

Sandgate Nursery, West End Lane, Henfield, West Sussex

Planning, Design & Access Statement

February 2023



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Section 1

Introduction

- 1.1. This document is prepared in support of an application for outline planning permission on behalf of Sandgate Henfield Developments Ltd at Sandgate Nursery, West End Lane, Henfield, West Sussex for:

Outline application for erection of a continuing care retirement community of up to 72 units of accommodation (Use Class C2) and up to 10 starter homes (Use Class C3) with associated community facilities including medical centre and on-site laundry and catering facilities, with access, infrastructure, open space, landscaping and associated works (all matters reserved except for access).

- 1.2. The location of the site is shown at Figure 1.

Figure 1: Location Plan



- 1.3. The site is located to the west of the village of Henfield and is a former horticultural nursery which has been vacant for several years. A number of structures remain, including old glass houses, with the remainder of the site made up of open unkempt grassed areas.
- 1.4. To the north of West End Lane, directly opposite the site, is a recently built housing development which was allowed on appeal in June 2014 (PINS Ref: APP/Z3825/A/13/2205204).
- 1.5. The development will bring forward 72 dwellings in a continuing care retirement village along with 10 starter home affordable dwellings to meet the clear and growing need for this form of accommodation in the district. These benefits should be given substantial positive weight in the planning balance.
- 1.6. The development will also bring forward economic benefits associated with the continuing care element of the proposals and on-site management.
- 1.7. According to the Council's latest Annual Monitoring Report, as of April 2022, the Council had only three years Housing Land Supply. In a recently allowed appeal, Land at Duckmore, Billingshurst in January 2023 (DC/20/2607), it was common ground between the parties that the Council does not have a five year housing land supply.
- 1.8. The neighbourhood plan is silent on the provision of continuing care provision, despite the strategic evidence of need. The Neighbourhood Plan does not allocate sufficient, or indeed any, sites to address the demonstrated need for this form of residential use (Use Class C2).
- 1.9. Policy 18 (Retirement Housing and Specialist Care) is a strategic policy which does not allocate sites for this form of housing but directs it to appropriate locations and sets preferred criteria that need to be met to ensure that such developments are in the most suitable location, close to shops and amenities. The proposed development is in just such a sustainable location.
- 1.10. Henfield is a 'small town and larger village', which means that it is a settlement with a good range of services and facilities, community networks and local employment provision, together with reasonable bus services. The proposal provides safe pedestrian access to local shops and services and public transport. This is therefore an entirely appropriate location for this form of development.
- 1.11. This report presents the proposals in the context of the key relevant planning policy considerations and is set out under the following headings:

-  Existing Site and Planning History
-  Proposed Development
-  Planning Policy Context
-  Planning Considerations
-  Conclusions and Planning Balance

1.12. This report should be read in conjunction with the following documents and reports that also accompany the planning application:

-  Application drawings by PAC Design
-  Air Quality Assessment by Redmore Environmental
-  Arboricultural Impact Assessment by Viking Tree Services
-  Bat Transect Report by Ecology Partnership
-  Flood Risk Assessment by Price Myers
-  Ecological Impact Assessment by Ecology Partnership
-  Heritage Report by Heritage Collective
-  Landscape Visual Impact Appraisal by Neil Tully Associates
-  Landscape Proposals – Softworks Masterplan by Neil Tully Associates
-  Preliminary Ecology Assessment by Ecology Partnership
-  Preliminary Risk Assessment (Soils) by Aviron
-  Reptile Survey Report by Ecology Partnership
-  Sustainability Report by BlueSky Unlimited
-  Transport Statement by Magna Transport Planning
-  Framework Travel Plan by Magna Transport Planning



Section 2

Site and Surrounding Area

- 2.1. The site is a former nursery site which adjoins the built-up boundary to the west of Henfield, in the West End area. It fronts on to West End Lane to the north and Hollands Lane to the South
- 2.2. Owing to its previous use, there are a number of redundant buildings on site and areas of hardstanding which have resulted in the Council accepting the site in earlier applications as 'previously developed land'. The remainder of the site comprises poor quality grassland that has not been maintained in recent years.
- 2.3. The southern boundary of the site is made up of a bridleway, and to the east are the rear gardens of residential properties fronting Holland Road. To the west is a strong verdant boundary. Hollands Lane Industrial Site is located to the south-east.
- 2.4. The site is generally rectangular with a gentle fall of around 4metres north to south and a fall of between 3-4metres east to west. It is very well screened which reduces views into the site. Photographs of the site and surroundings are included in the accompanying Landscape Visual Impact Assessment by Neil Tully Associates.
- 2.5. At the north of West End Lane, directly opposite the site, is a recently built housing development which was allowed on appeal in June 2014 (PINS Ref: APP/Z3825/A/13/2205204).
- 2.6. Henfield is defined as a 'Larger Village' in the settlement hierarchy of the Horsham District Planning Framework.
- 2.7. Towards the north east and north west corners of the site are two residential buildings, Lawfield House and Dears Farm. Dears Farm is Grade II listed with the Historic England Listing description for the property stating:

C16 timber-framed house with plaster infilling, ground floor rebuilt in red brick. Tiled roof. Casement windows. Two storeys. Three windows.
- 2.8. The site is currently accessed from West End Lane and Hollands Lane.

Planning Designations

- 2.9. The site is located in Flood Zone 1 and in an area of low probability of surface water flooding.

- 2.10. It is located outside the built up area in the adopted Local Plan, as shown on the policy map extract at Figure 2. It is also outside the built up area in the Henfield Neighbourhood Plan as indicated at Figure 3.

