



Planning Statement (incorporating Affordable Housing Statement and draft S106 Heads of Terms)

Land at Campsfield, Southwater

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1.0 Introduction

- 1.1 SLR Consulting has been instructed by the applicant, Miller Homes Ltd (Miller Homes) to prepare a Planning Statement in support of the submission of an Outline planning application to Horsham District Council (HDC) for the development of a scheme of up to 82 dwellings with associated access, vehicle parking, public open space and landscaping on land known as Campsfield, located at the southern edge of the Village of Southwater ('the Site').
- 1.2 The proposal is being submitted for approval in Outline form with all matters reserved except for access, and is shown indicatively in the extract from the submitted Illustrative Masterplan, below:



Figure 1: Extract from Illustrative Masterplan [02.40(01)02]

- 1.3 This Planning Statement presents an analysis of the application site and surrounding area (Section 2) and sets out the relevant planning history (Section 3), before summarising the proposals (Section 4) and planning policy context (Section 5). The Statement explains why the proposed development is appropriate, having regard to the key planning policy (Section 6), as well as technical and environmental considerations (Section 7).
- 1.4 The **Affordable Housing Statement** is in Section 8. Section 9 of this statement sets out the draft **s106 Heads of Terms** which are anticipated to be required for the necessary s106 agreement. Section 10 provides a summary alongside the planning balance to demonstrate that the proposals are acceptable having regard to local



and national policy; and why therefore the application should be approved. A **Energy and Sustainability Statement** and **Minerals Resource Statement** are also incorporated into section 7 at pages 29 and 30 respectively. A brief **Water Neutrality Statement** is provided at 7.39-7.42.

- 1.5 This Planning Statement (incorporating Affordable Housing Statement and draft s106 Heads of Terms) is supported by, and should be read in conjunction with, a suite of supporting plans, reports and technical documents, as set out below:

Reports

- Covering Letter
- Application Form and Certificates
- Design and Access Statement (by Spindrift Planning and Urban Design)
- Statement of Community Involvement (by SLR Consulting)
- Air Quality Assessment (by SLR Consulting)
- Land Quality Risk Assessment (by SLR Consulting)
- Lighting Strategy (by SLR Consulting)
- Flood Risk Assessment and Drainage Strategy (by PBA)
- Ecological Impact Assessment (by ecosupport)
- BNG Habitat Management and Monitoring Plan (by ecosupport)
- BNG Metric (by ecosupport)
- Heritage Desk-Based Assessment (by Pegasus)
- Transport Assessment (by PBA)
- Travel Plan (by PBA)
- Landscape Design Statement (by Fabrik)
- Landscape Visual Impact Assessment with Impact Statement (by Fabrik)
- Noise Assessment (by 24 Acoustics)
- Arboricultural Impact Assessment and Method Statement (by Barrell)
- Framework Construction and Environmental Management Plan (by PBA)

Plans

- Location Plan [02.40(01)00]
- Parameter Plan [02.40(01)01]
- Access Plans [091.0018-0002-P02 & 091.0018-0003-P02]
- Illustrative Masterplan [02.40(01)02] – *indicative only and not for approval.*
- Tree Protection Plan [23047-6] – *indicative only and not for approval.*
- Existing Topographical Plan [IR.MHCampsfield.21_01] – *not for approval*



2.0 The Site and Surroundings

Site Location

- 2.1 The site is 4.87Ha (4.29Ha excluding the length of road through Mulberry Gardens) in size and is situated on the southern edge of the village of Southwater, within the Southwater Parish boundary. Existing (informal) vehicular access to the site is currently provided via the top north-east corner of the site.
- 2.2 The site is outlined in red in Figure 1 below, with the extent of land within the appellant's control outlined in blue.



Figure 2: Extract from Site Location Plan [02.40 (01)00]



- 2.3 The site is located entirely within Flood Zone 1 where the risk of flooding from rivers or the sea is of a low probability. Part of the site is at a slightly heightened risk of surface water flooding, but this can be sufficiently managed. This is discussed further in section 7 as well as in the accompanying Flood Risk Assessment and Drainage Strategy.
- 2.4 The closest heritage listed asset is the Grade II listed building known as Big Pollarshill Farmhouse, which is located approximately 480m east of the site.
- 2.5 The site is located around 11.5km north-east of the Arun Valley Special Area of Conservation (SAC) and 12.5km east of The Mens SAC. The nearest Site of Special Scientific Interest (SSSI) is the Coneyhurst Cutting SSSI, which is located 5.9km west of site, but the site is not located within a SSSI impact zone. The western edge of the site is located within a 'bat sustenance zone' and also includes Ancient Woodland.

Site Description

- 2.6 The Red Line Boundary (RLB) as shown in Figure 2 incorporates land proposed for the residential dwellings as well as the existing access through Mulberry Fields to the Roman Lane/ Mill Straight/ Centenary Road roundabout which is an adopted highway.
- 2.7 The site is currently used predominantly as plantation woodland which the landowner has a license to regularly fell. The site is split into two roughly equal parcels, split in the middle by a belt of non-plantation trees and small ground depressions.
- 2.8 The site lies to the south of the village of Southwater, a second-tier settlement, as confirmed by the Horsham District Planning Framework (HDPF, 2015). Directly north of the site, is Mulberry Fields, an existing residential development that received planning approval in 2015 (refer to section 3 for further details). The existing architectural character of the dwellings in Mulberry Gardens has influenced the design of the proposed development.
- 2.9 The site boundaries are formed by an existing mature treeline (non-plantation), with an area of ancient woodland trees along the western edge of the site (but outside of the redline site boundary). To the south and west of the site are agricultural fields, with further agricultural land to the east across the A24. The A24 to the east is set



- lower than the site levels. A Public Right of Way (PRoW) (footpath 2804) runs along the southern boundary of the site and provides an east-west pedestrian connection.
- 2.10 The site is well served by various local services within Southwater village including multiple convenience retailers, doctors' surgery, local restaurants and several public houses. There are five educational facilities within Southwater, which includes nursery, pre-school and primary school establishments; while a number of secondary schools are located in Horsham which can be accessed via a bus directly from the village.
- 2.11 The nearest Railway Station is at Christ's Hospital, located 3.7km from the site which is on the London Victoria – Bognor Regis / Brighton / Portsmouth line. This station can be accessed from the site via the Downs Link (a pedestrian / cycle route), which would take approximately 15 minutes. Horsham Railway Station is located 7.6km from the site, which offers more frequent services to a number of destinations to the north (Gatwick, London) and along the south coast (including Portsmouth and Southampton).
- 2.12 Multiple bus services can be accessed near the site, from a number of bus stops located on Mill Straight. These include bus route 98, which operates a looped service to Horsham; and bus route 23 which provides regular links between Crawley and Worthing.
- 2.13 Overall, the Site is located close to the centre of Southwater (a second tier settlement) and is therefore considered to be in a sustainable location with a range of existing services and facilities to serve new residents.



3.0 Planning History

- 3.1 The site has not been subject to any previous planning applications, and there are no records on the Council's online planning register for any applications considered in the past for the site.

Pre-application advice

- 3.2 A pre-application request was submitted earlier this year before submitting this application and the pre-application advice was received on 13th September 2024 (ref. PE/24/0138). At the time of the pre-application advice request it was not determined whether the application would be submitted in outline or in full detail.
- 3.3 The pre-application advice received confirmed that the principle of the proposed development is considered to meet 'FAD' guidance, which is discussed further in this Statement. The response in relation to the principle of development concludes:
- '...the proposal is at conflict with existing policy within the HDFP and submission HDLP. However, the principle of the proposed development within the countryside is considered to meet the FAD guidance.'*
- 3.4 The full pre-application advice received is included at Appendix 1.

Nearby applications of relevance

- 3.5 In terms of the surrounding area, land immediately to the north of the site, known as Mulberry Fields, received Outline planning permission in 2015 (HDC ref: DC/14/2582) for *Residential development of up to 193 No. dwellings (including affordable housing) and associated works*. This application was determined prior to the adoption of the HDPF, when the Council were not able to demonstrate a 5-year housing land supply. As such, the proposal for 193 dwellings in a location immediately adjacent to an identified sustainable settlement was considered to be appropriate and the application was approved (see Paragraph 6.78, HDC Officers' Report to Planning Committee, 21st May 2015).
- 3.6 In relation to the Mulberry Fields application in 2015, the HDC Officers' Report to Planning Committee (Paragraph 6.75, 21st May 2015), acknowledges that although the development would alter the existing character of the area, the existing boundary planting and ancient woodland to the west provide considerable enclosure to the site, which would ensure no significant visual harm to the wider landscaper or detract from key characteristics of the area. It is considered that this



conclusion is also valid for the current proposal, which also benefits from the presence of mature boundary vegetation and ancient woodland to enclose the site.

- 3.7 In August 2016, a Reserved Matters application was granted for the Mulberry Gardens site (DC/16/0642). Miller Homes was the applicant for this development and construction was completed by 2022.



4.0 The Proposed Development

- 4.1 Outline planning permission is sought for the residential development of the site together with associated landscaping, parking and access, at land known as Campsfield, Southwater. The description of the development is as follows:

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

- 4.2 Vehicular access to the site will be via an existing turning head at the end of Centenary Road immediately north of the site. Pedestrian access will be via the same route as well as dedicated pedestrian accesses to the east of the main access and south of the site linking to the existing PRow, as indicated on the submitted parameter plan.
- 4.3 As shown in the accompanying parameter plans, the proposed dwellings have been located in two distinct development parcels separated by an existing copse of mature trees at the site centre. The parcels are connected by a new street which links onto Centenary Way such that the proposed development will form a discrete but organic extension to the Mulberry Fields development to the north.
- 4.4 Excluding the low-quality plantation woodland and tree removal for site access, existing tree planting is retained and enhanced to ensure a strong buffer is provided around the site, including to the Ancient Woodland, and forms a strong green feature through the middle of the site. The site itself will be softened with additional planting to provide ecological and landscape benefits, resulting in an attractive landscaped environment for future residents to enjoy. Full details of the proposals are provided in the submitted plans.
- 4.5 The submitted illustrative masterplan layout shows how the site could be laid out based on the parameter plan for 82 new dwellings. This demonstrates that the housing is outward facing with permeable links between the development parcels,



- housing to the north and the countryside to the south. At the heart of the site is a suggested location for a new woodland play area.
- 4.6 To the west is proposed a sustainable drainage basin to manage surface water flood risk whilst also providing a defensible edge to the Ancient Woodland.
- 4.7 In order to achieve water neutrality, the use of boreholes is also being explored and, if ultimately required would likely be positioned towards the northern edge of the eastern development parcel.
- 4.8 The illustrative layout also indicates an appropriate density and scale of development which reflects that found to the north showing that there is sufficient capacity for 82 new homes on site without compromising design or landscape quality.
- 4.9 The proposals have also had regard to the pre-application advice received from officers of HDC, Southwater Parish Council and the wider community.
- 4.10 The remainder of this document shows how the proposals have considered and generally comply with relevant national and local planning policy.



5.0 Relevant Planning Policy

- 5.1 This section sets out the key relevant planning policy at national and local levels. Section 6 will then discuss the principle of development, as it relates to the relevant policies and why the scheme is considered acceptable in principle when taking account of the adopted plan, and material considerations.
- 5.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that, in the determination of planning applications, decisions are made in accordance with the Development Plan unless material considerations indicate otherwise. The following section will first note the national policies of relevance before focusing on the local policies considered of most relevance to the consideration of the proposal for the site.

