Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/23/1777
Land To The West of South Hill Farm, Storrington Road, Thakeham, Pulborough, West Sussex, RH20 3EN

DESCRIPTION:

Erection of 5No. residential dwellings with associated access, car ports, and landscaping.

RELEVANT PLANNING HISTORY:

T/3/84	Excavation of banking to improve visual egress of vehicles from site onto public highway (From old Planning History)	Application 09.05.1984	Permitted on
T/29/94	Conversion of redundant barn and outbuildings to 1 two-bedroomed residential unit Site: South Hill Storrington Road Thakeham	Application 17.08.1994	Permitted on
T/39/99	Vehicular access Site: South Hill (Land Adj) Storrington Road Thakeham	Application 17.09.1999	Permitted on
T/33/02	Conversion of existing house into 2 dwellings Site: South Hill Storrington Road Thakeham	Application 03.07.2002	Permitted on
T/98/02	First floor extension and conversion of single dwelling into two and provision of garages Site: South Hill Storrington Road Thakeham	Application 24.01.2003	Permitted on
DC/04/2216	Erection of 1 detached dwelling and garage	Withdrawn 18.11.2004	Application on
DC/06/1567	First floor extension, subdivision of dwelling to create 2 dwellings and double garage	Application 05.09.2006	Refused on
DC/23/0867	Installation of a substation measuring 5m x 6m.	NO OBJECTION to Notification on 18.05.2023	

SITE AND SURROUNDS

The application site comprises enclosed agricultural land currently used for horticultural purposes. The site is bound to the south and west by agricultural fields, with a ribbon of residential development located immediately to the east.

The application site is located within an Archaeological Notification Area and within the Red Zone for Great Crested Newts.

DETAILED DESCRIPTION

The proposed development would be arranged north to south and would comprise 5no. detached two storey dwellings. The proposed development would be accessed from the north with the access track extending along the eastern boundary of the site. Each dwelling would benefit from an area of hardstanding for parking, with private amenity space provided to the west. The proposed dwellings would extend over two storeys and would incorporate hipped roofs and gables features. The dwellings would vary in appearance with a range of local materials proposed.

RELEVANT PLANNING POLICIES

The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (2015):
Policy 1 - Strategic Policy: Sustainable Development
Policy 2 - Strategic Policy: Strategic Development
Policy 3 - Strategic Policy: Development Hierarchy
Policy 4 - Strategic Policy: Settlement Expansion
Policy 15 - Strategic Policy: Housing Provision
Policy 16 - Strategic Policy: Meeting Local Housing Needs
Policy 24 - Strategic Policy: Environmental Protection
Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
Policy 26 - Strategic Policy: Countryside Protection
Policy 31 - Green Infrastructure and Biodiversity
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
Policy 35 - Strategic Policy: Climate Change
Policy 36 - Strategic Policy: Appropriate Energy Use
Policy 37 - Sustainable Construction
Policy 38 - Strategic Policy: Flooding
Policy 40 - Sustainable Transport
Policy 41 - Parking

Paragraph 33 of the NPPF requires that all development plans complete their reviews no later than 5 years from their adoption. Horsham District Council is currently in the process of reviewing its development plan however at this stage the emerging policies carry only limited weight in decision making. As the HDPF is now over 5 years old, the most important policies for the determination of this application must be considered as to whether they are 'out of date' (NPPF paragraph 11d). This includes, for applications involving the provision of housing, whether the Council can demonstrate a five year supply of deliverable housing sites (NPPF footnote 8).

The Council is currently unable to demonstrate a five year supply of deliverable housing sites, with the supply currently calculated as being 2.9 years. The presumption in favour of development within Paragraph 11d) of the NPPF therefore applies in the consideration of all applications for housing development within the District (unless footnote 7 or Paragraph 14 applies to relevant applications), with Policies 2, 4, 15 and 26 now carrying only moderate weight in decision making.

All other policies within the HDPF as itemised above have been assessed against the NPPF and are considered to be consistent such that they continue to attract significant weight in decision making.