Figure 2: Extract from Horsham District Planning Framework (2015) policy map

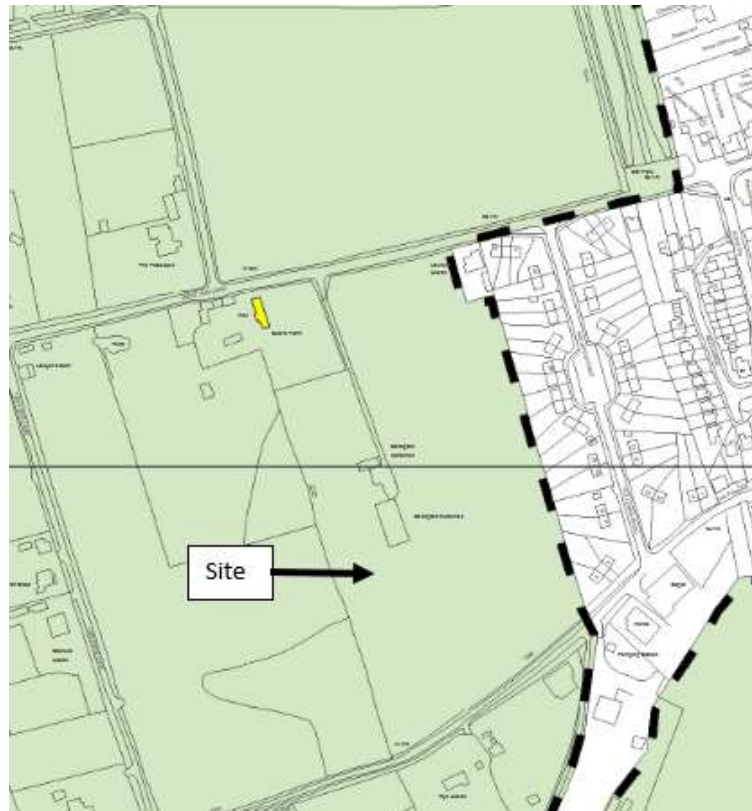
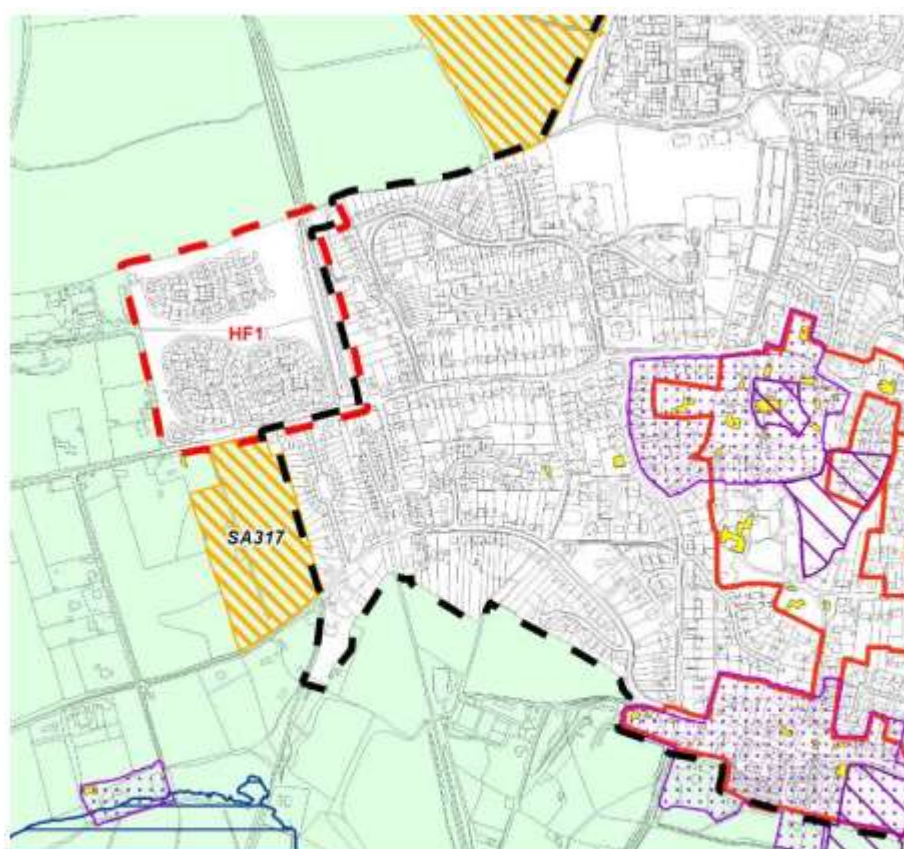


Figure 3: Policy Map 1a (extract) Henfield NP



- 2.11. The site was included as a 'Smaller Sites Potential Housing Allocation' (SA317) in the Regulation 18 Consultation Draft Plan

Figure 4: Extract from Reg 18 Consultation Draft



 Smaller Sites Potential Housing Allocations

- 2.12. The site is not in a conservation area. The Grade II Listed Dears Farm building neighbours the site to the north-west.
- 2.13. The site is located in the area identified by Natural England with a water supply that is hydrologically linked to the Arun Valley and therefore is required to demonstrate Water Neutrality.

Planning History

- 2.14. The recent planning history is included below.

Date	HCD Reference	Description	Decision
20 Dec 2021	DC/21/0908	Outline application for the construction of 51 dwellings comprising 100% affordable housing for key workers and the erection of	Refused

		a community centre, associated access and landscaping with all matters reserved.	
21 Dec 2016	DC/15/0412	Demolition of the existing vacant Garden Nurseries and associated structures and the redevelopment of the site to provide 82 units, comprising 12 x 1 bed, 17 x 2 bed and 6 x 3 bed (35) affordable units and 12 x 2 bed, 16 x 3 bed and 18 x 4 bed (47) residential units, with associated car parking spaces, hard and soft landscaping, and new access arrangements from West End Lane and Hollands Lane (Development affects the setting of a listed building)	Withdrawn
25 Nov 2014	DC/14/0588	Demolition of existing vacant garden nurseries and associated structures and the redevelopment of the site to provide 72 units comprising 6 x 1 bed, 17 x 2 bed, 6 x 3 bed (29) affordable units and 9 x 2 bed, 15 x 3 bed and 19 x 4 bed (43) market residential units with associated car parking spaces, hard and soft landscaping and new access arrangements from West End Lane and Hollands Lane (Development affects the setting of a listed building)	Appeal Dismissed

December 2021 Refused Application Ref: DC/21/0908

Figure 4: Indicative Site Plan for DC/21/0908

- 2.15. In December 2021, an outline application for 51 affordable dwellings and the erection of a community centre was refused under delegated powers. The indicative site plan is included at Figure 4.



2.16. The application was refused for 7 reasons, which focused on the following key issues:

- ❑ As the site is not an allocated site in the Horsham District Planning Framework or Neighbourhood Plan and the proposal is not essential to a countryside location, it is contrary to the development plan.
- ❑ The Council did not accept that this site would fall within their local definition of an exception site for affordable housing.
- ❑ Concern about an adverse impact on the Arun Valley Special Area of Conservation, Special Protection Area and Ramsar sites by way of increased water abstraction.
- ❑ The Council was not satisfied that the proposals would not negatively impact any protected species within, or in the vicinity of, the site due to lack of ecology information provided.
- ❑ It was not demonstrated that satisfactory SuDs drainage can be provided to serve the site without resulting in increased flood risk due to lack of SuDs information provided.
- ❑ Impact on the setting of the Grade II listed Deer Farm.
- ❑ The Council concluded that insufficient information had been provided to demonstrate the acceptability of the access on to West End Lane. The appeal scheme relied on traffic calming measures which were to be put in place by the development to the north. However, in the end, the site north was not required to introduce these measures. Therefore, a speed survey would be required to demonstrate acceptability of the access. This was not provided as part of the application.
- ❑ No S106 agreement was in place to secure the development as 100% affordable housing.

2.17. In their consideration of the application, the Council concluded the following:

- ❑ The development was considered to have overcome the earlier appeal objection (November 2014) regarding the transition between the built-up edge of Henfield and the Countryside. Subject to a landscaping and management plan to be secured by condition, the landscaping objection was removed.
- ❑ Subject to conditions there was no objection in relation to trees.
- ❑ Whilst design was a reserved matter, the layout of the development was considered to be broadly acceptable and demonstrated that this quantum of development could be accommodated on the site.
- ❑ Impact on neighbouring amenity was considered to be acceptable.
- ❑ An Air Quality Assessment was concluded to be required due to the scale of development however the Council concluded this could form part of a S106 agreement.

