PLANNING COMMITTEE APPLICATIONS

POST COMMITTEE REPORT

APPLICATION REFERENCE / ADDRESS:

DC/24/0428

Land North of Shermanbury Road, Partridge Green, RH13 8EU

Outline planning application for the erection of up to 120 dwellings with public open space, landscaping, and sustainable drainage system (SuDS) with vehicular access point with all matters to be reserved except access.

RESOLVED:

At its meeting on 21st January 2025, Planning Committee South resolved to grant planning permission subject to appropriate conditions, the completion of a S.106 legal agreement and the addition of an informative to be agreed between Councillors Croker and Fletcher with the effect of inviting the applicant to explore the possibility with the County Council of extending the 30mph speed-limit on Shermanbury Road and the potential introduction of a pedestrian crossing across Shermanbury Road.

Informative:
The following informative has been agreed with Cllrs Fletcher and Croker:

The Planning Committee strongly recommends that the applicant seeks further discussion with the WSCC Local Highways Authority to explore reducing the speed limit outside the site to *30mph and to providing a safe pedestrian crossing to the footway on the opposite side of Shermanbury Road. The Committee considers that these measures will improve the safety and the accessibility of the site for non-car users.*

Other matters since the committee resolution:

Shaping Development in Horsham Planning Advice Note
Since the committee resolution the Facilitating Appropriate Development Planning Advice Note has been replaced with the Shaping Development in Horsham Planning Advice Note. This replacement document retains the key criteria for considering applications outside of settlement boundaries and does not materially alter the overall balance of considerations considered by the Committee in January 2025.

Horsham District Local Plan
Within the original officer report to the January Planning Committee the proposal was assessed to be consistent with the spatial provisions of the draft HDLP at Policies 2 and 3 (Paragraph 6.23) in addition to the HDLP countryside protection provision at Policy 14 and to the site allocation Policy HA12 (Paragraph 6.117). These policies were considered to attract limited weight by reason of the 'paused' state of the HDLP examination at the time of the officer recommendation and to attract 'limited positive weight' in favour of a grant of planning permission at Paragraphs 6.24 and 6.129 of the January committee report.

Subsequent to this, the Examining Inspector's Interim Findings letter dated 4 April 2025 recommends that the Regulation 19 Horsham District Local Plan 2023-2040 (HDLP) be withdrawn. However, at this point in time no formal decision to withdraw the Plan from examination has been made. Accordingly, the policies within the HDLP continue to carry limited weight. Irrespective of whether the Plan is formally withdrawn, the background evidence base to support the draft Plan does continue to carry some limited weight given the Examining Inspector's comments at paragraph 95 of his Interim Findings letter. This background evidence base includes the site assessments that informed the site allocations.

Consequently, it remains that limited weight is given to the site's prospective allocation within the draft HDLP.

Other Matters:

Since the committee resolution the Council has published its Authority Monitoring Report (AMR) in April 2025. This confirms a housing land-supply position of 1.0 years, contrasted with a housing land-supply of 2.9 years as reported at Paragraph 6.14 of the January committee report. The Council, accordingly, continues to be unable to demonstrate a 5-year supply of deliverable housing sites, with the Council's 1.0 year housing land-supply position constituting a substantial shortfall relative to its assessed need.

One further letter of representation has been received in objection to the proposals, raising concern with the adverse landscape effects of the proposed development in addition to the impact of development upon wildlife, traffic and local infrastructure. These matters have previously been addressed in the January committee report and raise no new material considerations.

Following the withdrawal of the Natural England Position Statement on 31st October 2025, it remains that consideration is still to be had to water neutrality as a material consideration as the principal means of strategic mitigation is an abstraction licence change that is yet to take place- due around March 2026. In anticipation of water neutrality no longer being a material planning consideration in the near future, an extra option is included in condition 6 to allow for the condition to fall away if it is agreed in writing by the Local Planning Authority that water neutrality mitigation is no longer required. This does not change the material substance of the condition, which is to provide certainty (prior to development commencing) through mitigation or other means that the approved development will not result in adverse harm to the integrity of the Arun Valley habitat sites.

There have been no other relevant material change in circumstance since the resolution of Planning Committee in January 2025.

The s106 legal agreement has now been formally completed, accordingly, planning permission can now be granted.

Case Officer: Jason Hawkes	**Date:** 05.011.2025
Authorising Officer: Adrian Smith	**Date:** 05/11/2025

Conditions:

1. **Plans Condition:** The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule below.

Plan Type	Description	Drawing Number	Received Date
Plans	Location Plan	7476-L-01 Rev C	19.03.2024
Plans	Proposed Junction Layout	4746/46/03 Rev B	19.03.2024

2. **Standard Time Condition:**

(a) Approval of the details of the layout of the development, the scale of each building, the appearance of each building, and the landscaping of the development (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

(b) Plans and particulars of the reserved matters referred to in condition (a) above, relating to the layout of the development, the scale of each building, the appearance of each building, and the landscaping of the development, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

(c) Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission.