National Planning Policy Framework (NPPF)

- 5.3 The most recently published National Planning Policy Framework (NPPF) was updated in December 2024 and continues to establish a presumption in favour of sustainable development and an objective of significantly boosting the supply of housing. **Paragraph 2** states that the NPPF is a material consideration in planning decisions.
- 5.4 **Paragraph 8** confirms that there are three dimensions to sustainable development - economic (building a strong, competitive economy); social (providing the supply of housing required to meet needs and creating a high quality-built environment); and environmental (protecting and enhancing the natural, built and historic environment).
- 5.5 **Paragraph 9** confirms that these roles should be delivered through the preparation and implementation of plans and the application of policies but also taking into account local circumstances to reflect the need and opportunities in each area.
- 5.6 **Paragraph 11** stresses that plans and decisions should apply a presumption in favour of sustainable development. Development plans should positively seek opportunities to meet the development needs of the area, and proposals should accord with an up-to-date development plan, or where there are no relevant



development plan policies, or the policies which are most important for determining the application are out of date, granting permission unless:

- (i) The application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or
- (ii) Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

5.7 **Footnote 8** of the NPPF clarifies that the presumption in favour applies in situations where the local planning authority cannot demonstrate a five-year supply of deliverable housing sites; or, where the housing delivery test indicates that delivery of housing was substantially below (less than 75%) the housing requirement over the previous three years.

5.8 HDC are currently not meeting the housing delivery test based on the results published on the 12th December 2024 and are also failing to maintain a 5 year housing land supply. The presumption in favour of sustainable development is therefore applied.

5.9 **Paragraph 12** states the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. If material considerations in a particular case indicate that the plan should not be followed, local planning authorities may take decisions that depart from an up-to-date development plan.

5.10 **Paragraph 14** confirms that where the presumption (at paragraph 11d) applies, the adverse impact of allowing development that conflicts with a neighbourhood plan is likely to outweigh the benefits provided that the neighbourhood plan was made within the previous 5 years, and the plan contains policies and allocations to meet



- its identified needs. There is a Neighbourhood Plan for Southwater Parish and also Shipley Parish to the south, however, the Site is located outside the designated Plan Boundaries of both neighbourhood plans, and as such the provisions of paragraph 14 do not apply.
- 5.11 In terms of determining applications, **paragraph 39** of the framework states that it is a requirement for Local Planning Authorities to approach decisions in a positive and creative way. Planning Authorities should also work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area, whilst seeking to approve applications for sustainable development where possible.
- 5.12 **Paragraph 48** reiterates the requirements set out in planning law that applications for planning permission should be determined in accordance with the development plan unless material considerations indicate otherwise. It actively encourages decisions on applications to be made as quickly as possible.
- 5.13 **Paragraph 56** states that planning conditions can be used to make a development acceptable, where it might otherwise be unacceptable. Paragraph 57 goes on to say that the use of conditions should be kept to a minimum and only imposed if necessary, relevant, enforceable, precise and reasonable in all respects.
- 5.14 **Section 5** (delivering a sufficient supply of homes) sets out clearly that the Government is committed to significantly boosting the supply of homes (paragraph 61) in order to meet local needs and help make sure that land with permission is developed without unnecessary delay.
- 5.15 **Paragraph 63** states that the size, type and tenure of housing needed for different groups in the community should be reflected in planning policies, and should include those who require affordable housing (including social rent), older people, people with disabilities, travellers, and people wishing to build their own homes.
- 5.16 **Paragraph 73** outlines the importance of small and medium size sites in the contribution to meeting the housing requirement of an area and that these sites are often built out relatively quickly.
- 5.17 **Section 8** seeks to promote healthy and safe communities, with Paragraph 103 highlighting the importance of providing access to a range of high-quality open



- spaces and opportunities for sport and physical activity in order to promote the health and wellbeing of communities.
- 5.18 **Paragraph 116** is clear that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios.
- 5.19 **Section 11** relates to making the most effective use of land. **Paragraph 129** requires decisions to support developments that make efficient use of land taking into account the identified need for different types of housing and other forms of development as well as the importance of securing well-designed, attractive and healthy places.
- 5.20 Design is covered in **Section 12**, where the Government attaches great importance to the design of the built environment. This policy emphasises that good design is an important component of sustainable development and that it should be inseparable from good planning, which should improve the quality of life in communities.
- 5.21 **Paragraph 135** states that new developments should be visually attractive due to good architecture, layout and appropriate and effective landscaping, as well as being sympathetic to local character, history, surrounding built environment and landscape setting.
- 5.22 **Paragraph 165** states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future).
- 5.23 **Section 15** covers the natural environment. **Paragraph 187** stresses the importance of protecting and safeguarding ecological networks, including national and locally designated sites of importance to biodiversity, wildlife corridors. It also promotes the conservation, restoration and enhancement of priority habitats, ecological networks and the protection of priority species.



National Planning Practice Guidance (NPPG)

- 5.24 The NPPG was published in March 2012, with periodic updates as national policy is changed or refined. The NPPG is a material consideration in determining planning applications.
- 5.25 Most recently, on the 12th December 2024, there have, amongst other changes, been updates to the way in which the Standard Method (SM) for determining local housing need is calculated. For Horsham this means a housing need of 1,357 dwellings per annum based on the current SM which came into effect on the 12th December 2024.

Local Planning Policy and Guidance

- 5.26 The application site falls within the jurisdiction of HDC where the adopted Development Plan comprises the Horsham District Planning Framework (HDPF) which was adopted in November 2015, the West Sussex Joint Minerals Local Plan (2018) and all made Neighbourhood Plans.

Horsham District Planning Framework

- 5.27 As the HDPF is now more than 5 years old, it has reduced weight in the decision-making process. The current HLS position and results of the HDT also render any policies that influence the location of housing out of date and hence these policies also attract reduced weight. The following policies are considered most relevant to this application:
- Policy 1 - Strategic Policy: Sustainable Development
 - Policy 2 – Strategic Policy: Strategic Development
 - Policy 3 – Strategic Policy: Development Hierarchy
 - Policy 4 – Strategic Policy: Settlement Expansion
 - Policy 15 – Strategic Policy: Housing Provision
 - Policy 16 – Strategic Policy: Meeting Local Housing Needs
 - Policy 24 – Strategic Policy: Environmental Protection
 - Policy 25 – Strategic Policy: The Natural Environment and Landscape Character



- Policy 26 – Strategic Policy: Countryside Protection
- Policy 31 – Green Infrastructure and Biodiversity
- Policy 32 – Strategic Policy: The Quality of New Development
- Policy 33 – Development Principles
- Policy 34 – Cultural and Heritage Assets
- Policy 35 – Strategic Policy: Climate Change
- Policy 36 – Strategic Policy: Appropriate Energy Use
- Policy 37 – Sustainable Construction
- Policy 38 – Strategic Policy: Flooding
- Policy 40 – Sustainable Transport
- Policy 41 – Parking
- Policy 42 – Inclusive Communities
- Policy 43 – Community Facilities, Leisure and Recreation

Supplementary Planning Documents (SPDs) and other Guidance

5.28 HDC has adopted several SPD's and Guidance documents which are material considerations in decision-making. Those of relevance in this case are:

- Facilitating Appropriate Development (October 2022)
- Biodiversity and Green Infrastructure (October 2022)
- Planning Obligations and Affordable Housing (September 2017)
- Southwater Parish Design Statement (April 2011)
- West Sussex County Council: Guidance on Parking at New Developments (September 2020)

Southwater Neighbourhood Plan

5.29 Southwater Parish Council have produced a Neighbourhood Plan which was made on 23rd June 2021. The Site, although located within the Parish boundary of Southwater Parish Council, is located *outside* the Plan boundary for the Southwater Neighbourhood Plan and therefore the site is not subject to these Neighbourhood



Plan policies. However, given the site's proximity to the Plan boundary, the proposed development has had some regard to the relevant policies, which include:

- Policy SNP1 – Core Principles
- Policy SNP2 – Proposals for Residential Development
- Policy SNP4 – Keeping our Roads Moving
- Policy SNP9 – Home Standards
- Policy SNP10 – Residential Space Standards
- Policy SNP12 – Outdoor Play Space
- Policy SNP14 – Adequate Provision of Car Parking
- Policy SNP15 – Driving in the 21st Century
- Policy SNP16 – Design
- Policy SNP17 – Site Levels
- Policy SNP18 – A Treed Landscape

5.30 The site is also outside of the Shipley Neighbourhood Plan area, the bounds of which adjoin the southern edge of the site.

Emerging Local Plan

5.31 The emerging Horsham District Local Plan (2023 – 2040) has been submitted to the Planning Inspectorate for formal examination and examination hearings commenced in December 2024. However as of week commencing 16th December 2024, all further scheduled hearings have been cancelled due to concerns held by the Local Plan Inspector on the draft Local Plan and further updates are awaited. The emerging plan therefore holds very limited weight in decision making.

5.32 The following draft policies contained with the Submission Local Plan do not hold full weight at this stage, but nevertheless are considered to be relevant in the context of the proposal.

- Policy 1: Sustainable Development
- Policy 2: Development Hierarchy
- Policy 3: Settlement Expansion
- Policy 6: Climate Change



- Policy 7: Appropriate Energy Use
- Policy 8: Sustainable Design and Construction
- Policy 9: Water Neutrality
- Policy 10: Flooding
- Policy 11: Environmental Protection
- Policy 12: Air Quality
- Policy 13: The Natural Environment and Landscape Character
- Policy 14: Countryside Protection
- Policy 17: Green Infrastructure and Biodiversity
- Policy 19: Development Quality
- Policy 20: Development Principles
- Policy 21: Heritage Assets and Managing Change within the Historic Environment
- Policy 24: Sustainable Transport
- Policy 25: Parking
- Policy 27: Inclusive Communities, Health and Wellbeing
- Policy 28: Community Facilities and Uses
- Policy 37: Housing Provision
- Policy 38: Meeting Local Housing Needs
- Policy 39: Affordable Housing
- Policy 40: Improving Housing Standards in the District



6.0 Summary of Key Planning Considerations

Principle of Development

- 6.1 HDC has a housing land supply shortfall in that they are currently unable to demonstrate a five-year housing land supply (5YHLS). Their latest published position for the 5 years from 1st April 2023 is a 2.9 year supply, based on a SM requirement of 4,555 at that time. Given the 5-year housing requirement as a result of the new SM is now 8,143¹ and there has been no clear evidence that housing supply has significantly increased, their 5YHLS position is likely to have significantly worsened. Based on the supply reported in a HLS Topic Paper from September 2024 to support the local plan examination, and taking the report's stated supply at face value, the supply for the period 2023/24 to 2027/28 is predicted by HDC to be no more than 2,485, equivalent to a circa 1.5 year supply of housing by HDC's own estimates.²
- 6.2 Furthermore, HDC fail the Housing Delivery Test, having delivered in the last three years only 62% of their housing requirement.³
- 6.3 Footnote 8 of NPPF paragraph 11 d) explains that for proposals involving the provision of housing, local housing policies should be considered out of date where the authority cannot demonstrate a 5YHLS or where the Housing Delivery Test indicates that the delivery of housing was less than 75% of the housing requirement over the previous three years. Both circumstances apply to HDC, therefore their

¹ SM derived figure of 1,357 multiplied by 5 and plus a 20% buffer as per paragraph 78(b)

² See Table 5 of the HLS Topic Paper September 2024. Supply figures for 2023/24 – 2027-28 (2,485) taken from 'Actual / Predicted Net Completions' row. Total of supply (2,485) divided by SM dpa figure of 1,357 + 20% buffer.