2.18. This Statement shows how the current proposals have addressed the concerns in relation to these earlier proposals.



Section 3

Proposed Development

3.0. The development proposal comprises:

Outline application for erection of a continuing care retirement community of up to 72 units of accommodation (Use Class C2) and up to 10 starter homes (Use Class C3) with associated community facilities including medical centre and on-site laundry and catering facilities, with access, infrastructure, open space, landscaping and associated works (all matters reserved except for access).

3.1. The proposals will involve the following:

- ▣ Formation of new vehicular access from West End Lane to achieve visibility splay of 2.4 metres by 49 metres (to the left) and 2.4 metres by 42 metres. Formation of pedestrian access from West End Lane and introduction of a single lane chicane arrangement to allow the provision of a 2m wide footway on the South side providing safe access and improving pedestrian connectivity.
- ▣ Erection of 72 continuing care retirement dwellings (Use Class C2) with communal facilities in the form of an on-site ancillary Medical Centre (circa 320sqm) containing a team of carers, including management, 24-hour cover, on-site kitchen, and heavy-duty laundry.
- ▣ Erection of 10 Affordable Dwellings (Use Class C3) in the form of Starter Homes.
- ▣ Class C2 units in the following mix:
 - 43 x 2 bed
 - 29 x 3 bed
- ▣ Class C3 Affordable Dwellings will be provided in the following mix:
 - 10 x 2 bed
- ▣ The development will be low-rise with the mature landscaped edge to be retained and strengthened. The dwellings and ancillary medical building will be two storeys throughout the site.
- ▣ A landscaped entrance is provided to the development from West End Lane, which both provides an attractive verdant frontage and serves to respect the setting of the neighbouring Grade II Listed building.

- ❏ All dwellings will meet the Nationally Described Space Standards. The C2 dwellings have been designed with enhanced accessibility as demonstrated within drawing ref: SNH P2 04.
- ❏ Amenity spaces are in the form of private gardens along with the communal amenity areas.
- ❏ Generous communal open spaces are provided including park area to the north of the site and central green space for communal activities and light recreation (such as boules) which will form a focal point at the centre of the development. A woodland walk footpath links to the bridleway to the south of the site.
- ❏ At least 2 car parking spaces will be provided for each of the continuing care dwellings and the starter homes.
- ❏ Cycle parking will be provided as follows:
 - 1 x cycle parking space for each C2 dwelling
 - 1 x cycle parking space for each 2 bed C3 dwelling
 - 2 x cycle parking space for each 3 bed C3 dwelling
 - A further 2 cycle stands (4 spaces) will be provided for visitors
- ❏ Dedicated refuse space will be provided for each of the dwellings. Adequate vehicle turning facilities within the site to allow a 11.2 metres long refuse trucks to turn around so that they can exit the site in forward gear.
- ❏ An indicative landscape masterplan by Neil Tully Associates accompanies this submission which creates a robust green-blue network across the whole site area, zoned in places but with the capability to be used for a variety of activities. The landscape scheme will provide a significant enhancement of site biodiversity, cultural heritage, and character, and create a complementary localised 'sense of place' reflecting the unique qualities and values of the proposed scheme. By retaining and building on the green infrastructure already present on site, and by preserving the setting of the adjacent listed building whilst respecting other surrounding built form the proposed scheme enhances the local character and sense of place.
- ❏ Ecological mitigation, replacement and enhancement measures are incorporated to include protecting and maintaining the majority of the existing mature broad-leaved treelines and underlying scrub along the southern, western and northern boundaries of the site, maintaining natural buffer habitats and planting of new, scrub, native trees, and flower-rich grassland to ensure that replacement habitat is provided which in turn will provide habitat for reptiles, foraging and commuting bats, and breeding birds. Bat and bird boxes will be provided.

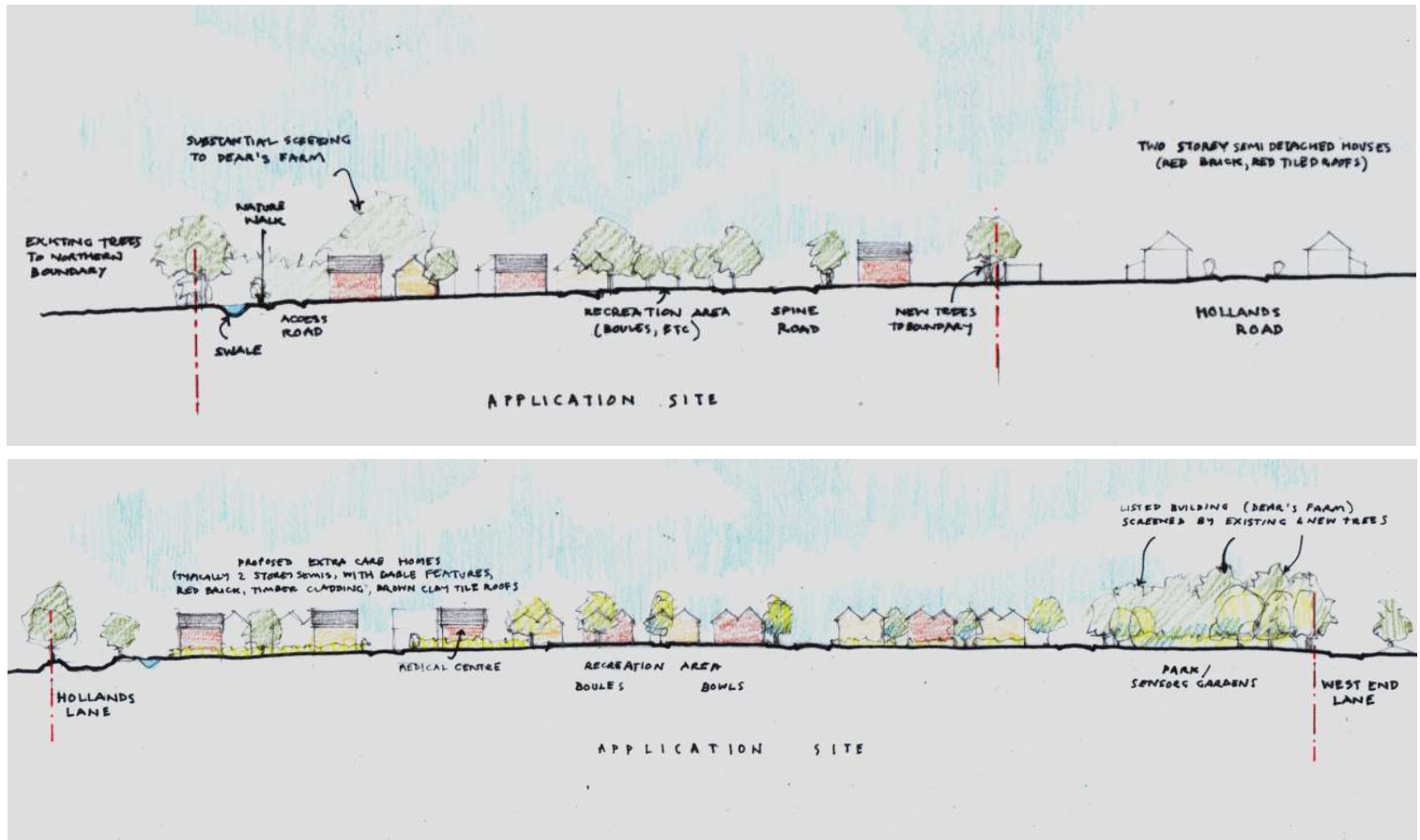
- ▣ Sustainability measures have been incorporated including energy efficiency measures and the installation of air source heat pumps to achieve a carbon reduction figure of 63.27%
- ▣ The water efficiency measures incorporated within the houses will ensure the water consumption is less than 85 litres per person per day and achieves the standard required by Natural England for development sites located in the Sussex North water supply zone.
- ▣ A surface water drainage strategy is proposed using permeable paving, infiltration basins and soakaways.