Thakeham Parish Neighbourhood Plan:
Thakeham1 – A Spatial Plan for the Parish
Thakeham6 – Design
Thakeham7 – Heritage Assets
Thakeham9 – Development in the Countryside
Thakeham10 – Green Infrastructure and Valued Landscapes

Thakeham Parish Design Statement

Planning Advice Notes:
Facilitating Appropriate Development
Biodiversity and Green Infrastructure

REPRESENTATIONS AND CONSULTATIONS RESPONSES

Where consultation responses have been summarised, it should be noted that Officers have had consideration of the full comments received, which are available to view on the public file at www.horsham.gov.uk

Consultations:

INTERNAL CONSULTATIONS

HDC Arboricultural Officer (Initial Response): Comment

The submitted Tree report does not contain an Arboricultural Impact Assessment pertaining to the development applied for. Please request accordingly to enable fair assessment of the landscape impacts of the proposed, particularly in respect of streetscene character, sub-station location and utility connections, access/highway alterations and sightline requirements.

HDC Arboricultural Officer (*Subsequent Response*): Comment

Trees have been re-consulted on this application, presumably on the basis of a tree constraints plan that has been scanned onto the file. Unfortunately, this is only part of the design tool used to assess arboricultural impacts of development and is already contained within the submitted tree survey and report by Jonathon Rodwell that relates to holistic potential development of the site.

HDC Conservation: No Objection

The proposal site does not directly relate to any designated heritage assets. There will be impact within the wider landscape setting but this will be negligible and will not result in harm to the setting of the conservation area or neighbouring listed buildings. The site is well screened from the conservation area and any dwellings will not be experienced in relation to the listed buildings to the east.

HDC Environmental Health: Objection

Insufficient information provided with respect to borehole. Further information required.

Given the historic use of the site as a nursery, a land use which Environmental Health consider potentially contaminating, we are of the view that the ground on the site has the potential to be contaminated. To ensure the site is suitable for residential development, given the above, the application be supported by a preliminary risk assessment (PRA) undertaken by a suitably competent and qualified environmental consultant.

During site clearance, preparation and construction there is the potential for local residents to experience adverse impacts from noise, dust and construction traffic movements. These should be minimised and controlled by the developer and a construction environmental management (CEMP) plan will be recommended as a condition.

OUTSIDE AGENCIES

WSCC Highways: Comment

The site fronts onto and gains access from B2139 Duke's Hill which is a two-way single carriageway road, subject to 40 miles per hour speed restriction near to site access. The existing access takes the form of a vehicle crossover access (VCO) which will be retained and widened to accommodate the proposed uses. The access at the entrance will be 5.0 metres wide which reduces to 4.8 metres towards the internal access. A short 2.0 metres footway is proposed on the western side of the site entrance. It is proposed that the access drive would be surfaced with asphalt in continuity with Storrington Road / Duke's Hill. The LHA advise the provision of a raised speed table at the site entrance to warn the driver of an access ahead.

A 7-day Automatic Traffic Counter (ATC) speed survey was carried out in December 2022 which recorded 85th percentile speeds of 33.0 mph northwest bound, and 33.6 mph southeast bound. In accordance with Manual for Streets (MfS) guidance, for the recorded 85th percentile speeds, there is a requirement of 2.4 metres x 53 metres and 2.4 metres x 52 metres visibility splays towards northwest and southwest respectively. These splays are achievable within the full extent of the publicly maintainable highway. The LHA advise that the required visibility splays are always kept free of any obstruction from vegetation. It is noted that a stepped level bank followed by a rising embankment near to site entrance enhances the visibility splays.

An inspection of data supplied to WSCC by Sussex Police over a period of last five years reveals that there has been no incident of personal injury reported near to the site access. This indicates the site access has been operating in a safe manner in its current form.

Duke's Hill does not benefit from footways, but the stepped level bank provides a pathway for pedestrians to nearby bus stops and other areas. The nearest bus stops to the site are located to the southeast of the site. The LHA acknowledge that the site benefits from limited public transport accessibility as is anticipated in a rural location.

Car and cycle parking provision for the development has been provided in accordance with WSCC's Parking Standards. Each dwelling will be provided with 3 nos. car parking spaces within driveways and garages. Sustainable travel is encouraged by the provision of safe and secure parking spaces for 2 nos. bicycles within the curtilage of each dwelling.

Delivery and servicing are carried out on site. Swept path diagrams for a large refuse vehicle demonstrate access, turning within site using the turning head to the south of the site and egress from the site in forward gear which indicate the site access is fit for the intended use.

The nationally recognised TRICS database has been interrogated to estimate the person trips associated with the proposed development. It is estimated that 3 nos. two-way vehicular trips are generated each during morning and evening peak hour. Given that the site access has operated safely over many years without any reported personal injury accidents near to the site access, the slight increase in vehicular trips is not considered to be of a material concern.