³ Housing Delivery Test: 2023 measurement



- housing policies are considered out of date and NPPF paragraph 11 d) and the tilted balance is engaged.
- 6.4 None of the footnote 7 exceptions are considered to apply that would disengage the tilted balance.
- 6.5 The substantial housing supply shortfall is therefore a key material consideration weighing very strongly in favour of this application
- 6.6 The site is located outside of, but approximately 300 metres to the south of the Built Up Area Boundary (BUAB) of Southwater, which is a tier 2 settlement and falls under the category “Small Towns and Larger Villages” in Policy 3 of the HDPF. In addition, in the draft Local Plan, the BUAB for Southwater is proposed to be amended, bringing the BUAB up to the boundary of the site to include the recently built out Mulberry Gardens. This is considered a logical extension to the BUAB as it currently exists on the ground.
- 6.7 Policy 3 describes these settlements as having a good range of services and facilities, strong community networks and local employment provision together with reasonable rail and/or bus services and that these settlements act as hubs for smaller villages to meet their daily needs. The site is therefore in a sustainable location adjacent to the BUAB of Southwater. The adopted policies of most relevance to the principle of this proposed development are policies 4 and 26. These are discussed below.

Policy 4 – Settlement Expansion

- 6.8 Policy 4 governs how settlements can expand to accommodate identified local housing needs outside of the BUAB.
- 6.9 Criteria 1 of the policy essentially limits development outside of BUABs to those that are allocated by the Local Plan or a Neighbourhood plan. Given the policy guides the location of residential development it is an important policy in relation to this application and, in accordance with NPPF paragraph 11d is out of date given HDC can neither demonstrate a 5YHLS or meet the HDT.
- 6.10 HDC have acknowledged this by supplementing Policy 4 with the publication of the Facilitating Appropriate Development (FAD) document, which was published in October 2022 as an interim document until the new Local Plan is adopted and in the absence of a 5YHLS. The FAD is not adopted policy but is used by HDC to help guide



- the consideration of planning applications that involve the provision of new homes outside of the BUAB.
- 6.11 The FAD provides a more permissive approach to development essentially disengaging the first criteria of policy 4. The FAD wording states:
- “Outside built-up area boundaries, the expansion of settlements will be supported where:*
- 1) The site adjoins the existing settlement edge as defined by the BUAB;*
 - 2) The level of expansion is appropriate to the scale and function of the settlement the proposal relates to;*
 - 3) The proposal demonstrates that it meets local housing needs or will assist the retention and enhancement of community facilities and services;*
 - 4) The impact of the development individually or cumulatively does not prejudice comprehensive long-term development; and*
 - 5) The development is contained within an existing defensible boundary and the landscape character features are maintained and enhanced”*
- 6.12 In response to criterion 1 of the FAD, the site is approximately 300 metres from the BUAB and in the emerging Local Plan it adjoins the BUAB. Whilst the emerging plan does attract very limited weight, the proposed extension of the BUAB to include the constructed development adjoining the site is logical and reflects the reality on the ground.
- 6.13 The level of expansion is appropriate to the scale and function of the settlement of Southwater, given its proximity to the tier 2 settlement and this is confirmed by HDC in the pre-application advice received on 13th September 2024.
- 6.14 In response to criterion 3, the proposed development will be providing a mix of housing types which have regard to the needs of the area, including the latest



- Strategic Housing Market Area (SHMA) 2020. The proposed development will be a valuable contribution to District given its significant housing land supply shortfall.
- 6.15 In response to criterion 4, the site will be accessed via Mulberry Fields and is contained by woodland and therefore would not prejudice comprehensive long-term development.
- 6.16 In response to criterion 5, as mentioned above the site is contained by woodland and is surrounded on all sides by strong belts of trees, the majority of which are to be retained. The LVA submitted with this application concludes that the proposed development is considered to result in the introduction of a visually discreet residential development that sits appropriately within the existing landscape framework.
- 6.17 The proposal is therefore considered to accord with the FAD which supplements Policy 4 of the HDPF and this is confirmed in the pre-application response from HDC officers.

Policy 26 – Countryside Protection

- 6.18 Policy 26 also seeks to affect the location of residential development, it is also an important policy that is out of date given the current HLS and HDT position.
- 6.19 Policy 26 seeks to protect the countryside against inappropriate development, explaining that any proposal must be essential to its countryside location. However, it should be noted that the supplementary FAD now acknowledges and allows for the expansion of settlements *outside of BUABs* and in the Countryside where it meets the relevant criteria.
- 6.20 Therefore although the proposed residential development is not deemed to be essential to a countryside location, this does not automatically result in the proposal being in conflict with the Development Plan when read as a whole and taking account of those policies that are out of date and hence attract less weight.
- 6.21 It is also important to highlight that due to the lack of a 5YHLS in the District, the conflict with this policy carries reduced weight which should be considered in the overall planning balance.



Emerging Local Plan

- 6.22 In terms of the emerging Local Plan, the draft Policy 3 – Settlement Expansion is largely similar to the adopted Policy 4 (prior to FAD), which in criterion 1 requires the site to be allocated in the Local Plan or in a Neighbourhood Plan as well as adjoining the existing settlement edge. However given the emerging Local Plan’s status and the halting of the Local Plan examination, the draft policies only contain limited weight and the FAD makes clear that in the meantime *“it will consider positively applications that meet all of the criteria”* within adopted Policy 4 as amended by the FAD, which as set out above, the proposal does.
- 6.23 Draft policy 14 – Countryside Protection is also largely similar to the adopted Policy 26 and therefore the comments made above remain applicable.
- 6.24 It is therefore considered that the principle of development is acceptable, and this is confirmed in HDC’s pre-application response. This statement will also go on to demonstrate that in accordance with NPPF paragraph 11d, there are no policies within the Framework that would provide a strong reason for refusing the proposed development and there are no adverse impacts that would significantly and demonstrably outweigh the benefits of the proposed development when assessed against the policies in the Framework taken as a whole.



7.0 Technical Considerations

Design

- 7.1 Matters of detailed design, layout and scale are for consideration at Reserved Matters stage. Nonetheless, as demonstrated by the Design and Access Statement and the indicative masterplan and parameter plans, the proposals have been developed following a detailed analysis of the site context, constraints and opportunities.
- 7.2 The resultant development embeds a landscape led approach that retains important existing site features whilst making efficient use of the site to deliver an appropriate density of development. The proposals also incorporate a series of linked routes and paths through and from the site to create a permeable layout.
- 7.3 The proposals as far as it is appropriate at outline stage can be seen to comply with relevant design policies and criteria.

Highways and Access

- 7.4 In support of the application, a Transport Assessment (TA) has been undertaken by Paul Basham Associates which considers the transport impacts that may arise from the proposed development, as well as the relevant transport and planning policy. A Framework Travel Plan (TP) has also been produced, which contains a comprehensive package of active and sustainable transport measures.
- 7.5 The TA concludes that the development proposal is in an accessible location in transport terms and will make the best use of sustainable transport opportunities. The TA confirms that the proposal will have an acceptable impact on the operation of the local highway network, and that it complies with relevant national and local transport policy.
- 7.6 The proposed development seeks detailed permission for access to the site, and the TA demonstrates that access arrangements comply fully with the latest design guidance to deliver safe access for all users in accordance with NPPF paragraph 115. The proposed development will be accessed via a new access onto Centenary Road, which in turn connects to Mill Straight, an adopted road. Additional pedestrian connections are provided to the east of the main access and to the PRow network



to the south to improved access to Southwater and the countryside and encourage sustainable modes of access to and from the site.

- 7.7 The TA confirms, based on detailed traffic modelling, that the development is anticipated to generate 358 vehicle trips spread over a 12-hour period. At the AM and PM peaks it is anticipated there will be 45 and 29 vehicle trips respectively. During the peaks this would equate to 1 trip every 2 minutes in the AM peak and 1 trip every 7 minutes in the PM peak.
- 7.8 As per the requirements of NPPF paragraph 117, given the development is likely to generate additional movements and travel demand, a Travel Plan has been prepared which demonstrates Miller Homes' commitment to sustainable travel. The Travel Plan sets out a sustainable transport strategy for the development and its future residents with the aim of reducing single occupancy car journeys and to improve the accessibility of the site by non-car modes of transport. Measures set out within the Travel Plan to achieve these aims include:
- The appointment of a Travel Plan Coordinator to promote the Travel Plan amongst residents.
 - Offer of a Sustainable Travel Voucher to each dwelling worth £150 to be used towards the cost of a sustainable travel measure (such as a bus pass, cycle equipment etc.)
 - EV charging infrastructure at each dwelling.
 - Personalised Travel Planning – individual and focused travel planning advise to all new households to raise awareness of the options available.
 - Travel Information Pack and Guide to be provided to all new households (to include bus timetables, maps etc)
- 7.9 In summary, the submitted TA and Travel Plan together demonstrate that the site is sustainably located and will achieve safe and convenient access for all users, including suitable links for pedestrians and cyclists. The proposed development will therefore be in full accordance with the provisions of Policy 40 of the Local Plan, as well as the provisions set out in Chapter 9 of the NPPF. Regard has also been had to policy SNP4 of the SNHP.



Flood Risk and Drainage

- 7.10 The site is entirely within Flood Zone 1, being at the lowest risk of Fluvial flooding.
- 7.11 Part of the site is at slightly heightened risk of surface water flooding. A Flood Risk Assessment prepared by Paul Basham Associates is submitted with this application which outlines how surface water will be actively managed to minimise the surface water flooding in a way that mimics on site flows by directing water towards the existing stream to the west of the site.
- 7.12 As part of the pre-application discussion with HDC, officers confirmed that the sequential test would not be applied in circumstances where all dwellings are located in the lowest areas of surface water flood risk and roads are in areas at no more than 'low' surface water flood risk.⁴
- 7.13 The site layout has been premised on avoiding any dwellings within areas at more than 'very low'⁵ surface water flood risk. A part of the access road is located within an area of 'low' surface water flood risk. The FRA confirms, the areas at risk of surface water flooding are not forecast to exceed 300mm in depth (the standard depth considered acceptable for still achieving access).
- 7.14 Therefore, in respect of paragraph 175 of the NPPF and associated guidance, and based on advice received from the LPA, development has been steered away from the areas at high and medium risk of flooding and as such there is not a requirement to apply the sequential test to the site.
- 7.15 The drainage approach has also been mindful of the Ancient Woodland adjoining the site by mimicking the sheet flows to prevent potential erosion. In brief, the approach includes two swales on the northern edge of the site and a basin at the western edge of the site, designed to appear as a naturalistic part of the site design

⁴ Email Correspondence with Stephanie Bryant dated 25-10-2024. Appended to this planning statement.

⁵ The lowest surface water flood risk category.



that can be appropriately landscaped to also provide landscape and ecology benefits.

- 7.16 In Flood Risk and Drainage terms the site is therefore considered a suitable location for development, with sustainable drainage measures incorporated to manage any residual flood risk.

Landscaping and Trees

- 7.17 A Landscape and Visual Appraisal (LVA) has been undertaken by Fabrik to accompany the Outline application. Findings within the LVA are based on the Illustrative Site Masterplan and the Land Use Parameter plan on which the indicative masterplan is based. The masterplan has been designed to reduce landscape and visual effects and to provide mitigation that is appropriate in the local context.