The indicative site layout, site sections and floor plans are included at Figures 5 to 7.

Figure 5: Indicative Site Layout



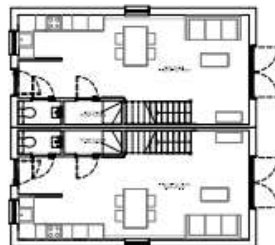
**Figure 6: Indicative
Site Sections**



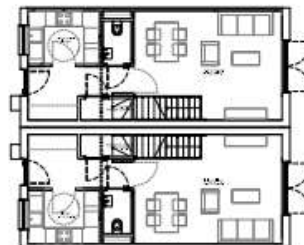
2Bedroom_3Person

2Bedroom_4Person

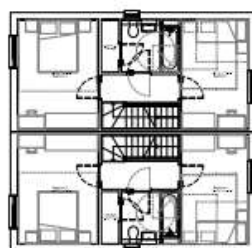
**Figure 7: Indicative
floorplans for 2
bedroom dwellings**



Ground floor plan



Ground floor plan



First floor plan



First floor plan



Section 4

Planning Policy Context

- 4.1. Section 38(6) of the Planning and Compulsory Purchase Act states:

If regard is to be had to the development plan for the purposes of any determination under the planning acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.

- 4.2. The development plan for the purpose of this planning application comprises the following:

-  Adopted Local Plan – Horsham District Planning Framework (Excluding South Downs National Park (November 2015)
-  Henfield Neighbourhood Plan (Adopted June 2021)

- 4.3. The following national policy and guidance are material planning considerations:

-  National Planning Policy Framework (2021)
-  MHCLG Planning Practice Guidance (2021)
-  MHCLG National Design Guide (2021)

Emerging Local Plan

- 4.4. In March 2020, consultation was undertaken on a Regulation 18 Draft of the emerging Horsham District Local Plan 2019-2036. Since this time progress on the Local Plan has stalled. It is understood that this is both due to the need to address the Natural England advice on water neutrality, which was issued in September, and more recently the recent consultation on changes to the NPPF. The most recent delay was announced in January 2023, and no updated timetable has yet been provided.
- 4.5. The emerging plan identified the site as a potential housing site and whilst no weight can be attached to the policies of this plan at this stage, it does indicate the Council have considered this site as suitable for residential development.

- 4.6. The National Planning Policy Framework (NPPF) 2021 sets out the framework for how planning policies are expected to be applied. At the heart of the NPPF remains a presumption in favour of sustainable development.
- 4.7. Paragraph 2 of the NPPF requires that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF must be taken into account in preparing the development plan and is a material consideration in planning decisions.
- 4.8. The NPPF in Section 2 (Achieving Sustainable Development) establishes that the purpose of the planning system is to contribute to the achievement of sustainable development. Further to this Paragraph 8 states that “*Achieving sustainable development means that the planning system has three overarching objectives which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives)*”. These include an economic objective, a social objective and an environmental objective all of which are the key threads running through the proposals for the Site.
- 4.9. Paragraph 11 states that plans and decisions should apply a presumption in favour of sustainable development. For decision taking this means:
- c) approving development proposals that accord with an up-to-date development plan without delay; or*
 - d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date⁸, granting permission unless:*
 - i. 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*
 - 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.*
- 4.10. As set out in the Introduction to this statement Horsham does not have a five-year housing land supply and so Paragraph 11(d) applies.
- 4.11. Paragraph 14 states that:
- In situations where the presumption (at paragraph 11d) applies to applications involving the provision of housing, the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits, provided all of the following apply:*

a) the neighbourhood plan became part of the development plan two years or less before the date on which the decision is made;

b) the neighbourhood plan contains policies and allocations to meet its identified housing requirement;

c) the local planning authority has at least a three year supply of deliverable housing sites (against its five year housing supply requirement, including the appropriate buffer as set out in paragraph 74); and

d) the local planning authority's housing delivery was at least 45% of that required over the previous three years.

- 4.12. Whilst the neighbourhood plan is under two years old at the time of submission, and includes housing allocations, the plan is silent on the provision of continuing care provision, despite the strategic evidence of need. The Neighbourhood Plan does not allocate sufficient, or indeed any, sites to address the demonstrated need for this form of residential use.
- 4.13. Section 5 (Delivering a sufficient supply of homes) identifies that significantly boosting the supply of housing is a Government Objective and it is important to ensure that a sufficient amount and variety of land can come forward without delay.
- 4.14. Section 8 (Promoting healthy and safe communities) states that decisions should aim to achieve healthy, inclusive and safe places which promote social interaction through street layouts that allow for easy pedestrian and cycle connections within and between neighbourhoods (paragraph 91). Paragraph 92 goes on to state that to provide social, recreational and cultural facilities, decisions should ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.
- 4.15. Section 9 (Promoting Sustainable Transport) states that transport issues should be considered from the earliest stages so that the potential impact of development on transport networks can be addressed alongside providing for improved transport infrastructure, promoting cycling, walking and public transport use and integrating patterns of movement into development proposals at a fundamental level (paragraph 104).
- 4.16. Section 11 (Making efficient use of land) seeks to promote an effective use of land in meeting the need for homes and other uses while safeguarding and improving the environment and ensuring safe and healthy living conditions (paragraph 119).
- 4.17. Paragraph 60 notes that it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.
- 4.18. Paragraph 62 states that the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing, families with

children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes).

- 4.19. Paragraph 103 states that significant development should be focused in locations which are or can be made sustainable through limiting the need to travel and offering a genuine choice of transport modes. Paragraph 110 states that applications for development should give priority to pedestrian and cycle movements as well as facilitating access to high quality public transport.
- 4.20. Paragraph 122 states that “planning policies and decision should support development that makes efficient use of land, taking into account:

a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;

b) local market conditions and viability;

c) the availability and capacity of infrastructure and services, both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;

d) the desirability of maintaining an areas prevailing character and setting (including residential gardens) or of promoting regeneration and change; and

e) the importance of securing well designed, attractive and healthy places.” 5.14.

- 4.21. Paragraph 130 follows on to state that “Planning policies and decisions should ensure that developments:

a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;

b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

e) optimise the potential of the Site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks;

and f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience”.

