a Precautionary Method Statement for Hazel Dormice and a Reptile Mitigation Strategy have also been provided.



- 6.50 NatureSpace Partnership have reviewed the submitted information advise that as there is a possibility that since the last eDNA surveys, GCNs could have migrated from nearby positive records and as such either new surveys should be undertaken from April 2025, a series of Precautionary Working Measures should be prepared, or the developer should confirm use of the District Licence. Accordingly, the applicant has provided a Precautionary Method Statement for Great Crested Newts. The Council's Ecologist has reviewed this and confirms it is acceptable. Officers are satisfied this addresses the requirements by NatureSpace Partnership and can be secured by planning condition.
- 6.51 The Council's Ecologist has also reviewed this application and raises no concerns with regard to the EclA or proposed mitigation measures and recommends planning conditions accordingly. Officers are satisfied that subject to planning conditions the existing site ecology has will be protected and enhanced through the proposed development in accordance with HDPF Policy 31 and a fully ecological assessment has been provided in accordance with HNP Policy 2.3(g).

#### **Biodiversity Net Gain (BNG):**

- 6.52 Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) mandates that every development must achieve at least a 10% Biodiversity Net Gain (BNG), unless the development qualifies as exempt under the Biodiversity Gain Requirements (Exemptions) Regulations 2024, and that every planning permission granted for the development of land in England shall be deemed to have been granted subject to the condition that development may not be begun unless a Biodiversity Gain Plan has been submitted to the planning authority and the planning authority has approved the Plan.
- 6.53 The Biodiversity Gain Plan must show how the development will achieve the required minimum 10% BNG using the statutory biodiversity metric tool and must demonstrate how the habitats will be managed and maintained for 30 years, starting from the date the development is completed. Off-site gains and significant on-site enhancements will be secured over this period by way of a Legal Agreement. HNP Policy 10 supports proposals which maintain or increase biodiversity
- 6.54 The applicant has submitted a Biodiversity Metric which demonstrates a 12.47% net gain is achievable by way of significant onsite biodiversity gains. A draft Habitats Management and Maintenance Plan (HMMP) has also been provided which sets out the long-term management of the proposed habitats to achieve the targeted conditions over a 30 year timespan. The Council's Biodiversity and Ecology Officer has commented that the BNG details are appropriate, with the BNG provision on site considered to be 'significant'. Therefore, a legal agreement is required to secure the management, maintenance and monitoring of this 'significant onsite' BNG provision for the required 30 years, alongside the statutory condition requiring a Biodiversity Gain Plan to be submitted and approved prior to development commencing.

#### **Water Neutrality:**

- 6.55 The application site falls within the Sussex North Water Supply Zone as defined by Natural England which draws its water supply from groundwater abstraction at Hardham. Natural England has issued a Position Statement for applications within the Sussex North Water Supply Zone which states that it cannot be concluded with the required degree of certainty that new development in this zone would not have an adverse effect on the integrity of the Arun Valley SAC, SPA and Ramsar sites.
- 6.56 Natural England advises that plans and projects affecting sites where an existing adverse effect is known will be required to demonstrate, with sufficient certainty, that they will not

contribute further to an existing adverse effect. The received advice note advises that the matter of water neutrality should be addressed in assessments to agree and ensure that water use is offset for all new developments within the Sussex North Water Supply Zone.

- 6.57 As there are no existing uses on the land the baseline for water usage for this development is nil. To minimise the water use of the development, water efficiency fixtures and fittings and rainwater harvesting will be incorporated. Water calculations in accordance with Building Regulations Part G have been carried out and confirm that with the water efficiency measures and rainwater harvesting the proposed development will achieve a water consumption rate of 73.35 litres per person per day, which includes an allowance of 5 litres per person per day for external water usage. Using the water consumption figure of 73.35 litres per person per day and a population size of 69.69, it is estimated that the total water usage per day for the proposed development would be 5,111.85 litres per day (69.69 x 73.35).
- 6.58 The Environment Health Officer has advised that additional information is required on the proposed maintenance and management of rainwater harvesting systems, however Officers are satisfied that this can be secured by planning condition.