- 7.18 Several measures have been designed into the site to ensure that the development responds well to the site's context and character; and that landscape and visual effects are minimised to result in an attractive and desirable development. These measures include:

- Retention of the vast majority of existing non-plantation trees along the site's boundaries, and enhancement where appropriate;
- Inclusion of new street trees and ornamental planting throughout the development;
- Inclusion of public open space at the heart of the site, comprising a play area native planting and informal amenity space;
- Another area of public open space to the western corner to provide informal amenity space comprising native planting, sustainable drainage basin and a connection to the PRow footpath;
- Setting back development from site edges to protect retained planting

- 7.19 The submitted LVA and associated masterplan demonstrates that this development can deliver a well-considered residential scheme that sits appropriately in its setting



- and will avoid any significant effects on landscape character or sensitive landscape designations.
- 7.20 As such, the development is considered to accord with the provisions of the NPPF, and the provisions of Policies relating to the protection of the landscape and countryside, including policy 25.
- 7.21 In respect of trees, with the exception of the plantation woodland and the removal of some Class C low quality trees to facilitate access, no trees are proposed for removal.
- 7.22 An indicative tree protection plan is submitted based on the illustrative layout that shows how trees can be protected. There are opportunities for further refinement at later detailed RM stages, but overall these show that wherever possible RPAs have been avoided with only marginal incursions likely where access roads and paths are required.

Heritage

- 7.23 Pegasus Group have prepared a heritage assessment of the site covering both built and beneath ground heritage.
- 7.24 In respect of built heritage, the report confirms the proposals will cause no harm to any designated or undesignated heritage assets identified.
- 7.25 In respect of buried heritage, the report concludes the site has some potential for buried remains but that these do not represent an overriding constraint. Consequently, the report concludes that conditions can be used to secure pre-construction archaeological investigation.
- 7.26 Therefore, the proposals comply with Local Plan Policy 34 and the relevant sections of the NPPF.

Ecology and Biodiversity Net Gain

- 7.27 Ecosupport have undertaken detailed surveys of the site to ascertain the baseline biodiversity of the site and identify fauna and flora present on site. This in turn has



informed the site design and mitigation, as well as the proposals for Biodiversity Net Gain to be achieved.

7.28 Based on the surveys, the main species of relevance to the site are:

- Reptiles (low population)
- Bats (foraging and commuting)
- Dormice
- Badgers (no evidence of presence but potential suitable habitat)
- Birds

7.29 The ecology report provides further detail of all surveys undertaken including suitable mitigation which has been incorporated into site design. This includes retention of existing fields boundaries, reserving residential development to the less sensitive centre of the parcels and maintaining dark corridors to protect bat commuting and foraging routes. At detailed design stage, features such as bird and bat boxes and appropriate detailed landscaping can be indicated to further provide opportunities for biodiversity on site.

7.30 The report also contains recommendations in respect of construction activities to avoid harm to protected species and these can be controlled by a condition requiring a detailed CEMP to be submitted which incorporates these measures.

7.31 In respect of **BNG**, the development is required to demonstrate a net gain of at least 10% in biodiversity. This is to be assessed based on the statutory biodiversity metric calculator as provided by Natural England.

7.32 Emerging Policy 17 seeks to achieve a BNG of 12%. However, as referenced above the emerging plan can only attract very limited weight and furthermore there was substantial objection to draft Policy 17.

7.33 Development of the site has sought to minimise habitat loss whilst maximising on site gains where possible whilst also balancing this against the need to make efficient use of the site for housing, particularly given the acute need for housing in the district. All habitats on site were ranked either poor or moderate, the redline boundary does not contain any irreplaceable habitats and the baseline for the site is 18.27 for habitats and 4.03 for hedgerows.

7.34 At outline stage there is no requirement to specify the precise way in which a 10% net gain in BNG is to be achieved. The requirements for BNG information to



accompany an application are set out at paragraph 11 of the BNG section of the PPG.⁶

- 7.35 All the same, Miller Homes are looking to utilise land to the immediate south of the site to achieve BNG so that the net gain can be provided to benefit local wildlife. The submitted BNG assessment and metric tool are provided on the basis of using this land, albeit at this stage there is no requirement for this to be secured but demonstrates Miller Homes' clear preference to achieve BNG locally.
- 7.36 The assessment also takes into account the need to provide mitigation habitat for species present on site and this is reflected in the calculator.
- 7.37 Overall, whilst there is no requirement to demonstrate precisely how the 10% BNG will be achieved at this stage, the detail submitted provides a clear intention as to how a 10% net gain in BNG can be achieved locally whilst also making efficient use of land to deliver housing.
- 7.38 The BNG metric will be further refined at detailed design stage and secured via the statutory BNG condition to which this application will be subject. If appropriate this can also form part of the s106 agreement in relation to the site.

Water Neutrality

- 7.39 There is currently a requirement to demonstrate that all developments are 'water neutral' in order to avoid adverse impacts on designated ecological sites, namely the Amberley Wild Brooks Site of Special Scientific Interest (SSSI), Pulborough Brooks SSSI and Arun Valley Special Protection Area/Special Area of Conservation and Ramsar site.
- 7.40 Miller Homes are actively progressing a Water Neutrality solution on site using bore holes to provide potable water to the new homes without increasing the demand for water on the sensitive wildlife sites in the Arun Valley. Investigations

⁶ Which are derived from [Article 7 of The Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015](#) as amended.



- are ongoing but it is likely that two bore holes will be required, and these will be located in the eastern parcel on its northern edge.
- 7.41 Measures will be implemented within homes to also reduce water usage, such as the provision of low flow appliances and water butts.
- 7.42 Whilst Miller Homes are confident they will have a solution ahead of the determination of the application, there is also now precedent for water neutrality solutions to be controlled via a condition if needs be, as established by the recent allowed appeals within the District with references APP/Z3825/W/23/3321658 (Lower Broadbridge Farm) and APP/Z3825/W/23/3333968 (Kilnwood Vale). If needs be a condition can therefore be attached to the application to ensure water neutrality is achieved prior to occupation.

Noise, Lighting and Air Quality

- 7.43 Detailed environmental assessments of the site have been undertaken for Noise (24Acoustics), Lighting (SLR) and Air Quality (SLR).
- 7.44 In respect of **noise**, the assessment shows that the main source of potential disturbance to future residents is the A24 to the east of the site. The noise report recommends acoustic fencing of 2m in height along the eastern boundary of the site to protect residents from noise; which is indicated on the indicative masterplan.
- 7.45 The indicative masterplan also indicates good acoustic design with more sensitive spaces, such as private gardens, set behind built form where they are better protected from noise. For those properties fronting the A24, depending on the final layouts and elevations, it is anticipated that acoustically rated double glazing and acoustically rated trickle ventilators may be required to achieve the defined internal noise criteria.
- 7.46 The report concludes that an appropriate acoustic environment can be provided to the proposed residential properties and that the potential for noise impact from nearby noise sources will be suitably controlled. The proposals are hence in compliance with policy.
- 7.47 It is also important to acknowledge that the relationship to the A24 is akin to the relationship between the A24 and the recently completed Mulberry fields



- development to the north, which also includes similar mitigation including an acoustic fence to the eastern boundary.
- 7.48 The proposals are hence in compliance with Policy 24 of the Local Plan and relevant national policy and guidance.
- 7.49 In respect of **lighting**, a lighting assessment has been submitted which includes lighting parameters to guide future detailed design and informed the parameter plans for the site. The lighting parameters have also been informed by the findings of the project ecologist, landscape architect and transport planner such that they include low light zones along bat corridors and specify a low light environment to protect the local nightscape whilst still providing a safe environment for residents.
- 7.50 In respect of **Air Quality**, the Air Quality Assessment concludes that during the operational phase, subject to mitigation targeted at reducing vehicular trips, as set out in the Framework Travel Plan, the proposals will result in no significant adverse effects on human or ecological receptors. In terms of construction phase, it sets out a number of recommendations to manage air quality and potential dust which will be incorporated into a future CEMP.
- 7.51 Overall, therefore the proposals do not cause any significant environmental harms and are in compliance with relevant local and national policies in respect of noise, lighting and air quality.

Contamination

- 7.52 A preliminary Land Quality Risk Assessment has been undertaken by SLR which confirms that the risk from onsite contamination is low, with recommendations that



- a watching brief should be adopted. This can be appropriately secured via a planning condition.
- 7.53 A detailed Construction Environmental Management Plan (CEMP) can be used to manage potential risks of contamination occurring to local receptors during construction activities. This can be controlled via a planning condition.
- 7.54 In respect of contamination risks the proposals therefore comply with Policy 24 of the local plan.

Energy and Sustainability Statement

- 7.55 Miller Homes are committed to providing highly sustainable and energy efficient new homes to meet the requirement of the latest building regulations and reduce house holder bills whilst contributing to reducing carbon emissions. Miller Homes' approach intrinsically follows the energy hierarchy by utilising a fabric first approach in the design and layout of the site. This is achieved by installing energy saving measures, such as those included in the list below, prioritising measures that improve the efficiency of the homes to reduce energy use whilst also reducing costs for future residents.
- 7.56 By doing this it is expected that the development will result in a reduction in carbon emissions against the latest building regulations targets. This accords with the aspirations of the Council's adopted and emerging policies on climate which supports proposals that meet the energy hierarchy contribute to achieving zero-carbon development and positively contribute to addressing climate change.
- 7.57 A range of measures will be embedded into the design and function of each new home in order to significantly improve the energy efficiency and carbon footprint of the development as a whole. These measures will include:
- Air Source Heat Pumps
 - EV Charging points to each plot
 - Photovoltaic Panels (PV)
 - Thicker wall cavity.
 - Water butts to each plot.
 - Water saving devices such as low flow taps and showers to reduce water use.



- 7.58 Full details of the measures to reduce both construction and operational resource and energy use can be set out at the detailed design stage.
- 7.59 It is also important to recognise that the sustainable location of the site coupled with its design, landscaping and layout and measures within the Travel Plan to encourage walking and cycling are also an intrinsic part of reducing energy use and creating a happier, healthier environment for residents now and in the future.
- 7.60 Whilst at this stage it is not possible to provide detailed calculations for the energy use of the scheme, as far as is possible at this stage, the above demonstrates Miller Homes' commitment to achieving high environmental standards as well as compliance with policy 35 of the Local Plan.

Minerals Resource Statement

- 7.61 The site is in a mineral safeguarding area for brick clay (Weald Clay Formation) where Policy M9 of the West Sussex Minerals Local Plan applies. The safeguarded area for brick clay covers a large part of Northern West Sussex including the majority of Horsham District.
- 7.62 The site is constrained by its relatively small size, access, which is via a residential estate, and proximity to existing residential properties to the north. There are also various constraints which impede the areas likely to be available for excavation and extraction including important trees around the periphery of the site and dissecting its centre, in addition to the Ancient Woodland to the immediate west of the site. For the same reasons, prior extraction is not feasible.
- 7.63 The need for housing nationally and within Horsham District, as demonstrated elsewhere in this statement, is acute. This need, coupled with the constrained nature of the site for mineral extraction and the widespread nature of the resource, outweighs the development of the safeguarded site for residential use. Consequently, the proposals meet criteria (b) of Policy M9.