- 4.22. Paragraph 155 requires the avoidance of inappropriate development in areas at risk of flooding by directing development away from areas at highest risk (whether existing or future).
- 4.23. Paragraph 165 of the NPPF states that when determining any planning application, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment.
- 4.24. Paragraph 194 requires applicants to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance.
- 4.25. Paragraph 195 requires Councils to identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise.
- 4.26. Paragraph 197 requires Councils to take into account the following when assessing applications:
 - a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation
 - b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
 - c) the desirability of new development making a positive contribution to local character and distinctiveness
- 4.27. Paragraph 200 states any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.
- 4.28. In relation to considering the impact of development on designated heritage assets, paragraph 202 of the NPPF states that:

Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

National Design Guide

- 4.29. The National Design Guide was published in September 2019. This provides a structure for the content of local design guides and sets out ten characteristics which reflect the Government's priorities and provide a common overarching framework.
- 4.30. Well-designed places have individual characteristics which work well together to create its physical character. These characteristics contribute to good design as set out in the NPPF.
- 4.31. The ten characteristics are as follows:
-  **Context** – Enhances the surroundings and ensures developments are well grounded in their locality.
 -  **Identity** – Creates attractive and distinctive developments. Well-designed, sustainable places with a strong identity give their users a sense of pride helping to create and sustain communities.
 -  **Built form** – A coherent pattern of development created by a positive interrelationship between the arrangement of development blocks, streets, buildings and open spaces. The interrelationship between the individual elements creates the built environment and contributes to its character and sense of place.
 -  **Movement** – Ensuring places are accessible and easy to move around contributes to making high quality places for people to enjoy and form a crucial component of urban character.
 -  **Nature** – Natural features are integrated into well designed development. Nature contributes to the quality of place and is a critical component of well-designed places ensuring they are enhanced and optimised for maximum benefit.
 -  **Public Spaces** – The quality of the spaces between buildings is as important as the buildings themselves. Public spaces should be safe, social and inclusive and integrated into the wider network of routes.
 -  **Uses** – Neighbourhoods should include mixed and integrated uses to meet local housing need and market demand. New development should meet changing needs and accommodate a variety of uses over time.
 -  **Homes and Buildings** – Meet the needs of a diverse range of users, are adequate in size, fit for purpose and adaptable. Well-designed homes and buildings are functional, healthy and sustainable.
 -  **Resources** – Development should be efficient and resilient. In order to respond to climate change well-designed places should mitigate impacts and ensure that developments can adapt to anticipated events.
 -  **Lifespan** – Well designed places sustain their beauty over the long term. They add to the quality of life of users and ensure that people care for them over their lifespan.

4.32. The development plan for the application comprises the Horsham District Planning Framework (November 2015) and the Henfield Neighbourhood Plan (June 2021).

4.33. The relevant policies in this document are as follows:

Horsham District Planning Framework

-  Policy 1 – Sustainable Development
-  Policy 2 – Strategic Development
-  Policy 3 – Development Hierarchy
-  Policy 4 – Settlement Expansion
-  Policy 15 – Housing Provision
-  Policy 16 – Meeting Local Housing Needs
-  Policy 17 – Exceptions Housing Schemes
-  Policy 18 – Retirement Housing and Specialist Care
-  Policy 24 – Environmental Protection
-  Policy 25 – The Natural Environment and Landscape Character
-  Policy 31 – Green Infrastructure and Biodiversity
-  Policy 32 – The Quality of New Development
-  Policy 33 – Development Principles
-  Policy 34 – Cultural and Heritage Assets
-  Policy 35 – Climate Change
-  Policy 36 – Appropriate Energy Use
-  Policy 37 – Sustainable Construction
-  Policy 39 – Infrastructure Provision
-  Policy 40 – Sustainable Transport
-  Policy 41 – Parking
-  Policy 42 – Inclusive Communities

Henfield Neighbourhood Plan

-  Policy 1 – A Spatial Plan for the Parish
-  Policy 4 – Transport, Access and Car Parking
-  Policy 10 – Green Infrastructure and Biodiversity
-  Policy 12 – Design Standards for New Development

4.34. Policy 2 (Strategic Policy: Strategic Development) states that the spatial strategy to 2031 is to (inter alia):

1.Focus development in and around the key settlement of Horsham, and allow for growth in the rest of the district in accordance with the identified settlement hierarchy.

5.Continue to support in principle the sustainable development of settlements through an appropriate scale of development which retains the existing settlement pattern over the plan period.

6.Manage development around the edges of existing settlements in order to prevent the merging of settlements and to protect the rural character and landscape.

10. Provide for the varied housing needs of the community in terms of tenure, affordability, care and other support needs and the specific temporary and permanent needs of the Gypsy and Travellers and Travelling Show people.

11.Support the provision of rural housing which contributes towards the provision of affordable housing where there is a demonstrable need.

12.Retain and enhance natural environmental resources, including landscapes and landscape character, biodiversity, and retaining and enhancing environmental quality including air, minimises energy and resource use and provides flood mitigation.

13.Support development which protects, conserves and enhances the District's built heritage whilst ensuring that new development is safe, well designed, adapts to climate change and helps to reduce the District's carbon emissions.

4.35. Paragraph 4.9 states that:

In addition to built-up areas, it is recognised that in order for some communities to continue to be able to grow and develop it will be necessary for them to be able to expand beyond their current built form. By allocating sites in the Local Plan or in Neighbourhood Plans, it will be possible to meet the identified local needs of these settlements and provide an appropriate level of market and affordable housing, as well as maintaining the viability of the smaller villages and towns, for example supporting local schools, or local shops. This policy will also ensure that the settlement function and pattern of the district is retained, retaining the rural character of the district beyond these settlements.

4.36. Henfield is a Tier 2 settlement (Larger Village) in the context of this policy.

4.37. Policy 4 (Strategic Policy: Settlement Expansion) states that the growth of settlements across the District will continue to be supported in order to meet identified local housing, employment and community needs. Outside built up area boundaries, the expansion of settlements will be supported where:

1. The site is allocated in the Local Plan or in a Neighbourhood Plan and adjoins an existing settlement edge.

2. The level of expansion is appropriate to the scale and function of the settlement type.

3. The development is demonstrated to meet the identified local housing needs and/or employment 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, in order not to conflict with the development strategy; and

5. The development is contained within an existing defensible boundary and the landscape and townscape character features are maintained and enhanced.

4.38. Policy 15 (Housing Provision) states that provision is made for the development of at least 16,000 homes and associated infrastructure within the period 2011-2031, at an average of 800 homes per annum. This figure is achieved by housing completions for the period 2011-2015, homes that are already permitted or agreed for release, strategic sites, the provision of at least 1500 homes throughout the district in accordance with the settlement hierarchy, allocated through neighbourhood planning and 750 windfall units.

4.39. Policy 16 (Meeting Housing Need) states that development should provide a mix of dwellings to meet local needs. On sites providing 15 or more dwellings or on sites over 0.5 hectares, the Council will require 35% of dwellings to be affordable. The Council will support schemes coming forwards through neighbourhood plans.

4.40. Policy 18 (Retirement Housing and Specialist Care) states that proposals for development which provide retirement housing and specialist care housing will be encouraged and supported where it is accessible by foot or transport to local shops, services, community facilities and the wider public transport network. The Council will particularly encourage schemes that meet identified local needs for those on lower incomes and provide affordable accommodation for rent or shared ownership/ equity.