The Local Highway Authority (LHA) does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (NPPF), paragraphs 110 - 113, as revised 20th July 2021. Therefore, there are no transport grounds to resist this proposal.

WSCC Fire and Rescue: Comment

Conditions recommended

Ecology Consultant: Comment

note from the Ground Level Tree Assessment Report (aLyne Ecology Ltd., March 2024) that the trees with potential roost features for an individual number of bats (PRF-Is) (T6 - hybrid Black Poplar, T7 - Goat Willow and T14 - Horse Chestnut) will all be retained within the development. We understand that the remaining trees have no potential roost features and therefore agree that no further surveys for bats are required.

The site lies approximately 9.1km southeast of The Mens Special Area of Conservation (SAC) (Sussex Bat Special Area of Conservation Planning and Landscape Scale Enhancement Protocol) and therefore falls within the 12 km Wider Conservation Area for the SAC. The qualifying feature for the SAC is Barbastelle bat, but there are no records for this species within 2km of the site (Sussex Biodiversity Information Service (SBIS) – accessed under licence) and no European Protected Species Mitigation Licences (EPSML) have been granted for this species within 2km of the site.

The habitats on site include modified grassland, scrub, a line of trees, hedgerows and broadleaved trees. It appears from the submitted documents that a line of trees (trees T33 to T54) and a hedgerow will be removed (Preliminary Ecological Appraisal Report (aLyne Ecology Ltd., January 2023)). However gaps in retained hedgerows will be interplanted with native species, hedgerows will be managed to form an 'A' profile, buffer zones of grassland will be planted adjacent to hedgerows, a species-rich hedgerow will be planted on the western boundary, a wildlife pond planted with native aquatic species and SuDS will be created, a biodiverse roof will be installed, wildflower mix will be used in open spaces and the scrub and remaining trees will be retained on the boundaries (Preliminary Ecological Appraisal Report (aLyne Ecology Ltd., January 2023)). Therefore, there will be no severance to the flight lines of foraging or commuting bats from the SAC and habitat connectivity within the site will be maintained.

As Barbastelle bats may use this habitat, support the recommendation that a Wildlife Friendly Lighting Strategy is implemented for this application (Ground Level Tree Assessment Report (aLyne Ecology Ltd., March 2024) and Preliminary Ecological Appraisal Report (aLyne Ecology Ltd., January 2023)), to avoid impacts from light disturbance. This should be secured by a condition of any consent and implemented in full. Therefore, technical specification should be submitted prior to occupation, which demonstrates

measures to avoid lighting impacts to foraging / commuting bats, which are likely to be present within the local area.

Therefore believe there will be no Adverse Effect on Integrity of the bat SAC. We advise the LPA to prepare a project level HRA Appropriate Assessment to record its decision and consult Natural England on the conclusion.

Support the implementation of the Hazel Dormouse Mitigation & Compensation Strategy (aLyne Ecology Ltd., March 2024) as the hedgerows on site provide potential to support this species, there is connectivity to woodland within the wider landscape and there are Dormouse records within 2km of the site. This should be secured by a condition of any consent.

Also support the implementation of a Precautionary Method Statement for amphibians (Section 7.4 of the Preliminary Ecological Appraisal Report (aLyne Ecology Ltd., January 2023)) and recommend that the NatureSpace Partnership should be consulted on this application.

Satisfied that there is sufficient ecological information available for determination. This provides certainty for the LPA of the likely impacts on protected and Priority species and, with appropriate mitigation measures secured, the development can be made acceptable.

Natural England (Standing Advice): Objection

It cannot be concluded that existing abstraction within the Sussex North Water Supply Zone is not having an adverse effect on the integrity of the Arun Valley SAC/SPA/Ramsar sites. Developments within Sussex North must therefore must not add to this impact and one way of achieving this is to demonstrate water neutrality. The definition of water neutrality is the use of water in the supply area before the development is the same or lower after the development is in place.

To achieve this Natural England is working in partnership with all the relevant authorities to secure water neutrality collectively through a water neutrality strategy. Whilst the strategy is evolving, Natural England advises that decisions on planning applications should await its completion. However, if there are applications which a planning authority deems critical to proceed in the absence of the strategy, then Natural England advises that any application needs to demonstrate water neutrality.