Construction Management

- 7.64 A Framework Construction Management Plan (FCMP) has been produced to provide an initial indication as to how construction activities will be managed on site and in relation to access for construction vehicles. This will be developed at detailed



stage once the final site design is known but demonstrates that the site can be suitably constructed whilst minimising disturbance to existing local residents.



8.0 Affordable and Market Housing Statement

8.1 Policy 16 states that on sites providing 15 or more dwellings, or on sites over 0.5 hectares, the Council will require 35% of dwellings to be affordable, with 70% of this to comprise affordable rent and 30% intermediate housing. It also states that development should provide a mix of housing sizes, types and tenures to meet the needs of the District's communities as evidence in the latest SHMA.

8.2 The emerging Local Plan's policy on affordable housing (draft Policy 39) requires a minimum of 45% affordable housing on greenfield sites but requires the same percentage split of affordable rent and intermediate as current policy. However given the emerging Local Plan's status and the halting of the Local Plan examination, the draft policies only contain very limited weight at this stage.

8.3 The indicative overall housing mix is as follows:

House Type	Unit Numbers (based on 82 units total)	Percentage
Market		
4-bedroom	13	15.9%
3-bedroom	22	26.8%
2-bedroom	12	14.6%
1-bedroom	6	7.3%
TOTAL	53	64.6%
Affordable Rent		
4-bedroom	2	2.4%
3-bedroom	6	7.3%
2-bedroom	4	5%
1-bedroom	8	9.8%
Affordable (Shared Ownership)		
4-bedroom	1	1.2%
3-bedroom	2	2.4%
2-bedroom	6	7.3%
TOTAL	29	35.4%



- 8.4 The proposed housing mix is therefore policy compliant in that 35% of the units are proposed as affordable housing. It also complies with the tenure mix requirements of 70% affordable rent and 30% intermediate housing.
- 8.5 The delivery of market housing alongside policy compliant levels of affordable housing will enable a substantial boost to local housing delivery, which is particularly important given HDC's lack of a 5YHLS.
- 8.6 It is expected that the affordable housing provision and tenure split will be secured via a s106 planning agreement with the final market mix to be determined at detailed RM stage having regard to the latest housing needs.



9.0 Draft Heads of Terms

- 9.1 Miller Homes Ltd propose to enter into a legal agreement through S106 of the Town and Country Planning Act 1990 (as amended) to secure any necessary planning obligations.
- 9.2 Necessary financial contributions will be made in accordance with adopted policy where they are justified and meet the relevant tests. It is anticipated that planning obligations will be required for the following matters which will form the Heads of Terms of a future Legal Agreement:
- Affordable housing provision;
 - Travel Plan monitoring including proportionate monitoring fee; and
 - Public Open Space
- 8.3 The site is within an area with an adopted CIL charging schedule and so will also make contributions towards local community infrastructure.



10.0 Summary and Planning Balance

10.1 At the heart of the NPPF is the presumption in favour of sustainable development. As set out in NPPF Paragraph 8, the planning system has three overarching objectives which are key to achieving sustainable development. These are social, economic and environmental objectives.

10.2 The proposed development would result in **social** benefits through:

- The provision of a mix of up to 82 dwellings in a sustainable location, to add to the much-needed housing stock in the district, representing a very substantial benefit in the context of the Council's housing supply and delivery position;
- The provision of a policy compliant level of affordable housing units; as well as a suitable mix of tenures and houses sizes to accord with identified local needs representing a very substantial benefit in the context of the pressing need for housing and poor track record of delivering affordable homes;
- Public open space provision including play provision, and new connections to the PRoW network for the enjoyment of incoming and existing residents, as well as private outdoor amenity space for each dwelling; and
- A sustainable location with access to a range of services and facilities, including Primary Schools, and other shops and services in Southwater and public transport provision .

10.3 The proposed development would result in **economic** benefits through:

- Generation of employment related to construction;
- New Homes Bonus payments and CIL receipts;
- Contributions to the local economy by future residents; and
- Additional financial investment towards existing highways and open space infrastructure through planning obligations.

10.4 The proposed development would result in **environmental** benefits through:

- Existing mature planting along the boundaries to be retained and enhanced, in order to retain the verdant character of the site and to protect wider landscape views and Ancient Woodland;



- Provision of ecological enhancement measures, including mitigation measures to prevent harm to sensitive habitats and to achieve at least 10% Biodiversity Net Gain;
- Protection from flooding for the lifetime of the development by utilising sustainable drainage systems which also provide ecological and landscape benefits;
- Careful landscape design to produce a development of the highest quality, ensuring it respects the local area; and
- Design of the homes to meet and exceed current environmental standards, including adopting a fabric first approach and the use of sustainable energy technologies including EV car charging at each dwelling.

10.5 It is therefore evident that the proposal would deliver multiple benefits, particularly the significant benefit of a mix of much needed affordable and market housing. It represents a logical extension to the adjacent recently built out Mulberry Fields. The principle of residential development on the site has also been accepted as suitable in HDC's pre-application response in the context of the acute unmet housing need in the district.

10.6 Furthermore, HDC's housing policies are out of date and therefore NPPF paragraph 11d is clear that permission should be granted unless *"any adverse impacts of doing so would significantly and demonstrably outweigh the benefits..."*.

10.7 Accordingly in weighing the tilted planning balance, the proposed development would not result in an adverse impacts which would significantly and demonstrably outweigh the identified social, economic and environmental benefits. Therefore, in accordance with NPPF paragraph 11d, there is no strong reason for refusing the development proposed hence Outline planning permission should be granted. It is therefore respectfully requested that this application is approved without delay.



Appendix A HDC Pre-app response

(dated 13/09/2024, 24/10/2024, 25/10/2024 [Email])





**Horsham
District
Council**

Mr Nick Billington
SLR Consulting - Mountbatten House
1 Grosvenor Square
Southampton
SO15 2JU

Our ref: PE/24/0138
Your ref:
Officer: Stephanie Bryant
Email: Stephanie.Bryant@horsham.gov.uk
Tel:
Date: 13th September 2024

Dear Sir/Madam,

Location: Land at Campsfield, Linfield Close, Southwater, West Sussex

Details: Development of up to 84 dwellings with associated landscaping, open space, infrastructure and access.

Your enquiry has been considered and I can advise as follows:

Principle of development

Policy 2 of the Horsham District Planning Framework (HDPF) sets out the main growth strategy, focusing development in the main settlements and Policy 3 of the HDPF directs development within existing settlements which have defined built-up area boundaries (BUAB). The site is located outside of any built-up area boundary and is therefore within a countryside location.

Policy 4 states that development will be permitted outside BUAB via the expansion of settlements where, amongst other criteria, a site has been allocated in a local plan or neighbourhood plan. Policy 26 protects the countryside against inappropriate development unless it is considered essential and appropriate in scale; whilst also meeting one of four criteria. These criteria includes: supporting the needs of agriculture or forestry; enabling the extraction of minerals or the disposal of waste; providing for quiet informal recreational use; or enabling the sustainable development of rural areas.

The site is not allocated in the HDPF and as such the proposed development does not accord with Policies 3 and 4 in this regard. The erection of a dwelling is not considered to be essential to its countryside location, nor does it meet any of the criteria set out in Policy 26, therefore this proposal does not accord with Policy 26. In view of the above, the principle of the proposed development is contrary to the overarching spatial strategy and principles of the HDPF.

The Southwater Neighbourhood Plan area does not appear to include the whole of Southwater Parish, with the Plan map excluding this pre-application site from the Neighbourhood Plan area. Therefore, the site is not subject to the policies in the Southwater Neighbourhood Plan, with any application to be considered only against the relevant policies within the HDPF, alongside all other material considerations including the NPPF.

Strategic Policies 2 and 3 of the submission Horsham District Local Plan (HDLP) promote a similar development hierarchy to Policies 3 and 4 of the HDPF, supporting the expansion of existing settlements outside the BUAB only where, amongst other criteria, a site has been allocated in a

local plan or neighbourhood plan. The site is not allocated for development within the submission HDLP, therefore the proposal does not accord with the HDPF or emerging policy within the HDLP.

The Council cannot currently demonstrate a 5 year housing land supply (the Council's latest Authority Monitoring Report shows a 2.9 year supply). Accordingly, Paragraph 11d of the NPPF is engaged in decision making meaning the conflict with Policies 3, 4 and 26 of the HDPF carries reduced weight.

In recognition of these HDPF housing policies being out-of-date, the Council has published interim guidance on how housing proposals are to be considered in its Facilitating Appropriate Development (FAD) document. The FAD document is guidance only with no statutory status, therefore the weight to be applied to it is limited. The FAD recognises that the Council is likely to receive applications outside of defined BUAB and on unallocated sites (such as this proposal) given its housing land supply position. The FAD confirms that applications which meet all the following criteria will be positively considered:

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

The application site adjoins the settlement edge of Southwater and although it does not abut the existing BUAB, it does adjoin the revised BUAB set out within the submission HDLP. In respect of the other FAD criteria, the expansion of residential development at the settlement edge within this pre-application site is considered to be appropriate for the scale and function of Southwater. Given the lack of a 5 year housing supply, there is a need for housing which this proposal would contribute to addressing. The pre-application site is contained within woodland boundaries, which have the potential for enhancement as part of any submission. It is noted that the Horsham District Landscape Capacity Assessment 2021 considers there to be low landscape capacity for housing in Land South of Southwater. Therefore, landscape impacts will be a key aspect of any proposal. I therefore consider an argument can be made that this development accords with the FAD.

In view of the above, the proposal is at conflict with existing policy within the HDPF and submission HDLP. However, the principle of the proposed development within the countryside is considered to meet the FAD guidance.

Housing Mix and Affordable Housing

Policy 16 of the HDPF requires that major development schemes provide a minimum 35% affordable housing, with 70% of such housing to comprise Affordable Rent and the remaining 30% intermediate housing. The Council's Strategic Housing Market Assessment provides an indicative mix of housing sizes that development should provide, however please note that the latest evidence from our housing team is that there is a significantly greater demand for 3-bed affordable rent homes than 1 or 2 bed affordable rent homes.

Policy 39 of the submission Horsham District Local Plan (HDLP) requires all new housing development on greenfield land to comprise 45% affordable housing and it is likely that this will be the policy that any application would likely be considered under. You are therefore advised to review this policy and the accompanying policies in the HDLP on housing standards.

The pre-application emerging masterplan detail suggests the provision of 15 affordable rent units, 7 shared ownership units and 8 first homes. Out of the proposed 84 dwellings, this equates to a 36% affordable housing provision. While this meets the HDPF overall affordable housing

requirement, it is noted that this is below the emerging HDLP requirement for 45% affordable housing on greenfield sites such as this, therefore I recommend reviewing policy requirements at the time of any submission. Furthermore, the Housing Officer has identified that to meet the requirement for 70% of the affordable units to be provided as affordable rent, 21 affordable rent homes would need to be provided and currently only 15 are being proposed. The remaining 30% (9 units) can be delivered as any other intermediate tenure such as first homes and/or shared ownership. With this in mind, the number and split of affordable housing, in regard to affordable rent units, does not accord with the HDPF and would not currently be supported. I recommend this is reconsidered prior to any submission.

The Housing Register in Southwater / Christ Hospital currently has 313 households waiting for housing of which is broken down to 76 households in need of a 1-bedroom unit, 57 households in need of a 2-bedroom unit, 133 households in need of a 3-bedroom unit and 47 households in need of 4 or more bedrooms.