#### Proposed Borehole

- 6.59 To offset the water demand required for this proposal, the applicant is proposing offsite mitigation in the form of a borehole at Timberley Farm, Bury which would extract up to 15,000 litres per day. The Farm currently relies on metred water supply as the water supply for the farm cattle herd. The existing borehole would provide an alternative water supply for the herd thereby creating the additional capacity for the proposed development. Water bills associated with the Farm show a daily consumption of circa 20,000 litres per day.
- 6.60 In support of this application, a Hydrogeological Conceptual Site Model Report (HCSMR) has been submitted. This sets out that the borehole targets the Folkstone Formation of the Lower Greensand Group. The HCSMR details estimated drawdown and radius of influence. The applicant has confirmed that pump testing is currently being undertaken and the results of this will be available in advance of the signing of a s106 legal agreement. Officers are satisfied that subject to the results of the pump testing being in line with that expected from the HCSMR, the borehole will provide a sustainable alternative water source for the Farm's herd and will not impact on the Amberley Wild Brooks Nature Reserve. Officers are also satisfied that the borehole site is sufficiently geologically distanced that there are few plausible hydrogeological mechanisms for the proposed groundwater abstraction to affect the Arun Valley habitat sites. Officers therefore consider it acceptable to include the proposed borehole as an option for achieving water neutrality within a planning condition, subject to the results of the pump testing being satisfactory.
- 6.61 Natural England have objected to this scheme and request additional information in regard to the proposed borehole offsetting scheme, specifically confirmation that the borehole will not have connectivity to wider features of the Arun Valley designated sites, and that this mitigation can be suitably secured.
- 6.62 Notwithstanding the objection received from Natural England, case law (*R (Wyatt) v Fareham Borough Council and Natural England* [2022] EWCA Civ 983) provides that, in making a planning decision, an Authority may depart from the advice of Natural England if it possesses cogent reasons for doing so. In this instance the objection refers to the HCSMR comments on the borehole's location being within the Folkestone Formation of the Lower Greensand Group and therefore could have hydrogeological connectivity to the Wealden Greensand Semi-Confined Aquifer and therefore impact on the Arun Valley designated sites.
- 6.63 In respect of the borehole's location within the Folkstone Formation, the HCSMR is clear that this is located below the impermeable Gault formation (clay/mudstone), rather than being an

outcropping of the Wealden Greensand Semi-Confined Aquifer, and therefore is a confined aquifer located outside the delineation of the Lower Greensand Arun & Western Streams water body. The nearest location to the borehole where the Folkestone Formation is unconfined is approximately 625m to the north-east but as recharge will occur from infiltration of precipitation, either directly or via infiltration to the ground of surface runoff (runoff recharge) and given that parasitic folds are likely to impede groundwater flow, there is not a continuous path within the Folkestone Formation between the southward dipping limb in the vicinity of the abstraction well at Timberley Farm and the synclinal folded part in the north-east. Therefore, it can be ascertained that the borehole's location is geologically separated from Lower Greensand aquifer and is not connected to, nor will have impacts on, the Arun Valley designated sites.

- 6.64 Extensive groundwater quality testing is currently being undertaken and is expected to establish the sustainability of abstractions on the site. The HCSMR therefore addresses those matters raised by Natural England. Whilst ordinarily the absence of detail on water testing would not be sufficient at this stage to provide the necessary certainty that the mitigation would be effective in practice, in this instance the applicants have the alternative option of access to the emerging Sussex North Offsetting Water Scheme (SNOWS).
- 6.65 Under this scheme, it is proposed to allow development supported in a made plan or a post-examination plan the option of offsetting its water demand through the purchasing of water credits via the Council. As the application site is allocated for development in the Henfield Neighbourhood Plan, the applicant would therefore have the option of either implementing their scheme to utilise the borehole on site or to use the forthcoming SNOWS scheme to offset the water demand from this development. A condition is therefore recommended which gives the applicant the option of addressing water neutrality through either SNOWS or through their own bespoke solution (in this case, an offsite borehole). This condition would ensure the site is water neutral and would enable the Council to conclude as to the absence of potential adverse effects upon the integrity of the Arun Valley SAC, SPA and Ramsar designations. Natural England have been consulted in the use of SNOWS and have raised no objection to this approach.
- 6.66 It is, therefore, considered that there are cogent reasons in this case to depart from Natural England's advice in respect of the borehole and to conclude that the use of a condition would prove effective and avoid contribution to the possible adverse effect upon the integrity of the Arun Valley sites such as to allow a grant of planning permission without conflict with the Authority's duties pursuant to Regulation 63 of the Conservation of the Habitats and Species Regulations (2017).