Natural England (Response received 17.04.2024): Comment

Concur with the conclusion of the authority's HRA appropriate assessment insofar that the following further information is required to determine the significance of impacts on designated sites and the scope for mitigation: the provision of a robust offsetting strategy which clearly states the existing water use of the offsetting site and the method of reduction (i.e. efficient fixtures and fittings).

Parish Comments:

None received

Representations:

10 letters of objection were received, and these can be summarised as follows:

- Inappropriate development
- Development in the countryside
- Building style is inappropriate
- Loss of agricultural land
- Overdevelopment
- Water neutrality
- Loss of biodiversity
- Unsustainable
- Reliance on private cars
- Safety of public highway
- Increased light pollution
- Outside the built-up area
- Increase in traffic
- Additional pressure on amenities

- Removal of trees and hedges

Member Comments:

None received

HUMAN RIGHTS AND EQUALITY:

The application has been considered having regard to Article 1 of the First Protocol of the Human Rights Act 1998, which sets out a person's rights to the peaceful enjoyment of property and Article 8 of the same Act, which sets out their rights in respect to private and family life and for the home. Officers consider that the proposal would not be contrary to the provisions of the above Articles.

The application has also been considered in accordance with Horsham District Council's public sector equality duty, which seeks to prevent unlawful discrimination, to promote equality of opportunity and to foster good relations between people in a diverse community, in accordance with Section 149 of the Equality Act 2010. In this case, the proposal is not anticipated to have any potential impact from an equality perspective.

PLANNING ASSESSMENT

Principle of Development:

The application site is located outside of any designated built-up area and is therefore located within the countryside in policy terms. It is however recognised that the site is located approximately 100m to the north-west of the built-up area boundary of Thakeham.

Policy 2 of the Horsham District Planning Framework (HDPF) sets out the main growth strategy, focusing development in the main settlements. The HDPF outlines that the proposed settlement hierarchy is the most sustainable approach to delivering housing; where new development is focused in the larger settlements of Horsham, Southwater and Billingshurst; and limited new development is directed elsewhere, and only where it accords with an adopted Neighbourhood Plan. Specifically, Policy 3 of the Horsham District Planning Framework seeks to retain the existing settlement pattern and ensure that development takes place in the most sustainable locations as possible.

Policy 4 of the HDPF refers to the expansion of settlements outside the built-up area, and states that such development is only supported where: the site is allocated in the Local Plan or in a Neighbourhood Plan and adjoins an existing settlement edge; the level of expansion is appropriate to the scale and function of the settlement type; the development is demonstrated to meet the identified local housing needs; the impact of development individually or cumulatively does not prejudice comprehensive long term development; and the development is contained within an existing defensible boundary and the landscape and townscape character features are maintained and enhanced.

Thakeham1 of the Thakeham Parish Neighbourhood Plan defines the built-up area boundaries of Thakeham. Development plan policies for development in the countryside apply outside the built-up area boundaries. Proposals must not undermine the visual and physical integrity of the gap between the built-up area of Thakeham and the new development at Abingworth Nurseries.

Paragraph 70 of the NPPF outlines that small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should: support the development of windfall sites through their policies and decisions - giving great weight to the benefits of using suitable sites within existing settlements for homes.

Paragraph 83 of the NPPF states that “to promote development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby.”

Paragraph 84 of the NPPF continues that “planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:

a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside;

b) the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets;

c) the development would re-use redundant or disused buildings and enhance its immediate setting;

d) the development would involve the subdivision of an existing residential dwelling; or

e) the design is of exceptional quality, in that it:

- is truly outstanding, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and
- would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area.

As the site is located outside of any defined built-up area boundary, Policies 3 and 4 of the HDPF are of significant weight in the determination of the application. As stated within Policy 3 of the HDPF, development will be permitted within towns and villages that have defined built-up areas; with development in the countryside more strictly controlled through the provisions of Policy 4. This policy states that development outside of built up areas will only be supported where the site is allocated in the Local Plan or in a Neighbourhood Plan and adjoins a settlement edge The pre-application site is not identified in the Local Plan and is not allocated within an adopted Neighbourhood Plan. The proposed development would not therefore accord with the spatial strategy expressed through Policies 3 and 4 of the HDPF, and is considered unacceptable in principle.

