



**Horsham
District
Council**

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Our ref: PE/23/0031
Your ref:
Officer: Robert Hermitage
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Tel: 01403 215382
Date: 5th May 2023

Dear Sir/Madam,

Location: 1 Littleworth Lane Partridge Green Horsham West Sussex

Details: Erection of seven dwellings following demolition of dwelling house and commercial outbuildings.

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

Please accept my apologies for the delayed reply.

The pre-application enquiry relates to an existing detached one and a half storey dwelling sited on the western side of Littleworth Lane. The dwelling is composed of a stock brick facing to all elevations, with a clay tiled roof, front and rear facing open gables and side facing box dormers. The site also comprises a collection of single-storey outbuildings to the rear of the site, formed of storage buildings, garages, greenhouses and workshops. The site extends to the rear of the site (west), then projecting north to form an L shape which is laid to grass and wraps around the rear garden curtilage of neighbours. The site is located outside of the built-up area, on a street formed of a ribbon of residential development, surrounded by open countryside.

Pre-application advice is sought for the demolition of the existing dwelling and outbuildings and the erection of 7 dwellings, comprising: 2x three-bedroom two-storey semi-detached dwellings; 2x detached two-storey four-bedroom dwellings; 1x detached one and a half storey three-bedroom dwelling, and; a pair of semi-detached one and a half storey three-bedroom dwellings. The pair of dwellings to the front of the site would replicate the scale and size of the neighbouring Victorian villas to the north, following the building line, each with a reasonable rear garden curtilage and parking. The five dwellings to the rear would be accessed via a new spine road which travels parallel to the eastern boundary of the site, with off-street parking (2x each), visitor parking and generous rear curtilages.

A site visit and meeting was undertaken by Officers on Tuesday 02 May 2023.

Relevant Planning Policy and Guidance

National Planning Policy Framework, 2021 (NPPF)

Horsham District Planning Framework, 2015 (HDPF)

Policy 1 - Strategic Policy: Sustainable Development
Policy 2 - Strategic Policy: Strategic Development
Policy 3 - Strategic Policy: Settlement Hierarchy
Policy 4 - Strategic Policy: Settlement Expansion
Policy 24 - Strategic Policy: Environmental Protection
Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
Policy 26 - Strategic Policy: Countryside Protection
Policy 28 - Replacement Dwellings and House Extensions in the Countryside
Policy 31 - Green Infrastructure and Biodiversity
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
Policy 34 - Cultural and Heritage Assets
Policy 35 - Strategic Policy: Climate Change
Policy 36 - Strategic Policy: Appropriate Energy Use
Policy 37 - Sustainable Construction
Policy 38 - Strategic Policy: Flooding
Policy 39 - Strategic Policy: Infrastructure Provision
Policy 40 - Sustainable Transport
Policy 41 - Parking
Policy 42 - Strategic Policy: Inclusive Communities

West Grinstead Neighbourhood Plan (made)

Policy 1 - Local Gap
Policy 2 - Open Space
Policy 9 - Car Parking

Other Guidance and Legislation

Planning Practice Guidance (2012)

Planning Advice Notes:

Facilitating Appropriate Development
Biodiversity and Green Infrastructure

Principle of the Development

The site is located outside of the built-up area boundary and is therefore considered to be within a countryside location. As such, the Council's countryside protection and settlement expansion policies apply (Policies 4 and 26 of the Horsham District Planning Framework). In addition, the site is not allocated within Horsham's adopted development plan (comprising the HDPF and a 'Made' Neighbourhood Development Plan). As a result, residential development in this location would conflict with the requirements of Policies 1 and 2 of the HDPF as well as with Policy 3 (Development Hierarchy) and 4 (Settlement Expansion) and would therefore not be considered acceptable in principle. In addition, the development would conflict with the countryside protection policy of the HDPF (Policy 26) owing to its siting outside the built-up area where the proposed residential development is not considered to be essential to this countryside location and would not meet one of the defined criteria.

Therefore, the principle of providing housing on a site which is located outside the defined built-up area boundary and within the countryside, and where the land has not been allocated for development within a Local or Neighbourhood Plan, is unacceptable. The principle of the proposed development would therefore be contrary to Policies 1, 2, 4 and 26 of the Horsham District Planning Framework, paragraphs 2, 11, 12 and 47 of the NPPF which requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise.