The site has proposed to deliver 2x1 bed, 5x2 beds, 5x3 beds, and 1x4 beds as affordable housing, which is a good reflection of current need however, the Housing Officer would encourage further delivery of 3 bed units as affordable rent where possible as we can evidence a clear need for it currently.

No mention is made of a potential affordable housing provider, and Housing Officers would urge the applicant to reach an agreement with a provider, to clarify and confirm tenure split, and secure funding arrangements for the affordable homes and ensure the layout and specifications of the affordable units meet the provider's requirements.

Design and Layout

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.

Strategic Policies 19 and 20 of the submission HDLP require high-quality, beautiful and inclusive design which conserves and enhances the natural and built environment, and reflects the local, physical, social, economic, environmental and policy context. In particular, Strategic Policies 19 and 20 support development which, inter alia, is: attractive, functional, safe and adaptable; compliments and respond to locally distinctive characters; contributes to a sense of place; makes efficient use of land; provides a good standard of amenity for existing and future occupants; is of a sympathetic scale, massing and appearance; uses high standards of building materials and landscaping; allows sufficient space for general waste and recycling provision; and makes a clear distinction between public and private spaces.

Density and quantum of units

Following a review of the proposed layout, I have concerns with the site density and quantum of units.

There are a number of areas where parking is poorly located resulting in large areas of parking hardstanding, loss of pedestrian prioritisation and footpath connectivity, poor accessibility to dwellings with rear access through gardens from parking; and poor street tree provision.

To address these concerns, I recommend revising the design of the unallocated parking forecourts to reduce their proximity to and visibility from the primary road, for example by providing tree planting to screen the parking forecourt and setting the parking back from the primary road so it is more enclosed. The parking should also be spaced out by trees to loosen the urban structure and break up the extensive parking area. It is possible that plots may need to be removed or

rearranged in this section to address this. The same applies for other areas of grouped parking. Where several car parking spaces (see plots 1-3, 41-43) are located adjacent to each other, please ensure no more than 4 spaces are grouped together before a break with a tree and some vegetation, with long stretches of parking, even with breaks, avoided where possible.

There are also multiple instances where car parking is not located adjacent to the dwellings (including plots 27, 38, 62-63, 69-70, 75-76) or the parking spaces are quite snug (see 1-3, 11-12, 20-21, 31-32, 41-42, 47-52, 53-61, 77-84). I recommend rearranging the car parking to ensure it is located in front of or directly adjacent to the properties. This is most prevalent for Plots 27 and 38 where the distance from the onsite parking to the homes is not user friendly, especially for families with young children. Parking should, wherever possible, be located in close proximity to the host property. I also recommend reviewing those spaces with no hard standing surround to ensure there is enough space to access the spaces, for example with a pram. In addition, in the case of plot 19 parking, this is likely to impact to amenity of plot 18 due to proximity. It is recognised that this likely due to seeking to maximise green space which is supported and should continue with revisions to the plot 19 parking layout to address future occupant amenity issues.

The above parking layout issues, overall density and quantum of dwellings is contributing to quite small gardens and inconsistent rear garden access. This is particularly the case for plots 26, 39 and 62 with the current location of parking and garage for plots 25, 38 and 62, and plot 68 as a result of the access to plot 67 rear garden. Where access to enclosed rear gardens is proposed from side parking, such as plots 54-55, this isn't so much of an issue. However, there also instances, such as plots 33-35 where this approach hasn't been taken, resulting in messy double rear garden access alleys and smaller gardens for plots 33-34 despite being the same dwelling size as plot 35. Furthermore, there are instances where no rear access is proposed, including plots 21 and 70. This is resulting in a cramped and dense layout which is out of keeping with countryside fringe development. I strongly recommend reviewing this to ensure a consistent rear garden access approach and size, and potentially reducing the number of terraces in favour of semi-detached units, and overall quantum of units to address this.

I note this pre-application site was rejected as a site allocation within the Council's Regulation 19 Site Assessment Report Part IV (December 2023) in part due to the distance of the site from Southwater town centre and the quantum of development planned for Southwater (including the strategic allocation West of Southwater). This site assessment also included land to the west of the pre-application site and was based on approximately 100 dwellings. The current pre-application proposal covers half the area of the site assessment but still includes nearly the same number of dwellings. With the quantum being of concern over a larger area, it remains even more so in this smaller area. The impacts of this are clearly outlined above and I recommend reviewing the quantum of units to ensure a more sympathetic and less dense layout commensurate to this edge of settlement location.

All of the above factors have contributed to my view that the current layout is too dense and that this is a result of the number of units currently proposed. I therefore recommend reviewing the current layout to address the above issues.

Building elevations and street views

There are several instances where the side and rear elevations of properties are facing or obviously visible from the primary road (see plots 7-8, 15-16, 17, 24, 69, 39, 45-46, 61). I recommend ensuring the design of the side elevations are carefully considered to maintain visual interest and create attractive and welcoming views along the primary road.

Similarly, there are a few key corner plots which have the potential as key features (see plots 5-6, 17, 77-84, 23, 62). I recommend carefully considering the design of these buildings and in particular the orientation and layout of plots 5-6 and their parking to create more impactful visual interest on access into the site and ensure the plot parking does not dominate the entrance view.

Several terraces are proposed across the site and where the end terrace is on a corner, I recommend considering whether side access would be more appropriate and ensure these units are designed well for both their active frontages.

In particular regard to plots 45 and 61, I am slightly concerned with the proximity of the unallocated spaces to the side elevations and the potential impacts to future occupants' amenity, particularly in view of the recommendations to ensure active frontages along those section. I recommend reviewing this as this may be addressed through changes from unallocated to allocated parking specifically for those plots.

Other layout comments

The outward facing overall layout of the site is supported.

For plots 11 and 12, there is no footpath surfaced access and it is recommend this is picked up within any detailed submission drawings.

It is recommended that a boundary plan is provided as part of any submission. This should include details of different types of fencing, in particular brick wall provision along defensible boundaries.

Details of bin storage will need to be considered and included as part of any submission. This has the potential to reduce green/garden space and increase street clutter, so it is important this is thoughtfully incorporated into the layout.

It is recommended that length, width, height and floorspace measurements on the elevation and housetype plans when an application is submitted for clarity and ease of reference, and to include detailing at roof level to enrich the appearance of the development. Bland featureless roofspaces should be avoided, with the use of chimneys, gables, hips and dormers to provide interest and variety. Vent stacks should be detailed on the plans as these can visually detract if not sensitively located on roofs.

Landscape and Trees

Policy 31 of the HDPF 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. Policy 33 of the HDPF also requires developments to presume in favour of the retention of existing important landscape and natural features, including trees. Strategic Policy 17 of the submission HDLP resists any loss of green infrastructure unless it can be demonstrated that new opportunities will be provided that appropriately mitigates and/or compensates for the respective harm and ensures that the ecosystem services or the area are retained and enhanced. Strategic Policy 17 also expects existing priority habitats and trees to be retained, with habitat enhancement including additional hedgerow and tree planting. Where the felling of a tree is necessary, for example due to disease, Strategic Policy 17 would require replacement planting with a suitable tree species, age, and location to retain and enhance the link with the wider network of habitats and Green Infrastructure, will be required.

Landscape Character

The HDC Reg 19 Site Assessment Repot Part IV (December 2023) considered the impacts of the pre-application site and rejected the site in part due to biodiversity and landscape issues. The pre-application site is countryside fringe with strong woodland features. The pre-application layout does not address the concerns set out in the Site Assessment Repot and Horsham District Landscape Capacity Assessment 2021. The Landscape Officer strongly recommends reviewing the concerns and details of the Local Landscape Character Area 26: Land South of Southwater within the Landscape Capacity Assessment and addressing this within any submission.

Trees

The retention of perimeter and central trees and inclusion of a minimum 15m buffer from the Ancient Woodland (AW) is supported. The 15m buffer should exclude any SuDS including the proposed attenuation basin, and instead should comprise solely of woodland planting. The unallocated parking for plots 1-3 should also preferably be located further to the east to minimise hard standing, underground utilities and potential sources of lighting in proximity of the AW.

As mentioned in the density and quantum of units section above, trees are expected along the primary road in line with the requirement of NPPF 136 and within larger groupings of car parking. I also consider that more tree planting could be included within the site layout in general. This will assist with BNG and creating a well-designed and attractive development. Any additional tree planting should be native species. The location of trees needs to be coordinated with underground services (utilities) and it is recommended that a drawing showing the location of utilities and trees RPAs is provided any submission.

From a design and layout perspective, it is note that the trees outside plots 65 and 72 are quite important for screening and separating parking and rear gardens. Therefore, it is important to ensure sufficient space is included for the trees and root protection areas outside of underground facilities and hardstanding, and without impeding pedestrian footpaths.

It is noted that the site currently planted within plantation woodland and the impact of this loss will need to be fully considered and justified within any submission.

Any submission would need to include a Tree Survey, details of tree removal, retention and protection (including a tree protection plan), an Arboricultural Impact Assessment and details of proposed tree planting and maintenance/management.

SuDS

Proposed surface water attenuation areas focus predominantly on end of pipe solutions by concentrating on the water storage and slow-release aspects of SuDS. We encourage the surface water strategy to be revisited to explore the 4 pillars of SuDS which include amenity, water quality, water quantity and biodiversity. There are a number of opportunities that can be introduced by implementing tiers or hierarchies of landscape features (no more than 150mm to 300mm deep) such as swales, rain gardens, rills, blue green roofs, etc. The introduction of these features would likely reduce the size or depth of the proposed basins, providing opportunity for better integration within the landscape and amenity space.

Drawings and levels for the attenuation basins and further potential SuDS proposals should be included in any submission

The ground contouring, planting and inlet and outlet design should be carefully considered to maximise the amenity value. If headwalls are proposed, Landscape Officers recommend a soft, naturalistic approach such as cladding in Horsham stone and introducing planting.

The proposed attenuation basin in the west of the site currently appears quite square and an alien feature within the landscape. Attenuation basins should blend aesthetically into the surroundings and must not look like steep sided engineered structures. Landscape Officers recommend introducing varied depths using a combination of shelves/benches with a max 1:3 slope in between. This will provide the opportunity for marginal planting and a wildlife habitat which has high potential for biodiversity and therefore ecological and amenity benefits.

Attenuation areas and swales should additionally be combined with variations in vegetation structure to ensure habitat diversity and landscape effect. As per HDC's Open Space, Sports & Recreation Review, we advise using solely UK native species and a range of vegetation types including wildflowers and other nectar rich plants, trees, shrubs and grasses of various heights.

These should be included within the planting schedule and their specific maintenance within a LMMP.

In view of the above, I recommend reviewing the SuDS approach and redesigning the attenuation basin to appear more naturalistic in shape and with edge planting, as well as being located outside the AW buffer and mindfully located in relation to surrounding tree roots.

Public Open Space

To follow.

Neighbouring Amenity

Policy 33 of the HDPF states that development should consider the scale, massing, and orientation between buildings, respecting the amenities and sensitivities of neighbouring properties and ensuring unacceptable harm to amenity of neighbouring properties, such as overlooking or noise, is avoided. Strategic Policy 11 of the submission HDLP requires development proposals to minimise lighting impacts on neighbouring sites. Strategic Policy 20 of the submission HDLP requires development to be designed to avoid unacceptable harm to the amenity of existing and future occupiers or users of nearby property and land, for example due to overlooking, over dominance or overshadowing, light pollution, traffic generation, and general activity, noise, odour and/or vibration.