#### **Other Matters:**

##### Drainage and Flood Risk

- 6.67 The application site is located within Flood Zone 1 and an area of low risk of surface water and groundwater flooding. A Flood Risk Assessment and a Drainage Strategy Report have been submitted in support of this application. They confirm that the proposed development will not result in an increased risk of flooding on or off site and detail the proposed drainage strategy. Foul drainage is proposed to be discharged to the Southern Water public sewer manhole to the northwest of the site entrance. A SuDS Assessment has been undertaken, and in accordance with this rainwater harvesting and attenuation, permeable paving and swales are proposed. Details of drainage maintenance are also set out in Table 6 of the Drainage Strategy Report.
- 6.68 The Lead Local Flood Authority (LLFA) has reviewed the submitted details and raise no objection subject to planning conditions, including securing the proposed drainage strategy. In view of the detail within the submitted details and the LLFA response, Officers are satisfied that the proposed development can be satisfactorily accommodated without increasing flood

risk elsewhere, in accordance with Chapter 14 of the NPPF, HDPF Policy 38, and HNP Policy 2.3(o) and (p), subject to planning conditions.

#### Archaeology

- 6.69 The application is supported by a desk based archaeological assessment produced by Orion Heritage that has used appropriate sources, including the West Sussex HER, to determine that the site has a low potential for prehistoric, Roman and Saxon remains with a low to moderate potential for later periods. In order to clarify the nature, extent and significance of any archaeological deposits that may be present the report considers that further investigations may be required. The Archaeology Consultant has reviewed the archaeological assessment and concurs that in the first instance an archaeological field evaluation of the site would be appropriate to enable suitable mitigation measures to be developed for the site should significant archaeology be discovered. They recommend a planning condition to secure this. Officers concur with this approach.

#### Contaminated Land

- 6.70 The applicant has submitted a Ground Contamination Desk Study Report. The Council's Environmental Health Officer has reviewed this and is satisfied that the preliminary risk from contamination to future site users has been adequately assessed. They agree with the conclusions of the report with regard to proposed ground investigation works and recommend securing these through planning condition.

#### Climate Change

- 6.71 HDPF Policies 35, 36 and 37 require development contributes to mitigating the impacts of climate change through measures including improved energy efficiency. This application's Design and Access Statement details measures in the design of the site. These include the use of highly insulated elements, enhanced air tightness, 100% low energy/LED light fittings, EV charging points at each unit, water efficiency measures, use of A+, A or B rating materials, and use of air source heat pumps. As such, the application will suitably accord with local and national policy.

#### Infrastructure and S106 Agreement:

- 6.72 HDPF Policy 37 and HNP Policy 8 expects the provision of high-speed broadband access for new homes, which can be secured by condition. The development would be liable for a payment under HDC's Community Infrastructure Levy Charging Schedule, which would contribute to the improvement of local infrastructure, such as education or healthcare facilities. This would comply with the expectations of HDPF Policy 39.
- 6.73 The various obligations/contributions discussed in the preceding paragraphs are the minimum required to mitigate the development impact on infrastructure under Policy 39 (as supported by the Planning Obligations and Affordable Housing SPD). A s106 legal agreement is currently being drafted and will include obligations on the developer to provide the provision of 35% affordable housing (10 units) at an agreed 70:30 tenure split and contributions to address 0.15 shortfall; Public Footpath and footway improvements; new site access; open space; biodiversity net gain; and water neutrality.

#### **Conclusions**

- 6.74 The application site is located partially within the Henfield Built Up Area Boundary in accordance with the requirements of Horsham District Planning Framework (HDPF) policies 2, 3 and 4 and Henfield Neighbourhood Plan (HNP) Policy 1. Furthermore, the application site is allocated for residential development under HNP Policy 2. Therefore, the the principle of development on the site is considered acceptable, subject to the detailed considerations

as set out below to any site-specific constraints, and the detail of the scheme – including how it demonstrates accordance with the broader criteria of HNP Policy 2.3.