(d) The development hereby permitted shall begin either before the expiration of 3 years from the date of this permission, or before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990.

3. **Pre-Commencement Condition:** The development hereby approved shall not commence unless and until a detailed surface water drainage. The surface water drainage scheme shall take account of the recommendations of the Flood Risk Assessment with Outline Drainage Strategy (Lees Roxburgh Consulting Engineers, ref: 6177/R5, Dated February 2024) in addition to the published response to the Lead Local Flood Authority (Lees Roxburgh, no reference, received 20th June 2024). The drainage scheme shall include technical specifications, calculations and drawings of the drainage network supporting the approved development demonstrating the intended management of surface water within the development site. The approved scheme shall be implemented in full prior to the first occupation of any dwelling.

Reason: To ensure that surface water is appropriately addressed by the approved development, that flood-risk is not increased elsewhere, that the design of a drainage network is coordinated with matters of landscaping, layout and scale and in accordance with the provisions of Policy 38 to the Horsham District Planning Framework (2015).

4. **Pre-Commencement Condition:** The development hereby approved shall not commence until the following demolition and construction details have been submitted to and approved in writing by the Local Planning Authority. The details shall be limited to the following measures:

i. Details of site management contact details and responsibilities;
ii. A plan detailing the site logistics arrangements on a phase-by-phase basis (as applicable), including:
    a. location of site compound,

b. location for the loading, unloading and storage of plant and materials (including any stripped topsoil),
c. site offices (including location, height, size and appearance),
d. location of site access points for construction vehicles,
e. location of on-site parking,
f. locations and details for the provision of wheel washing facilities and dust suppression facilities (with particular regard to the recommendations of the submitted Emissions Mitigation Assessment (GEM air quality, ref: AQ2404) at Table 10.
g. The arrangements for public consultation and liaison prior to and during the demolition and construction works – newsletters, fliers etc, to include site management contact details for residents;
h. Details of any floodlighting, including location, height, type and direction of light sources, hours of operation and intensity of illumination

iii. Identification of biodiversity protection zones and associated protection fencing, exclusion zones and/or barriers;
iv. Practical measures (both physical and working practices) to avoid and minimise ecological impacts during construction;
v. The location and timing of sensitive works to avoid harm to biodiversity features and protected species;
vi. Times when overseeing ecologists need to be present on site to oversee works and the roles and responsibilities of an ecological clerk of works or similarly competent person;
vii. A methodology for the identification, protection and translocation of reptiles, as addressed at Sections 6.25 and 6.26 of the Ecological Appraisal (FPCR Environment and Design Ltd, no reference, dated February 2024);
viii. Measures for the control, containment and removal of any invasive non-native species;

All ecological mitigations shall demonstrate accordance with the recommendations of the Ecological Appraisal (FPCR Environment and Design Ltd, no reference, dated February 2024) inclusive of its recommendations at Appendix C.

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

Reason: In order to ensure that the approved development does not result in unacceptable effects upon the living conditions of nearby occupiers/users of land, upon existing habitats and species and/or highway safety during construction and in accordance with Policies 31, 33 and 40 of the Horsham District Planning Framework (2015).

5. **Pre-Commencement Condition:** With the exception of works of demolition, no development shall commence until the following components of a scheme to deal with the risks associated with contamination, (including asbestos contamination), of the site be submitted to and approved, in writing, by the Local Planning Authority:

(a) A site investigation scheme, following the recommendations of the Phase 1 Geoenvironmental Assessment at Section 5 (ref: 6117/R1, Lees Roxburgh Consulting Engineers, Dated April 2024) to provide information for a detailed risk assessment to the degree and nature of the risk posed by any contamination to all receptors that may be affected, including those off site;
(b) Full details of any remediation measures required and how they are to be undertaken based on the results of the intrusive site investigation (a) and an options appraisal;

(c) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (b) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action where required.

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

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

6. **Pre-Commencement Condition:** No development shall commence until either:
   i) Details have been submitted to and been approved in writing by the Local Planning Authority confirming that the necessary credits to achieve water neutrality have been secured via the Sussex North Offsetting Water Scheme;
   or
   ii) A site-specific water neutrality mitigation scheme has been submitted to and been approved in writing by the Local Planning Authority. The site-specific water neutrality mitigation scheme shall include full details of the means of any and all onsite and offsite mitigation and any necessary agreements pursuant to S106 of the Town and Country Planning Act 1990 to deliver and secure the approved mitigation; and
   iii) The development shall not be first occupied until evidence has been submitted to and been approved in writing by the Local Planning Authority confirming that the approved site-specific water neutrality mitigation scheme has been fully implemented. The approved mitigation shall thereafter be retained, maintained and operated to the same or better water performance standard.
   or
   iv) Evidence has been submitted to and been approved in writing by the Local Planning Authority that a water neutrality mitigation scheme is not required.