The proposed development is likely to have some visual impact to the existing Mulberry Fields dwellings bordering the pre-application site, although this is expected to be largely screened by the retention of the existing tree belt. The proposed development would also have temporary construction impacts and occupational traffic impacts, which will need assessing and appropriately mitigating as part of any application submission.

The provision of footpath connections and additional open space within the pre-application site would be a benefit to neighbouring residents' amenity. Details of how this will be managed and any impact to future site occupants should be explored within any application submission.

Highways, Traffic and Access

Policy 33(8) of the HDPF requires, where appropriate, the incorporation of convenient, safe, and visually attractive areas for the parking of vehicles and cycles without dominating the development or its surroundings.

Parking

No information has been included within the pre-application details with regard to cycle parking and EV charging provision. It is noted that WSCC Highways have been separately engaged for pre-application advice so I shall leave this along with car parking quantum for them to comment.

However, I do not agree with the current distribution of allocated and unallocated spaces, nor is the difference between unallocated and visitor parking spaces clear. I have particular concern with the consistent approach of unallocated parking spaces for the majority of the affordable housing plots. In this regard they do not assimilate seamlessly into the overall character of the site to be read as tenure-blind. Please address this as part of any submission and ensure sufficient parking provision for the affordable units as per the WSCC Guidance on Parking for New Development. Please also clarify the distinction between unallocated and visitor parking and how would that work in reality.

As mentioned in the density and quantum of units section above, the parking spaces should be spaced out by trees to loosen the urban structure and break up the extensive parking area.

The proposed site access through Mulberry Fields will remove the existing two car parking visitor parking spaces for the pumping station. Any submission should assess the impact of this and detail the provision of alternative/replacement visitor service parking.

Construction

The proposed development requires access through Mulberry Fields. I am concerned about the impact of construction traffic to residential amenity for those properties located along Centenary Road and wider traffic implications to the whole of Mulberry Fields. Any submission needs to carefully consider the proposed construction access and traffic, including an assessment of impacts and sufficient mitigation measures to ensure adverse impacts to residential amenity and traffic is avoided.

Footpaths

Cycle and pedestrian access should be prioritised across the site. There is an instance in the current layout where the central pedestrian path goes straight into the parking space for plot 12. I recommend amending any submission layout to ensure the footpath has its own dedicated access and route which avoids parking spaces. This should be considered holistically and ensure it is kept separate from dwellings frontages and other parking.

Public Footpath 2804 runs along the south of the site. Changes to a Public Footpath would require consultation with the Public Rights of Way team at West Sussex County Council. Should an application be submitted, details of the impact to the Public Footpath and any diversions/stopping up would be required.

Other

Given the proximity to the A24, air quality and noise assessments would be required to demonstrate how harm to the proposed development would be mitigated. It was discussed on site and indicated within the pre-application submission that noise attenuation fencing is proposed between the eastern and part of the southern site boundaries and the proposed development. This is similar to the Mulberry Field development, therefore I do not have any immediate concerns with this approach however further detail of this within a noise assessment would be required as part of any submission.

The capacity study layout shows a different surface material for the main road and footpath, which is supported. I would expect to see different block paving on the secondary and tertiary roads and the parking areas, similar to the Mulberry Fields development to the north. Details of this should be included in any submission.

Ecology

Policy 31 of the HDPF 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.

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.

The pre-application site is located within the countryside, among woodland with hedgerows, and ponds in the vicinity. Given this context, the site has the potential to be used as habitat and a connector for various species. It is also noted that the site is located within the Red Impact Risk Zone for Great Crested Newts, which is considered to be the suitable habitat with a high likelihood of Great Crested Newts being present.

Should an application be submitted, it would need to be supported by a Preliminary Ecological Assessment, with a high likelihood that additional surveys, including Great Crested Newt Survey and Bat and Bird Scoping Reports, would also be required.

Biodiversity Net Gain

Biodiversity Net Gain is mandatory as of 12 February 2024, meaning should an application be submitted for this development, at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat will need to be demonstrated as deliverable and subsequently delivered. The submission HDLP has evidence which supports a 12% net gain. This would include the submission of a completed biodiversity metric and statement. Further information can be found on the government's biodiversity net gain webpage: <https://www.gov.uk/guidance/biodiversity-net-gain#biodiversity-net-gain-submitting-a-planning-application>

The pre-application details propose a +14.36% BNG within land to the south of the pre-application site through the new planting of approximately 1.35ha of woodland. Without seeing the full details of the BNG metric and provision, it is not possible to provide specific comments. However, based on the proposed BNG provision above the emerging 12% net gain requirement, I do not have any immediate concerns. It is preferred that BNG is provided onsite, but where this is not possible, the closer to the site the better. The metric will need to reflect this and ensure trading rules are met. Based on the proposed options and current guidance, BNG is likely to be secured as part of a S106 agreement.

Water Neutrality

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.

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.

The pre-application details suggest a combined approach of energy efficiency measures, including low flow appliances and rainwater harvesting, and onsite boreholes. Full details of this should be included in any submission as part of a Water Neutrality Statement, further details of which can be found through the following link:

<https://www.horsham.gov.uk/planning/water-neutrality-in-horsham-district>

Failure to demonstrate water neutrality would result in the refusal of planning permission, with the associated ecological impact sufficient to disengage the NPPF Paragraph 11d 'tilted balance' (under footnote 7) referred to above.

Flood Risk and Sequential Test

The National Planning Practice Guidance (NPPG) is clear where the sequential test is not required. This includes sites in an area at low risk from all sources of flooding (Flood Risk and

Coastal Change paragraph 27) and if any proposed access will be subject to sources of flooding other than rivers or sea (Flood Risk Assessment Flood Zones 1, 2 and 3). A section of the pre-application site, including the proposed site access, is located within a medium risk of surface water flooding according to EA mapping. With this in mind, the proposal would not meet the requirements detailed above and therefore a sequential test would be required for the development.

The covering letter makes reference to the depth of the medium risk areas and that this is acceptable for still achieving access. However, the NPPG is clear in regard to sequential test exemptions for site access and this does not include comments on the depth of the risk just whether the access will be subject to sources of flooding.

Reference was made to a drainage note to accompany the covering letter, however this has not been included within the pre-application submission. While the risk of flooding may be managed through proposed measures, and the location of the dwellings outside any areas at risk of surface water flooding is supported, the NPPG is clear that a development is not exempt from the sequential test just because an FRA shows it can be made safe throughout its lifetime without increasing risk elsewhere.

In view of the above, I consider that a sequential test is required for this proposal.

As this is based on the EA flood mapping, you may wish to undertake your own surveys of the site to provide a more accurate and up to date surface water flood risk data set for this site to see whether on the ground matches with the EA flood mapping or not. We are happy to review these surveys and the need for a sequential test as part of any submission in liaison with the LLFA where the results suggest the site and site access is not located within an area at risk of surface water flooding.

Where a survey is not undertaken or it still shows the site at risk of surface water flooding, our advice is that the search area for the sequential test should cover all of the district given the proposal is for general market homes. Any application would need to also include a detailed Flood Risk Assessment.

In addition, please note that the updated Strategic Flood Risk Assessment (SFRA) is due for publication on 20th September which may provide further helpful information in regard to this site and the information required for a sequential test.

Climate Change

Policies 35, 36 and 37 require that development mitigates to the impacts of climate change through measures including improved energy efficiency, reducing flood risk, reducing water consumption, improving biodiversity, and promoting sustainable transport modes. These policies reflect the requirements of Chapter 14 of the NPPF that local plans and decisions seek to reduce the impact of development on climate change.

The pre-application details mention the incorporation of air source heat pumps and solar panels were appropriate. I recommend including a section in a Planning Statement which sets out all development provisions which reduce the impact of the development on climate change, which could include SuDS, water efficiency devices, any enhanced biodiversity measures, energy efficiency design and measures, ASHPs, solar panels etc.

Application Submission

Based on current EA mapping data a sequential test would be required. The sequential test could be fundamental to the acceptability of this site going forward.

There are several areas officers require revisions, including to the proposed layout to be acceptable as detailed above. At present, officers would not therefore be supportive of the

proposed layout. Our concerns cannot be addressed through minor changes, therefore I strongly encourage more substantive amendments to the layout in line with the details above prior to any formal submission.

In the event that all of the above matters can be satisfactorily addressed and mitigated for, then the following provides a 'without prejudice' summary of the supporting documents that would be expected to be submitted. In addition to the application form, fee and usual suite of location plans and architectural drawings, the supporting documents that should be submitted include:

- Site plan
- Layout plan
- Planning Statement (to include reference to all matters including affordable housing provision)
- Affordable housing provision plan
- Design and Access Statement
- Detailed elevational and house type plans for each house type (including measurements on the plan)
- Streetscenes
- Flood Risk Assessment (reference to all sources of flood risk and taking account of climate change), to include the Sequential Test (and, if passed, Exceptions Test)
- Drainage Strategy (SuDS proposals must reflect and be coordinated with the proposed landscape strategy)
- Landscape Strategy Plan
- Soft Landscape details to include:
 - Details of all trees and planting that are existing, to be retained and to be removed
 - Planting plans
 - Planting schedule specifying numbers, sizes, densities and species
 - Tree pit and staking/underground guying details
- Hard landscape details to include details of:
 - Hard-surfacing materials and finishes
 - Boundary treatments
 - External lighting
 - Bin stores, cycle stores and other ancillary artefacts and structures
 - Car parking layouts and other vehicle and pedestrian access
 - Proposed and existing functional services above and below ground (for example drainage, power, communications cables and pipelines, indicating lines, manholes, supports and other technical features)
- Tree and underground services plan
- Hard and soft landscape specification (NBS compliant)
- Tree Survey, Arboricultural Impact Assessment and Tree Protection Plan
- Landscape management and maintenance plan (LEMP)
- Preliminary Ecological Assessment, Great Crested Newt Survey and Bat and Bird Scoping Reports.
- DEFRA Metric / BNG and BNG report
- Transport Statement, including consideration of Active Travel England Standing Advice
- Construction Traffic Management Plan
- Air Quality Assessment
- Noise Impact Assessment
- Water Neutrality Statement, including any borehole testing, hydrogeological reports)
- S106 Draft Heads of Terms (in respect of the affordable housing)

In terms of engagement, you may wish to contact the Parish Council as well as residents who live nearest the site to brief them about the proposals, and to ascertain their views. It is understood that separate discussions with West Sussex County Council on highways matters has already been sought but separate discussions with West Sussex County Council on flood risk may also be

beneficial. A Statement of Community Involvement should be submitted with any future planning application to summarise what was undertaken.

The above comments are given as the opinion of the Case Officer and do not prejudice any outcome of a subsequent application. Should you submit a formal planning application, please quote reference number PE/24/0138 in your submission.

Yours faithfully

Stephanie Bryant
Senior Planning Officer

COMMUNITY INFRASTRUCTURE LEVY (CIL)

Horsham District Council implemented a Community Infrastructure Levy (CIL) Charging Schedule on 1st October 2017.

The Community Infrastructure Levy is a charge placed on new development. The funds raised will help to pay for a wide range of infrastructure to support development across Horsham District.

Most new development which creates net additional floorspace of 100m² or more, or creates a new dwelling, (including permitted development), is potentially liable for the levy.

How does it affect you?