- 6.75 The provision of 29 dwellings, including 10 affordable housing units (35%), would make a notable contribution to the district's housing needs, with the addition that this site has been identified within the Henfield Neighbourhood Plan as being suitable for this quantum of development. The scheme would provide a housing mix in line with the needs of the area and there is no reason why the scheme could not be deliverable in the short term.
- 6.76 Officers consider that the proposed development is an appropriate design, including in terms of scale, finishing materials, and massing within the site. Officers are satisfied that the proposed development respects and reflects the existing built landscape and open nature of the site, and includes appropriate landscaping and open space provision. Officers therefore consider that the proposed development would not result in adverse design, appearance, or neighbouring amenity harm in accordance with the requirements of HDPF Policies 25, 32 and 33 and HNP Policy 2.3.
- 6.77 WSCC Highways and Officers are satisfied that the proposed development would not unacceptably impact upon highway safety, the proposed site access has sufficient visibility and that vehicle and cycle parking would be sufficient, in accordance with Policies 40 and 41 and HNP Policies 2.3 and 4. In addition, improvements are proposed to the existing Public Right of Ways and beyond around Furners Mead to ensure enhanced safe pedestrian connectivity into Henfield.
- 6.78 Natural England object to this proposal, however Officers are satisfied that the proposed energy efficiency measures, rainwater harvesting measures and offsite borehole will ensure that the proposed development would not result in a significant impact on the Arun Valley SAC, SPA and Ramsar sites, either alone or in combination with other plans and projects and therefore granting this application would not adversely affect the integrity of these sites and accords with HDPF policy 31, NPPF paragraphs 185 and 186 and the Council's obligations under the Conservation of Habitats and Species Regulations 2017.
- 6.79 Appropriate ecological mitigations for protected and priority habitats and species are proposed, and the proposal will exceed the statutory minimum 10% Biodiversity Net Gain. No resultant adverse risks are identified related to drainage of the scheme. Environmental Health have confirmed they have no concerns with regard to noise or contamination in regard to future occupants' amenity. Officers are satisfied that proposed energy efficiency measures accord with the requirements of HDPF policies 35, 36 and 37 and HNP Policies 2.3 10 can be secured through planning condition.
- 6.80 The proposal has been designed to accord with the surrounding landscape and heritage characteristics and has taken care to ensure that neighbouring amenity is not unduly compromised by the inclusion of suitable boundary treatments and additional planting. Given the public benefits of the proposal, providing much needed housing (including affordable housing), the 'less than substantial' harm attributed to the listed building by the Council's Conservation Officer is considered to be outweighed by the public benefits, as required by paragraph 215 of the NPPF.
- 6.81 Officers therefore recommend that subject to the conditions listed below and the completion of a s106 legal agreement the application should be granted planning approval.

#### COMMUNITY INFRASTRUCTURE LEVY (CIL)

Horsham District Council has adopted a Community Infrastructure Levy (CIL) Charging Schedule which took effect on 1<sup>st</sup> October 2017.

**It is considered that this development constitutes CIL liable development.**

Use Description	Proposed	Existing	Net Gain
<b>Total Gain</b>			
<b>Total Demolition</b>			

Please note that the above figures will be reviewed by the CIL Team prior to issuing a CIL Liability Notice and may therefore change.

Exemptions and/or reliefs may be applied for up until the commencement of a chargeable development.

In the event that planning permission is granted, a CIL Liability Notice will be issued thereafter. CIL payments are payable on commencement of development.

## 7. RECOMMENDATIONS

Conditions:

### 1. Approved Plans List

2. **Standard Time Condition:** The development hereby permitted shall begin before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

3. **Pre-Commencement Condition:** The development hereby approved shall not commence until the following construction details have been submitted to and approved in writing by the Local Planning Authority. The details shall be limited to the following measures:
  - (a) Details of site management contact details and responsibilities;
  - (b) A plan detailing the site logistics arrangements on a phase-by-phase basis (as applicable), including:
    - i. location of site compound,
    - ii. location for the loading, unloading and storage of plant and materials (including any stripped topsoil),
    - iii. site offices (including location, height, size and appearance),
    - iv. location of site access points for construction vehicles,
    - v. location of on-site parking,
    - vi. locations and details for the provision of wheel washing facilities and dust suppression facilities
  - (c) The arrangements for public consultation and liaison prior to and during the demolition and construction works – newsletters, fliers etc, to include site management contact details for residents;
  - (d) Details of any floodlighting, including location, height, type and direction of light sources, hours of operation and intensity of illumination

All construction activities shall thereafter be carried out in accordance with the details and measures approved.