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

7. **Pre-Commencement Condition**: No development shall commence until either:
   i) A mitigation strategy in respect of Great Crested Newt has been submitted to and approved in writing by the Local Planning Authority. The mitigation strategy shall address necessary measures to avoid and/or lessen effects upon Great Crested Newt through both construction and occupation phases including any requirement for a European Protected Species licence. The mitigation strategy shall thereafter be implemented as approved.;
   or
   ii) Up-to-date surveys for Great Crested Newt have been submitted to the Authority prior to the commencement of development and the Authority subsequently confirms in writing that no specific mitigation measures are necessary.

   Reason: In order to safeguard against potential harm to protected and priority species and with specific regard to the 'out-of-date' nature of Great Crested Newt surveys provided in support of this application, to satisfy the provisions of Policy 25 of the Horsham District Planning Framework (2015), and to enable the Authority to discharge its duties pursuant to the Protection of Habitats and Species Regulations (2017).

8. **Pre-Occupation Condition:** No dwelling hereby approved shall be occupied unless and until a Biodiversity Enhancement Layout for protected and priority species, as recommended within the Ecological Appraisal (FPCR Environment and Design Ltd, no reference, dated February 2024) at Sections 6.15 and 6.36, has been submitted to and approved by the Local Planning Authority in writing. The approved works shall, thereafter, be implemented as approved.

   Reason: To ensure that the proposed development provides opportunities for ecological enhancement and mitigates the loss of suitable habitat for reptiles in accordance with Policy 31 of the Horsham District Planning Framework (2015)

9. **Pre-Occupation Condition:** Prior to the first occupation of any dwelling hereby approved a Wildlife Sensitive Lighting Design Scheme shall be submitted to the Authority for its written approval. The Lighting Design Scheme shall identify features on site which are sensitive for bats, including routes used for foraging, and include details of the positions, heights and orientations of external lighting, luminaire types and lighting contour plans. The Lighting Design Scheme shall, thereafter, be implemented as approved in advance of the first occupation of any dwelling hereby approved.

   Reason: In order to demonstrate that external lighting has been designed to take account of the ecological sensitivities of the site and with regard to the recommendations of the Ecological Appraisal (FPCR Environment and Design Ltd, no reference, Dated February 2024) at sections 6.24 and 6.25 in accordance with Policy 31 of the Horsham District Planning Framework (2015).

10. **Pre-Occupation Condition:** Prior to the first occupation of any dwelling hereby approved a written statement, inclusive of calculations performed pursuant to Part G of the Building Regulations, confirming specific measures by which the approved dwellings will achieve the 85 litre/person/day standard committed to within the Water Neutrality Statement (Daedalus Environmental, no reference, dated: March 2024) at section 2.2.1, shall be submitted to the Authority for its approval in writing. The statement shall include a calculation specific to each type/size of dwelling proposed on the site and shall additionally include a rainwater yield calculation pursuant to the methodology prescribed at section 6.1.2 of BS EN 16941-1:2018 (On Site Non-Potable Water Systems) in respect of each type/size of dwelling in the event that a future development seeks to rely on rainwater collection.

    The approved measures shall be implemented in advance of the first occupation of the development hereby approved and shall be maintained to an equivalent, or superior, standard of efficiency thereafter.

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

11. **Pre-Occupation Condition:** No dwelling hereby permitted shall be occupied unless and until the approved vehicular access onto Shermanbury Road, together with associated visibility splays, has been completed and made ready for use as detailed on the approved 'Proposed Junction Layout' plan, (ref: 4746/46/03 B).

    Reason: To ensure that future occupiers are provided with a safe and convenient means of vehicular access in accordance with Policy 40 of the Horsham District Planning Framework (2015)

12. **Pre-Occupation Condition:** No dwelling hereby permitted shall be occupied unless and until the completion of the following off-site highway works:-
    a.) The provision of an uncontrolled pedestrian crossing across Shermanbury Road to the south of Dunstan's Farm;
    b.) The restoration of the existing footpath to its full width to the north of Shermanbury Road between the uncontrolled pedestrian crossing addressed at (a) and the approved vehicular access,

    As respectively detailed on the approved 'Proposed Junction Layout' plan, (ref: 4746/46/03 B.)

    Reason: To satisfy the recommendations of the Road Safety Audit conducted in support of the development proposals and to ensure that future occupiers are afforded a safe and convenient means of pedestrian access to the site in accordance with Policy 40 of the Horsham District Planning Framework (2015).