4.41. The policy states that:

Large scale 'continuing care retirement communities' will be supported in appropriate locations, normally within defined built-up areas, where they can be justified in terms of meeting identified need, and:

a. Provide accommodation for a full range of needs, including care provision separate from the self-contained accommodation;

b. Include 'affordable' provision to meet identified local needs, or where this is not possible, provide an appropriate commuted sum in lieu of on site units; and

c. Include appropriate services and facilities, including transport, to meet the needs of residents/staff and which contribute to the wider economy.

6.10 As has already been indicated, the population of the district is ageing and is expected to continue to rise. This will result in a continuing need to provide a range of appropriate retirement accommodation in suitable locations. There is also a need to consider the needs of people with other specialist care requirements who are not necessarily elderly.

6.11 In addition to ensuring that development is designed to be as flexible as possible to accommodate a wide range of needs. We wish to be able to support applications for a variety of specialist care housing accommodation in and around the district. These will be monitored and safeguarded through the Annual Monitoring Report. This policy does not direct this specialist accommodation to any particular locations, but sets preferred criteria that need to be met to ensure that such developments are in the most suitable location, close to shops and amenities. This recognises the fact that while residents of retirement housing schemes in particular are often still very mobile they may not have access to a car, and proximity to services within walking distance or on bus routes are therefore an important consideration.

6.12 Continuing care retirement communities seek to provide care for the growing elderly population from independent living and sheltered housing through to full nursing care. The developments are often more 'self contained' and therefore must provide most of the facilities and services required by the residents as well as opening these facilities to residents of the local areas.

- 4.42. Policy 24 (Environmental Protection) states that the high quality of the districts environment will be protected through the planning process and the provision of local guidance documents,
- 4.43. Policy 25 (The Natural Environment and Landscape Character) states that the Natural Environment and landscape character of the District, including the landscape, landform and development pattern, together with protected landscapes and habitats will be protected against inappropriate development.
- 4.44. Policy 26 (Countryside Protection) states that outside built-up area boundaries, the rural character and undeveloped nature of the countryside will be protected against inappropriate development.
- 4.45. Policy 27 (Settlement Coalescence) states that landscapes will be protected from development that would result in the coalescence of settlements.
- 4.46. Policy 28 (Protected Landscapes) sets out requirements for developments in or adjoining protected landscapes.
- 4.47. Policy 31 (Green Infrastructure and Biodiversity) states that development will be supported where it can be demonstrated that it maintains or enhances the existing network of green infrastructure. Development will be required to contribute to enhancing existing biodiversity and should create and manage new habitats where appropriate. It states that any development with the

potential to impact Arun Valley SPA or the Mens SAC will be subject to a HRA to determine the need for an Appropriate Assessment. In addition, the development will be required to be in accordance with the necessary mitigation measures for development set out in the HRA of this plan.

- 4.48. Policy 32 (The Quality of New Development) states that high quality and inclusive design for all development in the district will be required based on a clear understanding of the local, physical, social, economic, environmental and policy context for development. In particular, development will be expected to:
- 1. Provide an attractive, functional, accessible, safe and adaptable environment;*
 - 2. Complement locally distinctive characters and heritage of the district;*
 - 3. Contribute a sense of place both in the buildings and spaces themselves and in the way they integrate with their surroundings and the historic landscape in which they sit;*
 - 4. Optimise the potential of the site to accommodate development and contribute to the support for suitable complementary facilities and uses; and*
 - 5. Help secure a framework of high quality open spaces which meets the identified needs of the community*
- 4.49. Policy 33 (Development Principles) sets out detailed design requirements for new developments.
- 4.50. Policy 34 (Cultural and Heritage Assets) requires developments to retain and improve the settings of heritage assets.
- 4.51. Policy 35 (Climate Change) sets out measures for mitigating and adapting to the impacts of climate change and to meeting the district's carbon reduction targets.
- 4.52. Policy 36 (Appropriate Energy Use) requires all development to demonstrate and quantify how the development will comply with Energy Hierarchy.
- 4.53. Policy 39 (Infrastructure Provision) states that the release of land for development will be dependent on there being sufficient capacity in the existing local infrastructure to meet the additional requirements arising from new development or suitable necessary mitigation.
- 4.54. Policy 40 (Sustainable Transport) sets out requirements for sustainable transport and a rebalancing in favour of non-car modes as a means to access jobs, homes, services and facilities.
- 4.55. Policy 41 (Parking) requires adequate parking and facilities within developments to meet the needs of anticipated users.
- 4.56. Policy 42 (Inclusive Communities) supports positive measures which help create a socially inclusive and adaptable environment for a range of occupiers and users to meet their long term needs. Particular account will be taken of the need to address the requirements stemming from (inter alia):

The needs of an ageing population, particularly in terms of housing and health.

Henfield Neighbourhood Plan (adopted June 2021)

- 4.57. Policy 1 (A Spatial Plan for the Parish) states that the Neighbourhood Plan defines the Built-Up Area Boundary of Henfield. Development proposals outside of these boundaries will be supported where they conform, as appropriate to their location in the neighbourhood area, to national, HDPF and South Downs Local Plan policies in respect of development in the countryside.
- 4.58. Policy 4 (Transport, Access and Car Parking) requires proposals to demonstrate that safe pedestrian routes from residential and employment sites to community facilities including education, health and recreation facilities can be achieved; irrespective of whether the road network is adopted.
- 4.59. It also requires the protection of the existing network of footpaths (twittens) and bridleways within the village and into the surrounding countryside and ensure the continuing safe provision of accessible pedestrian routes suitable for all users.
- 4.60. It requires all roads, cycle ways and footpaths to conform to West Sussex Highways Standards. It requires adequate off-road car parking should be provided for all developments in accordance with West Sussex Parking Standards.
- 4.61. Policy 7 (Education Infrastructure) states that proposals for housing development should have regard to the availability of primary schools and secondary school places in local catchment area.
- 4.62. Policy 10 (Green Infrastructure and Biodiversity) states that development proposals will be supported, provided their design seeks to maintain or increase biodiversity. It states that proposals will be supported, provided their layout and landscaping schemes comply with the following principles as appropriate:
- a. the amenity value of the existing landscape including hedgerows, scrub, trees and ponds is maintained; and the proposals result in positive visual and landscape impact b. the amenity value of trees is maintained including those trees without Tree Preservation Orders and trees outside the Henfield Conservation Area; c. landscape schemes enhance the site and its surroundings, and positively contribute to the landscape character of the area, including providing for their ongoing maintenance and utilise native plants especially in public areas and on boundaries; and d. the views identified in paragraph 5.81 of this Plan into and out of the area of the Parish, with particular regard to Henfield and Small Dole villages in particular, are preserved.*
- 4.63. Policy 12 (Design Standards for New Development) states that as appropriate to their scale, nature and location development proposals will be supported where their design and detailing meet the relevant requirements in the Henfield Parish Design Statement.

4.64. Paragraph 6.7 states that:

Any subsequent uplift in housing numbers in the neighbourhood area would then be determined through the emerging Local Plan. This could include the Local Plan allocating additional sites if that was considered necessary and sustainable. Once the emerging Local Plan has been adopted the Parish Council will consider the need for any policies in the neighbourhood plan to be updated. Any review that is necessary will begin within twelve months of the adoption of the Local Plan.