However, it is noted that the entire site has been allocated to form part of the Secondary Settlement Boundary as part of the emerging Horsham District Local Plan (HDLP, emerging Policy 2). The emerging Policy states that Development will be permitted in secondary settlements, provided also that it falls entirely within the secondary settlement boundary as defined on the Policies Map, and meets all of the following criteria:

1. the site is a small gap or plot within an otherwise built-up or cohesive settlement form;
2. the proposal is limited in scale to reflect the existing scale and character of the settlement function and form;
3. the development does not result in a significant increase in activity including traffic movements on narrow and rural roads.

As the HDLP has not yet been submitted to the Inspector for examination, the above policy can only be given limited weight in the overall planning balance. Furthermore, it should be noted that full Council decided to delay the progression of the plan until after the local elections (held on 04 May 2023). As the political landscape may change in the coming weeks / months, it is entirely plausible that changes to the plan may be made, therefore causing further delay to the adoption of the plan. Indeed, if further delays are made, then it would only ever be possible to apply limited weight to the policy until the plan is submitted to the Inspector. As discussed, it is hoped that the plan will be submitted for examination towards the end of 2023.

Therefore, I would not advise that any application for a development on this site is submitted until the plan is submitted for examination at the very earliest- this would enable moderate weight to be applied in the overall planning balance, thus granting the application a more favourable chance demonstrating that the principle of the development would be acceptable.

Design and Appearance

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.

As discussed on site: no objection is raised with regards to the 2x semi-detached dwellings to the front of the site. These dwellings seek to replicate the scale and appearance of the existing villas on the street and not being a pastiche design. The dwellings would match the scale of the neighbours, taking design motifs from the neighbours which would compliment the existing context, and would be built on the street's building line.

Concern was however raised with regards to the dwellings to the rear. It is appreciated that 5x dwellings would be accommodated within the site, resulting in dwelling plot sizes comparable to neighbours. However, there are very few examples of backland development within the immediate vicinity of the site, and those nearby examples only comprise one or two plots. As such, it was advised that the overall provision of dwellings on the site should be lowered from 7 to 5- with the 2x dwellings to the front and 3x to the rear. Policy 33(3) of the HDPF states that development will be required to *'Ensure that the scale, massing and appearance of the development ... relates sympathetically with the built surroundings'*. It is felt that the reduction in overall plots would result in a more sympathetic scale of development.

Furthermore, the site shares its western boundary with open countryside, which has been identified in the Neighbourhood Plan as the Local Gap (Policy 1). The policy seeks to retain the openness and break between settlements, in addition to contributing to the enhancement of the landscape character. Reducing the number of dwellings in this location would reduce any perceived impact on the open setting of the local gap, in addition to diminishing landscape harm from further views.

With regards to design: the submitted brief demonstrates that the dwellings to the rear would accommodate a rural vernacular with the use of shallow pitched roofs, single dormer windows, in addition to stone facing and slate or clay tiles. Overall, no objection is raised with regards to the proposed design brief, which seeks to implement sympathetic rural homestead appearance. Whilst the final design and materials palette are yet to be decided, I would support this direction of travel compared to the use of stock brick facing or render.

It is noted that the communal area to the front of the housing (surrounding the parking and access) includes a number of planted areas. It would also be good to understand who will manage and maintain these areas, and it is suggested that a Landscape Management and Maintenance Plan is submitted with the proposal, though this can be requested by way of condition in the event permission were to be granted.

Impact on Amenity

Policy 33(2) of the HDPF states that permission will be granted for development that does not cause unacceptable harm to the amenity of the occupiers/users of nearby properties and land.

The proposed dwellings to the front of the site would be sited in the same location as the existing, thus would not result in any adverse harm to neighbouring amenity any more so than the existing arrangement. To the rear- the front elevations of the dwellings would be set some 30m+ from the rear elevations of the existing dwellings to the north. In a built-up area, 21m would be expected to be retained between dwellings to avoid amenity harm. As the proposed dwellings would be set well in excess of these measurements, I do not envisage that the proposed layout would result in adverse amenity harm to these neighbours.