In this countryside location, the proposal is also considered against Policy 26 'Countryside Protection' which protects the countryside against inappropriate development unless it is considered essential and appropriate in scale; whilst also meeting one of four criteria. This 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 proposed development would not meet any of this criteria, nor is it considered to be essential to the countryside location.

The proposed development would not accord with the spatial strategy as set out in Policies 2, 3,4 and 26 of the HDPF and would therefore be unacceptable in principle.

Design and Appearance:

Policies 25, 32, and 33 of the HDPF promote development that protects, conserves and enhances the landscape and townscape character from inappropriate development. Proposals should take into account townscape characteristics, with development seeking to provide an attractive, functional and accessible environment that complements the locally distinctive character of the district. Buildings should contribute to a sense of place, and should be of a scale, massing, and appearance that is of a high standard or design and layout which relates sympathetically to the landscape and built surroundings.

Policy Thakeham6 of the Thakeham Parish Neighbourhood Plan states that the scale, density, massing, height, landscape design, layout, and materials of all new development proposals, should reflect any architectural or historic characteristics of particular merit in, and the scale of the surrounding buildings and in the wider area. Policy Thakeham 10 continues that development proposals will be supported provided they protect and retain, and wherever possible, enhance green infrastructure and valued landscape features of the Parish.

The application site comprises enclosed agricultural land currently used for horticultural purposes. The site is bound to the south and west by agricultural fields, with a ribbon of residential development located immediately to the east.

The proposed development would be arranged north to south and would comprise 5no. detached two storey dwellings. The proposed development would be accessed from the north with the access track extending along the eastern boundary of the site. Each dwelling would benefit from an area of hardstanding for parking, with private amenity space provided to the west. The proposed dwellings would extend over two storeys and would incorporate hipped roofs and gables features. The dwellings would vary in appearance with a range of local materials proposed.

The proposed development would form a book-end to the existing ribbon of residential development, with the proposed dwelling positioned in a linear arrangement. The proposed dwellings would sit within the enclosed field, with the built form extending no further than the cluster of dwellings and associated buildings positioned to the east of the site. It is recognised that there is no definable build pattern, albeit that the dwellings are principally arranged to address the public highway and at various set backs. It is however noted that there are examples of backland development within the immediate surroundings.

Given the context of the surroundings, and the relationship of the site with the nearby built form, it is not considered that the proposed development would result in adverse harm to the landscape character of the area. The proposed dwellings would be of a scale, form, and appearance that would appropriately reflect the character and visual appearance of the surrounding built form, and it is not therefore considered that the proposal would result in visual harm.

For these reasons, the proposed development is considered to accord with the above policies.

Heritage Impacts:

Policy 34 of the HDPF states that the Council will sustain and enhance its historic environment through positive management of development affecting heritage assets. Applications for such development will be required to reinforce the special character of the District's historic environment through appropriate siting, scale, form and design, including the use of traditional materials and techniques. Development should make a positive contribution to the character and distinctiveness of the area, and should preserve and ensure the clear legibility of locally distinctive vernacular building forms and their settings, features, fabric and materials.

Following consultation with the Design and Conservation Officer, the proposal site does not directly relate to any designated heritage assets. There will be impact within the wider landscape setting, but this will be negligible and will not result in harm to the setting of the conservation area or neighbouring listed buildings. The site is well screened from the conservation area and any dwellings will not be experienced in relation to the listed buildings to the east.

For these reasons, no heritage concerns are raised.

Amenity Impacts:

Policy 32 of the HDPF states that development will be expected to provide an attractive, functional, accessible, safe, and adaptable environment that contribute a sense of place both in the buildings and spaces themselves. Policy 33 continues that development shall be required to ensure that it is designed to avoid unacceptable harm to the amenity of occupiers/users of nearby property and land.

The proposed development would be arranged to provide sufficient space between each of the dwellings, with sufficient space retained between the dwellings and the existing residential properties. For these reasons, it is not considered that the proposal would result in harm to the amenities of nearby residential properties and users of land, in accordance with the above policies.

Highways Impacts:

Policies 40 and 41 of the HDPF promote development that provides safe and adequate access, suitable for all users.

The proposed development would incorporate an access to the north-eastern corner of the site, with an access track extending along the eastern boundary. Each dwelling would benefit from an area of hardstanding for parking and turning, with dedicated garaging also provided.

Following consultation with WSCC Highways, it is considered that sufficient visibility would be available from the site access, where there is no indication that the site access has been operating unsafely. Sufficient parking would be available for each dwelling to accommodate anticipated needs, and it is not anticipated that the number of vehicle movements would adversely impact the function and safety of the highway network.