Section 5

Planning Considerations

- 5.1. The preceding sections have provided the context for this assessment of the planning merits of the proposed development. The proposals have been assessed in relation to the key planning policies set out in the previous sections and are considered in turn below.

Principle of Continuing Care Retirement Accommodation (Class C2)

- 5.2. The proposed development will provide extra-care housing as part of a 72-home retirement community which is restricted to those aged 55 and above. The dwellings are open plan with accessible bathroom and toilet facilities and will be capable of conversion to fully wheelchair dwellings as needed by residents.
- 5.3. The community will be served by a centrally located medical facility, kitchens which are capable of providing daily meals to residents and 24 hour on-site care team. Community amenity areas for social activities such as boules and bowls are located centrally within the development.
- 5.4. Local Plan Policy 18 (Retirement Housing and Specialist Care) recognises that *'...the population of the district is ageing and is expected to continue to rise. This will result in a continuing need to provide a range of appropriate retirement accommodation in suitable locations.'*
- 5.5. More recent evidence from the North Wessex Strategic Housing Market Assessment (2019) (SHMA) confirms the following with respect to older persons accommodation:

The SHMA analysis points to notable growth in the population of older persons aged 65+ in both Horsham and Crawley over the period to 2039. Within this, the number of people with a limiting long term health problem or disability is projected to increase, by 9,700 in Horsham and 7,000 in Crawley.

- 5.6. The SHMA states that:

It is important that the councils' planning policies support the delivery of specialist housing and care home bedspaces. Doing so will help to release existing mainstream housing, including family housing, for other groups within the population. Particular barriers to delivery include access to land, and the viability of provision which can differ from mainstream housing.

R9: The Councils should consider making specific allocations of land for older persons housing and care home bedspaces, given that developers of specialist housing can in some instances struggle to secure sites against mainstream market housing developers.

R10: The Councils should carefully consider the economics of delivery of different types of older persons housing through the preparation of viability evidence and consider whether a differential affordable housing policy should be applied to different types of specialist housing schemes. In particular, for schemes with higher levels of care provision, consideration should also be given to the viability of schemes and to whether it is practical to manage market and affordable provision within a single development. This may be influenced by the nature of the site and scheme.

- 5.7. Paragraph 6.7 of the Horsham District Planning Framework states in relation to Policy 16 (Meeting Local Housing Needs) that:

This policy is seeking to achieve a mix of housing sizes, types and tenures to meet the district's housing needs as identified in the Strategic Housing Market Assessment (SHMA) in order to create sustainable and balanced communities, including a need to meet the housing needs of an increasing elderly population. Consultation feedback and evidence suggests that there is a desire by some elderly residents to move out of their large homes which would free up family sized homes. However, there is a lack of homes that are attractive to the elderly for downsizing that could achieve this. Local communities may wish to identify sites for new elderly downsizing accommodation as part of their preparation of Neighbourhood Plans.

- 5.8. Policy 18 states that 'Large scale 'continuing care retirement communities' will be supported in appropriate locations, normally within defined built-up areas, where they can be justified in terms of meeting identified need.' [Our Emphasis]. Paragraph 6.11 states that:

This policy does not direct this specialist accommodation to any particular location, but sets preferred criteria that need to be met to ensure that such developments are in the most suitable location, close to shops and amenities. This recognises the fact that while residents of retirement housing schemes in particular are often still very mobile they may not have access to a car, and proximity to services within walking distance or on bus routes are therefore an important consideration.

- 5.9. Whilst the site is located outside of the defined built-up area of Henfield as defined in the Neighbourhood Plan, it adjoins the settlement and is located in an area that is accessible by foot and transport to local shops, services, community facilities and the wider public transport network. Policy 3 identifies Henfield as a 'small town and larger village', which means that it is a settlement with a good range of services and facilities, community networks and local employment provision, together with reasonable bus services. Further, and as set out in the accompanying Transport Statement, there are also two community transport providers that serve Henfield, the Bluebird Community Partnership & Henfield

Medical Centre Link. It is therefore considered that the development is in appropriate and sustainable location in the context of Policy 18.

- 5.10. As set out below, the development includes the provision 10 affordable homes in accordance with part b) of Policy 18.
- 5.11. The development will have the economic benefit of providing new jobs in the form of care worker and on-site staff who will be able to access the site by public transport or on foot if living locally in Henfield. This complies with part c) of Policy 18.
- 5.12. The applicant would also draw the Council's attention to a planning appeal which was allowed at Wellcross Farm, Broadridge Heath (PINS Ref: APP/Z3825/W/20/3262938) in May 2021. In this instance the site was also outside the settlement boundary and had not been allocated for development. Despite this, the Inspector concluded that the benefits of the provision of this type of specialist housing outweighed the conflict with the development plan and the visual intrusion into the countryside.
- 5.13. In considering this appeal, which is included at **Appendix 1**, the Inspector stated that:

The appeal scheme would provide important niche market retirement/care accommodation as well as affordable housing provision within the district. There would be significant benefits arising from the provision of specialist housing for the local population which also has support in the development plan. The homes would cater for older residents enabling them to continue to live locally, which could free up existing family size homes within the district. This in turn has the potential to alleviate the pressure elsewhere within rural locations to deliver general housing. There would also be benefits for elderly people currently living in unsuitable accommodation achieved through increased housing choice within the district.

- 5.14. These considerations also apply to the proposed development. Whilst the Neighbourhood Plan identifies strong need for accommodation suitable for older people in Henfield there are no allocations for extra-care housing schemes which would cater for this particular form of housing need.
- 5.15. It is therefore considered that the principle of the development is acceptable.

Starter Homes

- 5.16. The development will bring forwards 10 affordable dwellings in the form of 2 bedroom starter homes. These dwellings will not be age restricted and will be provided to help contribute to the District wide need for affordable home ownership.
- 5.17. The SHMA identifies the need for 159 low cost home ownership properties in Horsham. It sets out that for Affordable Home Ownership, the greatest need in Horsham is for 2-bed properties (40%).

- 5.18. The 10 proposed starter homes will be 2-bed homes and will therefore meet the greatest need for this form of affordable housing.
- 5.19. The proposed affordable housing offer is considered to meet the requirements of section 2b of Policy 18 of the Horsham District Planning Framework. It makes an affordable provision that meets local needs and can be delivered on-site.

Housing Mix

- 5.20. The development will bring forward the following mix of accommodation:

▣ 43 x 2 Bed (Class C2)

▣ 29 x 3 Bed (Class C2)

▣ 10 x 2 Bed (Class C3)

- 5.21. It is considered that this mix is entirely appropriate for the elderly accommodation and starter homes proposed.