Reason: As this matter is fundamental in order to consider the potential impacts on the amenity of nearby occupiers and highway safety during construction and in accordance with Policies 33 and 40 of the Horsham District Planning Framework (2015).

4. **Pre-Commencement Condition:** Prior to the commencement of the development hereby permitted, a Construction Environmental Management Plan (CEMP: Biodiversity) shall be submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following.

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of "biodiversity protection zones".
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.
- i) Containment, control and removal of any Invasive non-native species present on site.
- k) Dust Risk Assessment and Management Plan, including on-sites measures to improve air quality at the construction phase.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

Reason: To conserve protected and Priority species and allow the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (as amended).

5. **Pre-Commencement Condition:** No development shall commence until a Precautionary Method Statement for mobile protected species has been submitted to and approved in writing by the local planning authority. This will contain precautionary mitigation measures and/or works to reduce potential impacts to mobile protected species (including Hedgehog) during the construction phase. The measures and/works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter.

Reason: To conserve protected and Priority species and allow the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (as amended).

6. **Pre-Commencement Condition:** Prior to the commencement of development, construction drawings of the surface water drainage network, associated sustainable drainage components and flow control mechanisms and a construction method statement shall be submitted and agreed in writing by the Local Planning Authority. This shall be supported by calculations. The scheme shall then be constructed as per the agreed drawings, method statement, Drainage Strategy Report by Abstract Consulting, 23/01/2025, revision P04 and Flood Risk Assessment by Abstract Consulting, 23/01/2025, revision P03 and remain in perpetuity for the lifetime of the development unless agreed in writing by the Local Planning Authority. No alteration to the agreed drainage scheme shall occur without prior written approval from the Local Planning Authority.

Reason: To ensure that the development achieves a high standard of sustainability and to comply with NPPF and Policy 38 in Horsham District Planning Framework.

7. **Pre-Commencement Condition:** No development shall commence until full details of underground services, including locations, dimensions and depths of all service facilities and required ground excavations, have been submitted to and approved by the Local Planning Authority in writing. The submitted details shall show accordance with the landscaping proposals and Arboricultural Method Statement. The development shall thereafter be carried out in accordance with the approved details.

Reason: As this matter is fundamental to the acceptable delivery of this permission, to ensure the underground services do not conflict with satisfactory landscaping in the interests of amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015).

8. **Pre-Commencement Condition:** No development shall commence, including ground clearance, or bringing equipment, machinery or materials onto the site, until a Construction Arboricultural Method Statement detailing all trees/hedgerows on site and adjacent to the site to be retained during construction works, and measures to provide for their protection throughout all construction works, has been submitted to and approved in writing by the Local Planning Authority. The Construction Arboricultural Method Statement shall accord with the Arboricultural Impact Appraisal and Method Statement dated 5<sup>th</sup> February 2025 [reference 22054-AIA3-DC]. The development shall be implemented and thereafter carried out at all times strictly in accordance with the agreed details.

Any trees or hedges on the site which die or become damaged during the construction process shall be replaced with trees or hedging plants of a type, size and in positions agreed by the Local Planning Authority.

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

9. **Pre-Commencement Condition:** No development shall commence until precise details (to include details shown on a plan) of the existing and proposed finished floor levels and external ground levels of the development in relation to nearby datum points adjoining the application site have been submitted to and approved by the Local Planning Authority in writing. The development shall be completed in accordance with the approved details.

Reason: As this matter is fundamental to control the development in detail in the interests of amenity and visual impact and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

10. **Pre-Commencement Condition:** No development shall commence until either:
- Details have been submitted to and been approved in writing by the Local Planning Authority confirming that the necessary credits to achieve water neutrality have been secured via the Sussex North Offsetting Water Scheme; or
  - Following the completion of the borehole testing, confirmation has been submitted to and been approved in writing by the Local Planning Authority that, the water demand from the proposed development can and will be offset by the offsite borehole in accordance with the Water Neutrality Statement (received 02.10.2024) and Water Neutrality Supporting Statement and Appendices (received 13.02.2025); and
  - The development shall not be first occupied until evidence has been submitted to and been approved in writing by the Local Planning Authority confirming that the approved borehole(s) has been fully implemented and is operational.