Applications for CIL liable development which are determined on or after 1st October 2017 are required to pay the Community Infrastructure Levy (unless the development qualifies for relief or exemption).

Further information and the rates charged by Horsham District Council are set out in the CIL Charging Schedule which can be viewed online at www.horsham.gov.uk/planning/apply/cil

General Consent e.g. Permitted Development

Developments which are permitted by way of a general consent (such as permitted development) may still be liable to pay the Community Infrastructure Levy if they meet the above criteria.

In these circumstances, you must submit a Notice of Chargeable Development (CIL form 5), notify us of the person who will assume liability to pay the CIL and make any applications for relief or exemption, before the development is commenced.



Mr Nick Billington
SLR Consulting - Mountbatten House
1 Grosvenor Square
Southampton
SO15 2JU

Our ref: PE/24/0138
Your ref:
Officer: Stephanie Bryant
Email: Stephanie.Bryant@horsham.gov.uk
Tel:
Date: 24th October 2024

Dear Sir/Madam,

Location: Land at Campsfield, Linfield Close, Southwater, West Sussex

Details: Development of up to 84 dwellings with associated landscaping, open space, infrastructure and access.

Further to the pre-application advice dated 13th September 2024, I can additionally advise as follows:

Public Open Space

The pre-application cover letter proposes to provide a Local Area of Play (LAP) and additional footpath connections within the site layout. This is proposed with consideration of the wider site context given that Southwater Country Park is within a 15 minute walk of the site (less than 1,000m walking distance), there is a Locally Equipped Play Area (LEAP) within the Mulberry Fields development directly to the north of the pre-application site (less than 400m walking distance), and the Public Footpath directly south of the pre-application site with connections to the wider countryside. It is noted that there is also an existing allotment site within a 30 minute walk of the site and that that current waiting list figures do not indicate an urgent need for allotments.

The Horsham Open Space Report 2021 (HOSR) makes provisions based on the number of proposed occupants and the required open space requirements. In view of the wider site context and walking distances to the existing open space sites, I concur that provisions for Multi-functional Green Space, Parks and Gardens, Allotments and a LEAP are not required as part of this proposal. I support the proposed LAP and footpath provisions as additional open space and refer you to the HOSR 4.2.3.a on the expectations and requirements for a LAP. Based on the current detail provided within the pre-application submission, I have no particular concerns.

Arboricultural Impact Assessment and Method Statement (AIA) and Tree Protection Plan (TPP)

In addition to my previous comments, including support for the retention of perimeter and central trees, protection measures for Ancient Woodland, comments in relation to SuDS and parking, and request for additional tree planting within the proposed layout, I provide the following comments following my review of the AIA and TPP:

There are several instances, some of which are included in the precautionary area, where the proposed development would incur into the retained tree root protection areas (RPA). This is

mainly with regard to roadway hardstanding. With undeveloped sites such as this pre-application site, and following advice from HDC Arboriculturists, it is expected that the proposed layout is designed to ensure no incursions into retained trees RPAs as the RPA represents the minimum area around the bottom of tree required to support the tree.

The British Standards are clear that there should be an overriding justification to develop within RPAs and this can be argued within brownfield/urban sites. However, I do not consider that an overriding justification would apply in this case, especially as this is an undeveloped site in the countryside. Therefore, there should be no incursions into retained tree RPAs regardless of where precautionary measures are proposed. I therefore strongly recommend that the layout is redesigned to remove all incursions into tree RPAs.

Please note the same expectations will apply for underground services. The heads of terms summary for a Construction Method Statement at point 16 suggests a method of excavation when near trees. It is expected that no services will be located within tree RPAs.

I note that no Tree Survey plan is included within the AIA. I recommend this is provided as an appendix, so it is clear the existing position and which trees are being removed and retained (without the proposed layout). This will help when reviewing the tree schedule and explanatory notes as well.

Ecological Impact Assessment (EIA)

I have read through the EIA and have no particular concerns. The report appears well prepared with appropriate mitigation and management measures.

I would welcome clarification on why 6 dormice nest boxes are considered an appropriate quantum and please note references are made to the BNG assessment and proposed net gain which may need updating prior to any submission.

It is possible that the Ecological Consultant and NatureSpace Partnership may request minor amendments/clarifications as part of any planning application, but from my review I consider the EIA to be sufficient for submission.

Biodiversity Net Gain

The HDC Ecology Officer for BNG has had the opportunity to review the BNG Assessment, Management and Monitoring Plan and Biodiversity Metric Calculation Tool missed within the initial pre-application submission. They have provided the following comments:

Watercourse

There appears to be a watercourse running along the western boundary of the site, which could mean the red line boundary falls within the riparian zone. More information will be needed if a full application is forthcoming, and where necessary, the watercourse module of the metric will need completing.

Ancient woodland

Ancient woodland immediately adjacent to the west of the site has been recorded on the NE AW inventory. I note that an 'ecological buffer zone' is proposed lining the periphery of the site. However, for AW mitigation, this should be a minimum of 15m vegetated buffer zone (or 15 times larger than the diameter of any ancient/veteran tree, or 5m from the edge of the tree's canopy if that area is larger than 15 times the tree's diameter), and this can only count up to no net loss (i.e., cannot contribute towards the additional 10%/12%).

Priority habitat

Lowland mixed deciduous woodland immediately adjacent to the site in the south-western corner has been recorded on the NE priority habitat inventory. Measures will need to be

implemented to protect the habitat's integrity during the construction phase of the development.

Strategic Significance

The entirety of the site, and area within the blue line boundary, falls within a core site and its buffer of the Wilder Horsham District Nature Recovery Network. Therefore, in the absence of the West Sussex Local Nature Recovery Strategy (LNRS) all habitats recorded for the on-site and off-site baseline (excluding developed land; sealed surface) and all proposed habitat creations and enhancements on-site and off-site (excluding entries with a biodiversity value of zero) should be recorded as having a medium strategic significance within the metric (i.e., 'Location ecologically desirable but not in local strategy').

Condition Assessments

It would be helpful if the condition assessment table (1) entries for baseline woodland habitats in the BNG HMMP document listed which specific criteria were passed, to help ecological review on how the scores were met. The condition assessment criteria for woodland creation should also be listed. The creation of species-rich native hedgerow and non-native ornamental hedgerow on-site and the associated condition assessment is missing from Table 3 in the BNG HMMP.

Additionality

It will be helpful for LPA review if the Applicant writes in the 'User Comments' whether the habitat is being used to mitigate impacts on protected species or ancient woodland (and its equivalent area). This will allow interrogation of the metric, to ensure that these habitats only contribute to no net loss.

HMMP

It is noted that for invasive species management, contractors will need to be shown the locations of any invasive non-native species and these should be marked, to help avoid native species being removed accidentally. It is advised that this should also be the case for hazel coppicing, to avoid coppicing incorrect species. It is advised that further detail on the appropriateness of the proposed non-native trees and hedgerow species within the development, and how the risk of self-seeding in habitats being retained/created/enhanced is minimised with this selection.

Much of the management timing is selected with given consideration to nesting birds, bat roosts, reptiles, and amphibians. Please can this be extended to include how management timings will not impact dormouse ecology, as a nest was previously identified on site.

Flood Risk and Sequential Test and Drainage Technical Note

I have read through the Drainage Technical Note and, while this expands on the details already considered within the Pre-Application Advice Letter, it does not contain anything fundamentally new or different. I have no additional comments on this and my previous advice that the sequential test would be required remains unchanged.

Tenure Plan

A copy of the tenure plan was included in the Pre-Application Submission document which did inform the original pre-application advice. Therefore, there are no additional comments on this.

Parking Plan

A copy of the parking plan was included in the Pre-Application Submission document which did inform the original pre-application advice. Therefore, there are no additional comments on this.

The above comments are given as the opinion of the Case Officer and do not prejudice any outcome of a subsequent application. Should you submit a formal planning application, please quote reference number PE/24/0138 in your submission.

Yours faithfully

Stephanie Bryant
Senior Planning Officer

COMMUNITY INFRASTRUCTURE LEVY (CIL)

Horsham District Council implemented a Community Infrastructure Levy (CIL) Charging Schedule on 1st October 2017.

The Community Infrastructure Levy is a charge placed on new development. The funds raised will help to pay for a wide range of infrastructure to support development across Horsham District.

Most new development which creates net additional floorspace of 100m² or more, or creates a new dwelling, (including permitted development), is potentially liable for the levy.

How does it affect you?

Applications for CIL liable development which are determined on or after 1st October 2017 are required to pay the Community Infrastructure Levy (unless the development qualifies for relief or exemption).

Further information and the rates charged by Horsham District Council are set out in the CIL Charging Schedule which can be viewed online at www.horsham.gov.uk/planning/apply/cil

General Consent e.g. Permitted Development

Developments which are permitted by way of a general consent (such as permitted development) may still be liable to pay the Community Infrastructure Levy if they meet the above criteria.

In these circumstances, you must submit a Notice of Chargeable Development (CIL form 5), notify us of the person who will assume liability to pay the CIL and make any applications for relief or exemption, before the development is commenced.

Nick Billington

From: Stephanie.Bryant <Stephanie.Bryant@horsham.gov.uk>
Sent: 25 October 2024 16:12
To: Nick Billington
Cc: Angela Moore
Subject: RE: Pre-app submission - Land at Campsfield, Southwater

Hi Nick,

I confirm the below reflects our discussion and wider pre-application advice for this site.

Kind regards,
Steph

Stephanie Bryant
Senior Planning Officer

Telephone: 01403 215081

Email: Stephanie.Bryant@horsham.gov.uk



Horsham District Council, Parkside, Chart Way, Horsham, West Sussex RH12 1RL

Telephone: 01403 215100 (calls may be recorded) www.horsham.gov.uk Chief Executive: Jane Eaton

From: Nick Billington <nbillington@slrconsulting.com>
Sent: 25 October 2024 16:07
To: Stephanie.Bryant <Stephanie.Bryant@horsham.gov.uk>
Cc: Angela Moore <amoore@slrconsulting.com>
Subject: RE: Pre-app submission - Land at Campsfield, Southwater

Hi Stephanie,

I should clarify – I didn't mean to suggest below POS would have to be outside of areas of Medium and High surface water flood risk – just roads.

Regards,

Nick Billington

MRTPI

Principal Planning Consultant - Environmental & Social Impact Assessment

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From: Nick Billington <nbillington@slrconsulting.com>
Sent: 25 October 2024 16:00
To: Stephanie.Bryant <Stephanie.Bryant@horsham.gov.uk>
Cc: Angela Moore <amoore@slrconsulting.com>
Subject: RE: Pre-app submission - Land at Campsfield, Southwater

Hi Stephanie,

Thanks for your call. Was good to talk through those couple of points on sequential test and trees. Just to confirm what we discussed:

Application of sequential test

Based on our conversation, you indicated you would be inclined not to require the application of the Flood Risk Sequential test to the site if any proposed roads and POS were located in areas at 'low' (as opposed to very low) risk of surface water flooding and provided they avoided any medium or high risk areas. Homes should be located in the lowest risk areas of surface water flooding.

Trees and RPAs

You confirmed that the tree officer had informed your comments on the RPAs in your most recent addendum response and that based on this it is unlikely, given the site is currently undeveloped, that any encroachment in RPAs would be supported by officers.

If you could please confirm my understanding of our conversation is correct that would be really helpful.

Have a great weekend when you get there.

Kind Regards,

Nick Billington

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