Highways

The site would be accessed via an existing drive from Littleworth Lane, which travels parallel to the boundaries of the site, and provides 14x parking spaces in addition to 2x visitor spaces.

As the Local Highway Authority (LHA), West Sussex County Council (WSCC) offer a separate pre-application service. This may be useful to understand the impact the proposal may have on an intensified use of the existing access, as well sustainable transport assessments, and any additional parking requirements, as HDC is not able to fully assess the impact that the development may have on highway and its use.

It should also be noted that the LHA may require that a Section 278 (Work on Public Highways, Highways Act 1980) highways agreement to be sought if additional works are needed to service or improve the existing access. It is advised that the applicant contact the LHA to engage in discussions to begin this process prior to the submission of a formal planning application.

Other Matters

Flood Risk / Drainage

Whilst the site is not located within a designated flood area, appropriate consideration should be given to proposed foul and surface water drainage, in addition to the details of the attenuation measures. Furthermore, I would also advise that you contact the Environment Agency prior to any formal submission to seek their views on the flood risk, drainage, and ecological aspects of the proposal.

Ecology

As the site is laid to grass with existing established built structures, it may host protected species or habitats for protected species, and thus it would be important to demonstrate the resultant impact of the development through the submission of a Preliminary Ecological Appraisal (PEA) as a minimum. The PEA would illustrate the likely impact and presence of any species, and the necessary mitigations to offset any impact. These matters are supported by Policy 31 of the HDPF.

Water Neutrality

The application site falls within the Sussex North Water Supply Zone as defined by Natural England and which includes supplies from groundwater abstraction which cannot, with certainty, demonstrate no adverse impacts upon the defined Arun Valley SAC, SPA and Ramsar sites.

A recently received advice note from 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.

In order to demonstrate water neutrality, a strategy (in the form of a Water Neutrality Statement) should be prepared and submitted with any forthcoming planning application. As a proposal will be for new dwellings on a site currently only accommodating one dwelling, neutrality will only be possible to demonstrate by way of off-site offsetting in addition to rainwater harvesting and other efficiencies to the proposed dwellings. This could be achieved by retrofitting water saving mitigations to an existing property. In order to ensure that this strategy could be implemented, it may be necessary for other parties involved with the off-site offsetting to be a signatory on a Section 106 Legal Agreement. Given that we would likely need to condition these measures, the proposal would need to be advanced to an appropriate assessment in consultation with Natural England.

We will need to consider the proposed use's impact on water abstraction, and thus we are encouraging applicants to submit Water Neutrality Statements as part of any new proposal. Additional information on this matter can be found on the Council's website, here:

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

Community Infrastructure Levy (CIL)

Development within Horsham District Council is now subject to a Community Infrastructure Levy (CIL). The development would therefore be fully CIL liable. Full details of CIL in the Horsham District (including the Charging Schedule) can be found on the HDC website at:

<https://www.horsham.gov.uk/planning/planning-policy/community-infrastructure-levy/what-is-cil>

It is recommended that you view these pages to help inform what the CIL payment would be for any residential development of this site. Any application will need to include completed CIL forms as part of the submission.

Documents Required for Submission

In the event you wish to submit a planning application, the Council's validation requirements are available online by following:

https://www.horsham.gov.uk/_data/assets/pdf_file/0011/68168/What-to-include-in-your-planning-application.pdf

Conclusion

The site is located outside of the built-up area boundary and would the principle of the development would thus not be supported. However, the site is located within an area identified as a secondary settlement, and development in this area would be supported- as this policy has not yet progressed beyond initial drafting, and is open to potential change until adoption, only limited weight can be applied to this policy in support of this proposal. Therefore, it is advised that any forthcoming application on this site is not submitted until a time where more weight can be granted to the emerging policy. It is further advised that the overall number of units on the site is reduced to limit any potential impact on the adjacent local gap and landscape, and would appear more in keeping with the prevailing character of the area. No objection is raised with regards to the proposed design brief, and the current layout is not anticipated to result in adverse amenity harm. Further information relating to landscape management, ecology and water neutrality should be submitted in support of any forthcoming application.

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/23/0031 in your submission.

Yours faithfully

Robert Hermitage
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.