Reason: To ensure that the approved development is water neutral, thus avoiding contribution to the possible adverse effect upon the integrity of the Arun Valley Special Area of Conservation, Special Protection Area and Ramsar designations addressed by the Natural England Position Statement of September 2021 and to satisfy the Authority's duties pursuant to the Protection of Habitats and Species Regulations 2017 (as amended) at Regulation 63.

11. **Pre-Commencement Condition:** No development shall commence until the following components of a scheme to deal with the risks associated with contamination, (including asbestos contamination), of the site be submitted to and approved, in writing, by the local planning authority:
- An intrusive site investigation scheme, based on the Geo-Environmental Services Limited Desk Study Report, dated 13.08.24 to provide information for a detailed risk



assessment to the degree and nature of the risk posed by any contamination to all receptors that may be affected, including those off site.

- b) Full details of the remediation measures required and how they are to be undertaken based on the results of the intrusive site investigation and a verification plan providing details of what data will be collected in order to demonstrate that the remedial works are complete.

The scheme shall be implemented as approved. Any changes to these components require the consent of the local planning authority.

Reason: As this matter is fundamental to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works and to ensure that any pollution is dealt with in accordance with Policies 24 and 33 of the Horsham District Planning Framework (2015).

12. **Pre-Commencement (Slab Level) Condition:** No development above ground floor slab level of any part of the development hereby permitted shall take place until a detailed lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. The lighting scheme shall be in accordance with the Institute of Lighting Professional's Guidance notes (including Guidance Note: 08/23) for the reduction of obstructive light and shall have been designed by a suitably qualified person in accordance with the recommendations. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory. The scheme shall be implemented in accordance with the approved scheme and thereafter retained as such. No other external lighting or floodlighting shall be installed other than with the permission of the Local Planning Authority by way of formal application.

Reason: To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (as amended) and Policy 31 of the Horsham Development Framework, and to safeguard the amenities of the site and surrounds in accordance with Policies 32 and 33 of the Horsham District Planning Framework (2015).

13. **Pre-Occupation Condition:** No part of the development hereby permitted shall be first occupied until full details of all hard and soft landscaping works shall have been submitted to and approved, in writing, by the Local Planning Authority. The details shall include plans and measures addressing the following:

- (a) Details of all proposed trees and planting, including schedules specifying species, planting size, densities and plant numbers and tree pit details
- (b) Details of all hard surfacing materials and finishes
- (c) Coordination of planting plans with ecological enhancement measures
- (d) Written specifications (NBS compliant) including ground preparation, cultivation and other operations associated with plant and grass establishment
- (e) Details of minor artefacts and structures – such as public bins, street furniture, play equipment and signage – including location, size, colour and specification

The approved landscaping scheme shall be fully implemented in accordance with the approved details within the first planting season following the first occupation of any part of the development. Unless otherwise agreed as part of the approved landscaping, no trees or hedges on the site shall be wilfully damaged or uprooted, felled/removed, topped or lopped without the previous written consent of the Local Planning Authority until 5 years after completion of the development. Any proposed or retained planting, which within a period of 5 years, dies, is removed, or becomes seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure a satisfactory development that is sympathetic to the landscape and townscape character and built form of the surroundings, and in the interests of visual amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015).

14. **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until a landscape management and maintenance plan (including long term design objectives, management responsibilities, a description of landscape components and specifications, management prescriptions, timetable for implementation, maintenance schedules and accompanying plan delineating areas of responsibility) for all communal landscape areas has been submitted to and approved in writing by the Local Planning Authority. The landscape areas shall thereafter be managed and maintained in accordance with the approved details.

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

15. **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until a Biodiversity Enhancement Layout for biodiversity enhancements listed in the Ecological Impact Assessment and Biodiversity Net Gain Assessment (Sam Watson Ecology, September 2024) has been submitted to and approved in writing by the local planning authority.