13. **Pre-Occupation Condition:** Prior to the first use of the approved access onto Shermanbury Road, as detailed on the approved 'Proposed Junction Layout' plan (ref: 4746/46/03 B), full details of street lighting necessary to serve the new junction shall be submitted to and approved in writing by the Local Planning Authority. The details to be submitted shall include details of the positions of individual lighting columns, the heights of lighting columns and luminaire specifications, and shall be coordinated with the Wildlife Lighting Design Scheme subject of Condition 7.

    Reason: To satisfy the recommendations of the Road Safety Audit conducted in support of the development proposals and to ensure that the approved development is provided with a safe and convenient means of access suitable for future occupiers and road users in accordance with Policy 40 of the Horsham District Planning Framework (2015).

14. **Pre-Occupation Condition:** Prior to the first occupation of the development hereby permitted a schedule of on-site air-quality mitigations shall be submitted to and approved in writing by the Local Planning Authority. The air quality mitigation measures to be submitted shall be sufficient to offset the expected damage cost calculation set-out within section 6.2.9 of the Air Quality Screening and Mitigation Assessment (Wardell Armstrong LLP, ref: GM 13184 001, dated March 2024). The agreed mitigations shall be implemented in advance of the first occupation of any approved dwelling and maintained as such thereafter.

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

15. **Regulatory Condition:** Except in respect of the indicated treatment of tree T7 and tree groups G4 and G8 (as categorised within the Arboricultural Assessment, Revision A, FPCR Environment and Design Ltd, dated January 2024 (the Arboricultural Assessment)) tree works to tree T3 and grouping G1 shall be implemented as set out within the Arboricultural Assessment. All other trees shall be retained on site and not subjected to any felling or reduction, unless the Local Planning Authority consents to specific tree works in conjunction with its approval of matters of landscaping and layout at reserved matters stage. Tree protection measures and mitigations, as set out within the Arboricultural Assessment, shall be implemented in advance of the commencement of construction operations and maintained for the duration of construction operations.

    Reason: To ensure that the Council maintains control over the extent of arboricultural operations and that important trees and landscape features are preserved through

construction operations in accordance with Policy 33 of the Horsham District Planning Framework (2015).

16. **Regulatory Condition:** In the event that the development hereby approved does not commence within three years of the date of this consent, ecological mitigation measures outlined within the Ecological Appraisal (FPCR Environment and Design Ltd, no reference, dated February 2024) and/or approved pursuant to Condition 9 to this consent, approved ecological mitigation measures for protected species shall be reviewed, and where necessary, amended and updated. The review shall be informed by further species-specific surveys to determine whether there have been any changes in the presence and/or abundance of bats, Hazel Dormouse, Badger and reptiles, and any new ecological impacts which might arise as a consequence of any change in the ecological context of the site.

    Where species specific surveys indicate that changes have occurred, and which were not previously addressed by the approved development, the originally approved ecological measures will be revised and a schedule of amended measures, including a timetable for implementation, shall be submitted to and approved by the Local Planning Authority in writing. The development shall, subsequently, be implemented in accordance with the schedule of amended measures.

    Reason: To ensure that the approved development incorporates appropriate mitigation in respect of protected and priority species, which correctly reflects the ecological sensitivity of the site at the time development works commence in accordance with Policy 31 of the Horsham District Planning Framework (2015).

17. **Regulatory Condition:** All works of demolition, construction, and ancillary activities, including deliveries and despatch, shall be restricted to 08:00-18:00 hours on Monday to Friday, from 08:00 to 13:00 hours on Saturdays and at no time on Sundays or Bank Holidays.

    Reason: To ensure that nearby occupiers and users of land are not subjected to unreasonable levels of noise disturbance resulting from construction and demolition operations in accordance with the provisions of Policy 24 to the Horsham District Planning Framework (2015).

18. **Regulatory Condition:** Except in relation to tree-works approved in conjunction with the formation of the approved access (Tree T3 and grouping G1), and notwithstanding the Arboricultural Assessment (FPCR Environment and Design, Rev A, dated February 2024) considered in relation to this outline approval, a tree survey, tree-protection plan and schedule of arboricultural works shall be provided in conjunction with reserved matters application(s) addressing matters of landscaping, scale and layout. The details to be submitted shall, additionally, include any written details of arboricultural protections and/or mitigation measures designed to preserve the health of retained trees. No trees within the site shall be felled and/or subject to reduction except as approved.

    Reason: To ensure that any arboricultural effects associated with future matters of landscaping, layout and scale are fully considered, and to ensure that no unnecessary tree works are undertaken within the application site in the event that details of landscaping, scale and layout diverge from the indicative details provided in association with this outline approval necessitating alternative arboricultural operations to those presently detailed in the Arboricultural Assessment.