For the above reasons, the proposed development is considered to benefit from safe and adequate access and would not result in harm to the function and safety of the highway network, in accordance with the above policies.

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.

The Applicant has submitted a Preliminary Ecological Appraisal Report by aLyne Ecology Ltd dated January 2023, a Ground Level Tree Assessment Report by aLyne Ecology Ltd dated March 2024, and a Hazel Dormouse Mitigation and Compensation Strategy by aLyne Ecology Ltd dated March 2024. These outline that trees with potential roost features for an individual number of bats will be retained within the development. The trees and hedgerow proposed to be removed have no potential roost features, where gaps in the retained hedgerows would be interplanted with native species, buffer zones of grassland planted, species-rick hedgerow planted, wildflower mix used in open spaces, and a wildlife pond created.

Following consultation with the Council's Ecologist, the mitigation and enhancement measures are considered acceptable, and no ecology concerns are raised.

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 Applicant has submitted a Water Neutrality Statement by Bluesky Limited and dated 11.09.2023. The Statement outlines that the proposed development would comprises 3no. 5-bed dwellings and 2no. 5-bed dwellings. It is outlined that water efficient fixtures and fittings would be installed in each of the dwellings, alongside rainwater harvesting. With the installation of these measures, the water demand arising from the development would total 75.3 litres per person per day. Based upon an average occupancy of 3.09 persons for a 5-bed dwelling, the total water demand would be 1,163 litres per day.

The Water Neutrality Statement outlines that the existing water demand of the site is 1,004 litres per day. This is based upon metered water bills for "Field Adjacent South Hill, Storrington Road, Pulborough".

As outlined above, the water demand arsing from the proposed development would be 1,163 litres per day. The proposed development seeks to utilise water efficient fixtures and fittings, including dual flush toilets, low flow shower/taps, low volume bath, water efficient white goods, rainwater harvesting.

The Water Neutrality Statement advises that the Applicant is willing to engage with the Council to offset this water either by retrofitting Council owned buildings or other private buildings within the District, but no specific offsetting measures have been proposed. No specific off-setting measures to address the increased water demand have been detailed, and there is no certainty that the proposed development would not result in a likely significant effect on the protected Arun Valley sites.

Natural England have been consulted on the Appropriate Assessment, where the conclusions of this have been agreed. A robust offsetting strategy is required in order to address water demand arising from the proposed development.

For these reasons, insufficient information has been provided to demonstrate with a sufficient degree of certainty that the proposed development would not contribute to an existing adverse effect upon the integrity of the internationally designated Arun Valley Special Area of Conservation, Special Protection Area and Ramsar sites by way of increased water abstraction, contrary to Policy 31 of the Horsham District Planning Framework (2015), Paragraphs 185 and 186 of the National Planning Policy Framework (2023), thus the Local Planning Authority is unable 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).

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.

Should the proposed development be approved, the following measures to build resilience to climate change and reduce carbon emissions:

- Requirement to provide full fibre broadband site connectivity
- Dedicated refuse and recycling storage capacity
- Cycle parking facilities
- Electric vehicle charging points

Subject to these conditions the application will suitably reduce the impact of the development on climate change in accordance with local and national policy.

Conclusions:

Paragraph 33 of the NPPF requires that all development plans complete their reviews no later than 5 years from their adoption. Horsham District Council is currently in the process of reviewing its development plan however at this stage the emerging policies carry only limited weight in decision making. As the HDPF is now over 5 years old, the relevant policies for the determination of this application must be considered as to whether they are 'out of date' (NPPF paragraph 11d).

Paragraph 11(d) states that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, planning permission should be granted unless the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or 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.

Footnote 7 to Paragraph 11(d) of the NPPF states that the policies referred to are those in the Framework relating to habitat sites. Insufficient information has however been provided to demonstrate with a sufficient degree of certainty that the proposed development would not contribute to an existing adverse effect upon the integrity of the internationally designated Arun Valley Special Area of Conservation, Special Protection Area and Ramsar sites by way of increased water abstraction, contrary to Policy 31 of the Horsham District Planning Framework (2015), Paragraphs 185 and 186 of the National Planning Policy Framework (2021), thus the Local Planning Authority is unable 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). On this basis, the titled balance derived from paragraph 11(d) of the NPPF does not apply.