The content of the Biodiversity Enhancement Layout shall include the following:

- a) detailed designs or product descriptions for biodiversity enhancements; and
- b) locations, orientations and heights for biodiversity enhancements on appropriate drawings.

The enhancement measures shall be implemented in accordance with the approved details prior to occupation and all features shall be retained in that manner thereafter.

Reason: To enhance protected and Priority species & habitats and allow the Local Planning Authority to discharge its duties under paragraph 187d of the NPPF 2024 and s40 of the NERC Act 2006 (as amended).

16. **Pre-Occupation Condition:** No dwelling shall be first occupied until the vehicular parking and turning spaces necessary to serve that dwelling has been constructed in accordance with the details shown on the drawing titled Proposed Site Plan: Presentation [reference: PL-04 Rev P9] shall be thereafter retained as such.

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

17. **Pre-Occupation Condition:** No part of the development shall be first occupied until the vehicular access and footway improvements serving the development has been constructed in accordance with the details shown on the drawings titled Proposed Access From Fumers Lane General Arrangement [reference 12027\_100 Rev P7] and Proposed Footway Improvements [reference 101 Rev P1]. Once provided the splay shall thereafter be maintained and kept free of all obstructions over a height of 0.6 metre above adjoining carriageway level or as otherwise agreed.

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

18. **Pre-Occupation Condition:** No dwelling hereby permitted shall be occupied until the cycle parking facilities serving it have been provided within the garage or garden shed or side or

rear garden for that dwelling. The facilities shall thereafter be retained for use at all times. The cycle parking facilities shall thereafter be retained as such for their designated use.

Reason: To ensure that there is adequate provision for the parking of cycles in accordance with Policy 40 of the Horsham District Planning Framework (2015).

19. **Pre-Occupation Condition:** No dwelling hereby permitted shall be occupied until provision for the storage of refuse and recycling has been provided within the garage or side or rear garden for that dwelling in accordance with drawing titled Detailed Site Plan [reference PL11 Rev P2]. The facilities shall thereafter be retained for use at all times.

Reason: To ensure the adequate provision of refuse and recycling facilities in accordance with Policy 33 of the Horsham District Planning Framework (2015).

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

Reason: To ensure a sustainable development that meets the needs of future occupiers in accordance with Policy 37 of the Horsham District Planning Framework (2015).

21. **Pre-Occupation Condition:** The development hereby approved shall not be first occupied until details of the maintenance and management of the sustainable drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall be implemented prior to the first occupation of the development hereby approved and thereafter managed and maintained in accordance with the approved details in perpetuity. The Local Planning Authority shall be granted access to inspect the sustainable drainage scheme for the lifetime of the development. The details of the scheme to be submitted for approval shall include:
- I. a timetable for its implementation,
  - II. details of SuDS features and connecting drainage structures and maintenance requirement for each aspect
  - III. a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

Reason: To ensure that the development achieves a high standard of sustainability and ensure the flood risk is adequately addressed for each new dwelling and not increased in accordance with NPPF and Policy 38 in Horsham District Planning Framework.

22. **Pre-Occupation Condition:** Upon completion of the surface water drainage system, including any SuDS features, and prior to the first occupation of the development; a survey and report from an independent surveyor shall be submitted to and approved in writing by the Local Planning Authority. The survey and report shall demonstrate that the surface water drainage system has been constructed in accordance with the details approved pursuant to Condition 6. Where necessary, details of corrective works to be carried out along with a timetable for their completion, shall be included for approval in writing by the Local Planning Authority. Any corrective works required shall be carried out in accordance with the approved timetable and subsequently re-surveyed with the findings submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the flood risk is adequately addressed, not increased and users remain safe for the lifetime of the development in accordance with NPPF and Policy 38 in Horsham District Planning Framework.

23. **Pre-Occupation Condition:** Prior to occupation of the development, details of the rainwater harvesting system shall be submitted to and approved by the Local Planning Authority. These shall include:

- Likely contaminants associated with the rainwater harvesting system, including contaminants associated with the components of the proposed system.
- Proposed sampling and testing regime, undertaken in accordance with Private Water Supplies (England) Regulations 2016 (or subsequent superseding equivalent), and taking into account the likely contaminants, as detailed above, along with detail on how any failure of any samples will be investigated and managed.
- Clarification what steps will be taken in the event of equipment failure, including any re-activation of the system after it has been out of use due to lack of rainfall/use.
- Details, including a plan or schematic, showing the supply – storage tanks, treatment etc, and means to record the total water consumption of each unit
- Arrangements for keeping written records of all sampling, results of analysis, inspection, cleaning, and maintenance.
- Details of the management company responsible for the maintenance and management of the rainwater harvesting systems.