The proposed development would not accord with the spatial strategy as set out in Policies 2, 3,4 and 26 of the HDPF, however as concluded within the recent appeal decisions, these policies are not fully compliant with the NPPF. In addition, given the housing shortfall as identified in these appeals, the conflict with these policies must be afforded a reduced weight. The proposed development would contribute to the identified housing need of the District, and given the identified need, the benefits arising from this would be of significant weight in the planning balance. However, it is recognised that the proposal would contribute only 5no. dwellings to the housing supply, and would therefore make only a moderate contribution in this regard.

On the balance of considerations, the proposed development is considered to be contrary to Policies 1, 2, 3, 4, 26 and 31 of the Horsham District Planning Framework (2015).

COMMUNITY INFRASTRUCTURE LEVY (CIL)

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

It is considered that this development constitutes CIL liable development.

Use Description	Proposed	Existing	Net Gain
District Wide Zone 1	1137.08		1137.08
		Total Gain	
		Total Demolition	

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

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

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

Recommendation: Application Refused

Reasons for Refusal:

1 The proposed development would be sited within an unsustainable location in the countryside, outside of a defined built-up area boundary, and on a site not allocated for housing development within the Horsham District Planning Framework, or a made Neighbourhood Plan. Furthermore, the proposed development is not essential to its countryside location. Notwithstanding the absence of a five-year land housing supply, and the provisions of the National Planning Policy Framework (2023) at paragraph 11(d), it is not considered that there are any material considerations in this instance which would outweigh harm arising from conflict with Policies 1, 2, 3, 4 and 26 of the Horsham District Planning Framework (2015).

2 Insufficient information has been provided to demonstrate with a sufficient degree of certainty that the proposed development would not contribute to an existing adverse effect upon the integrity of the internationally designated Arun Valley Special Area of Conservation, Special Protection Area and Ramsar sites by way of increased water abstraction, contrary to Policy 31 of the Horsham District Planning Framework (2015), Paragraphs 185 and 186 of the National Planning Policy Framework (2023), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority Habitats & Species).

POSITIVE AND PROACTIVE STATEMENT

Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received, in order to be able to, where possible, grant permission.

Plans list for: DC/23/1777
Schedule of plans/documents **not approved**:

Plan Type	Description	Drawing Number	Received Date
Supporting Statement	Sustainability and Energy by Bluesky Unlimited dated 11.09.2023	NONE	12.10.2023
Supporting Statement	Water Neutrality by Bluesky Unlimited dated 11.09.2023	NONE	26.10.2023

Plans	Landscape Masterplan	LLD2823-LAN-DWG-010 Rev 01	22.09.2023
Location plan	Site Location Plan Drawing	LP REV B	12.10.2023
Site plan	Proposed Site Plan Drawing	001 REV F	22.09.2023
Elevation & Floor plan	Plot 1 Proposed Plans & Elevations	010 REV A	22.09.2023
Elevation & Floor plan	Plot 2 Proposed Plans & Elevations	011 REV A	22.09.2023
Elevation & Floor plan	Plot 3 Proposed Plans & Elevations	012 REV A	22.09.2023
Elevation & Floor plan	Plot 4 Proposed Plans & Elevations	013 REV A	22.09.2023
Elevation & Floor plan	Plot 5 Proposed Plans & Elevations	014 REV A	22.09.2023
Site plan	Colour Site Plan Drawing	C001 REV B	22.09.2023
Supporting Statement	Transport Note by Magna Transport Planning Ltd dated July 2023	22/118/24A	22.09.2023
Supporting Statement	Preliminary Ecological Appraisal Report by aLyne Ecology Ltd dated 26.01.2023	001	22.09.2023
Supporting Statement	Landscape Design Strategy by Lizard Landscape Design and Ecology dated 01.09.23	LLD2823-LAN-REP-00	22.09.2023
Supporting Statement	Tree Survey and Report by Jonathan Rodwell dated January 2023	B/0413/22	22.09.2023
Supporting Statement	Flood Risk Assessment and Drainage Strategy by Judwaa Consulting dated 06.09.2023	NONE	22.09.2023
Supporting Statement	Archeological Desk Based Assessment by HCUK Group dated January 2023	8484A	22.09.2023

DELEGATED

Case Officer sign/initial Tamara Dale Date: 02.05.2024

Authorising Officer sign/initial RHERMITAGE Date: 15.05.2024