Reason: To ensure that the approved development is water neutral, thus avoiding contribution to the possible adverse effect upon the integrity of the Arun Valley Special Area of Conservation, Special Protection Area and Ramsar designations addressed by the Natural England Position Statement of September 2021 and to satisfy the Authority's duties pursuant to the Protection of Habitats and Species Regulations 2017 (as amended) at Regulation 63.

24. **Pre-Occupation Condition:** No dwelling hereby permitted shall be first occupied until evidence has been submitted to and been approved in writing by the Local Planning Authority that the approved water neutrality strategy for that dwelling has been implemented in full. The evidence shall include the specification of fittings and appliances used, evidence of their installation, details of the approved rainwater harvesting system installed including a minimum 35 days storage capacity, and completion of the as built Part G water calculator or equivalent. The installed measures shall be retained as such thereafter, or to a similar improved water performance.

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

25. **Pre-Occupation Condition:** The development hereby permitted shall not be occupied/brought into use until there has been submitted to the Local Planning Authority verification that the remediation scheme required and approved under the provisions of condition 11b) has been implemented fully in accordance with the approved details (unless varied with the written agreement of the Local Planning Authority in advance of implementation). Thereafter the scheme shall be monitored and maintained in accordance with the scheme approved under condition 11b), unless otherwise agreed in writing by the Local Planning Authority.

Reason: As this matter is fundamental to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works and to ensure that any pollution is dealt with in accordance with Policies 24 and 33 of the Horsham District Planning Framework (2015).

26. **Pre-Occupation Condition:** Prior to the first occupation of the development hereby permitted a schedule of air-quality mitigations shall be submitted to and approved in writing

by the Local Planning Authority. The air quality mitigation measures to be submitted shall be sufficient to offset the expected damage cost calculation set out within the Air Quality Assessment (Savills, dated September 2024). The agreed mitigations shall be implemented in advance of the first occupation of any approved dwelling and maintained as such thereafter.

Reason: To ensure that the proposed development adequately mitigates against its expected adverse air-quality effects and to avoid duplication where mitigations are otherwise required by compliance with alternative regulatory regimes in accordance with Policy 24 of the Horsham District Planning Framework (2015).

27. **Regulatory Condition:** The development hereby permitted shall be undertaken in strict accordance with the details contained in the Reptile Mitigation Strategy (Sam Watson Ecology January 2025), Precautionary Method Statement for Hazel Dormouse (Sam Watson Ecology, January 2025), Precautionary Method Statement for Great Crested Newts (Sam Watson Ecology, February 2025), and Ecological Impact Assessment and Biodiversity Net Gain Assessment (Sam Watson Ecology, September 2024)). This will include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

Reason: As these matters are fundamental to safeguard the ecology and biodiversity of the area in accordance with Policy 31 of the Horsham District Planning Framework (2015), and to enhance Protected and Priority Species/habitats and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species).

28. **Regulatory Condition:** The materials and boundary treatments to be used in the development hereby permitted shall strictly accord with those indicated on drawings titled Materials Plan [reference PL-06 Rev P2] and Boundary Treatment Plan [reference PL-09 Rev P2] unless detail of alternative materials have been submitted and approved in writing by the Local Planning Authority prior to development above ground floor slab level commencing.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of visual amenity and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

29. **Regulatory Condition:** No works for the implementation of the development hereby approved shall take place outside of 08:00 hours to 18:00 hours Mondays to Fridays and 08:00 hours to 13:00 hours on Saturdays nor at any time on Sundays, Bank or public Holidays.

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

30. **Regulatory Condition:** The garage(s) hereby permitted shall be used only as private domestic garages for the parking of vehicles incidental to the use of the properties as dwellings and for no other purposes.

Reason: To ensure adequate off-street provision of parking in the interests of amenity and highway safety, and in accordance with Policy 40 of the Horsham District Planning Framework (2015).