Illustrative Layout and Design

- 5.22. Whilst the layout, scale and appearance are indicative at this stage, the submitted documents demonstrate that a development of this scale, which is sympathetic to the existing grain of development and respects the wider landscape and heritage setting, can be accommodated on the site.
- 5.23. The dwellings are limited to two storey and arranged around a central open space containing green space for communal activities for example for boules and bowls.
- 5.24. Mature trees at the boundary will be maintained and reinforced creating a green buffer to the boundary of the site. Long gardens, ranging from 16 to 20 metres are provided in the eastern part of the site where the development adjoins the rears of existing residential properties.
- 5.25. A green buffer is provided between the development and the Grade II Listed building to the north-west.
- 5.26. Landscaped Park areas are provided at the front of the site, fronting West End Lane to create a verdant entrance to the development, provide ecology features and respecting the setting of the neighbouring Grade II Listed building.
- 5.27. Mature trees along the western boundary are retained and reinforced and a buffer provided to the rural area beyond and screening to the Grade II Listed building Dear's Farm.

- 5.28. Whilst there is an increase in the number of dwellings from the 2021 scheme, due to the nature of the accommodation, it is only 2 and 3 bedroom houses that are proposed. The proposed development retains the transition to the rural edge to the west and greater space is given to the rear boundary of Dears Farm than the earlier application. The community building that was previously proposed at the northern end fronting West End Lane has been removed, reducing the visibility of built form along West End Lane.
- 5.29. The delegated report for the 2021 application concluded that, due to the reconfiguration of the site in comparison with the earlier appeal scheme, along with the construction of the recent housing development to the north, the development could be supported in landscape terms. It is considered that the current development has a lesser impact on the landscape than the 2021 application.
- 5.30. A Landscape Visual Impact Assessment of the proposals has been undertaken by Neil Tully Associates and is submitted with this application. The LVIA sets out the following:

7.6 The proposed development would be well screened by the existing and proposed structural vegetation, and existing built form from the surrounding study area. The visual assessment concludes that visibility of the proposals would be limited to local visual receptors. The receptors most affected by the development would be the vehicular users of West End Lane, the residents along Bonner Drive, Lawyers Lane and Hollands Road, and users of Bridleway 2538, Hollands Lane. Residents on Hollands Road would experience moderate residual level effects as a result of the development. Residents along Bonner Drive and Lawyers Lane would experience slight or negligible residual effects once the structural planting areas mature. Similarly vehicular users of West End Lane and pedestrian and horse riders using Hollands Lane bridleway would experience moderate-slight effects once proposed vegetation has reached adequate maturity.

7.7 Long distance views to the site are very limited. Views of the Site are likely to be available from highpoints within the SDNP, at a distance greater than 2.5km. Views from vantage points will be panoramic looking across the wider landscape and with Henfield and the Site, if visible, as minor components within the wider view. Residual impacts are expected to be neutral.

7.8 Proposed mitigation measures include strengthening the boundary vegetation and strategic landscape planting within the site which will assist in reinforcing visual screening of the development from the users of the local roads, PRow and residential properties. The landscape proposals are in accordance with Local Plan objectives, follow guidance set down by the NPPF (2021), the National Design Guide (2019), Planning Practice Guidance and the National Model Design Code (2021) and relevant opportunities and guidelines set out in the NCA and the majority of the county level landscape character management recommendations.

- 5.31. The report concludes the following:

The assessment of landscape and visual effects of the proposed development demonstrates that the site is visually enclosed by the existing vegetation and built form. The proposed landscape mitigation and enhancement measures would reinforce existing landscape features, provide an attractive, useable and robust amenity green structure surrounding the built form and will enhance the biodiversity of the site. Overall, the proposed development will be well related to the existing built-up area of Henfield and will form a logical and sustainable extension to the settlement.

- 5.32. It is therefore considered that the landscape impact of the proposed development is acceptable.

Heritage

- 5.33. The site is not within a conservation area, however the neighbouring building at Dears Farm is Grade II Listed. This has been a key consideration when drawing up the proposals. In comparison to the 2021 application, greater separation is provided between the proposed development and Dears Farm, which is heavily screened by existing trees and vegetation. Further, the community building which was previously proposed facing West End Lane is no longer proposed, retaining large areas of landscaping at the front of the site, further respecting wider setting of the listed building.

- 5.34. A Heritage Impact Assessment has been undertaken by HCUK Group. This concludes that:

The proposals would amount to a wholly limited degree (lowest end) of less than substantial harm as a result of the way in which the development would erode the current separation between the listed building and Henfield. However, it is important to note that key views of the listed building and aspects of its setting which most contribute to its significance remain unaffected.

- 5.35. It is considered that the significant public benefits of the proposed development, including the provision of extra care elderly accommodation for which there is a demonstrable need, the provision of affordable housing (starter homes), the employment that will be generated for the on-site care and management facilities along with improvements to the public highways by the widening of the public far outweigh the very low level of harm identified in accordance with Paragraph 202 of the NPPF.

Access

- 5.36. As set out in the accompanying Transport Statement by Magna Transport Planning, speed surveys were undertaken to inform the design of the proposed vehicular access from West End Lane.
- 5.37. The proposals involve the formation of new vehicular access from West End Lane which will achieve visibility splays of 2.4 metres by 49 metres (to the left) and 2.4 metres by 42 metres to the right.
- 5.38. The formation of pedestrian access from West End Lane is proposed and introduction of a single lane chicane arrangement to allow the provision of a 2m wide footway on the South side providing safe access to the site and improving pedestrian connectivity. This arrangement not only provides a pedestrian connectivity, but also regulates traffic speeds, thus creating safe environment for all road users.
- 5.39. Potential pedestrian/ cycle/ emergency access to the bridleway to the south of the site is also proposed.
- 5.40. Safe and adequate access suitable for all users is therefore provided in accordance with Policies 40 and 41.

Servicing

- 5.41. The internal road layout has been designed to accommodate a 11.2 metres long refuse truck so that it can turn around and exit in forward gear.
- 5.42. Each dwelling will be within 45 metres from the internal access roads, thus ensuring a fire appliance can reach each dwelling at the time of an emergency.

Trip generation

- 5.43. The accompanying Transport Statement concludes the following with regard to trip generation:

Based on TRICS assessment, the proposed overall development could generate up to five two-way pedestrian trips, one public transport trip and up to 19 two-way vehicular trips. This is imperceptible in traffic engineering terms and hence not considered to be severe. Hence, the proposed development will therefore not have any adverse traffic impact on the local road network.

- 5.44. Trip generation was not considered to be of concern in relation to the 2021 application.

Parking

- 5.45. Car and cycle parking is provided in accordance with the adopted standards. This is formed of at least 2 car parking spaces provided for each of the continuing care dwellings and the starter homes.
- 5.46. Cycle parking will be provided as follows:
- 1 x cycle parking space for each C2 dwelling
 - 1 x cycle parking space for each 2 bed C3 dwelling
 - 2 x cycle parking space for each 3 bed C3 dwelling
 - A further 2 cycle stands (4 spaces) will be provided for visitors
- 5.47. It is therefore considered that the highways considerations of the proposed development are acceptable.

Ecology

- 5.48. An Ecological Impact Assessment by the Ecology Partnership is submitted with this application. This followed a Preliminary Ecology Survey and subsequent bat and reptile surveys.
- 5.49. The EIA recommends the following ecological mitigation, compensation and enhancement measures which will be incorporated in order to maximise the biodiversity of the proposed development.
- ▣ *The layout protects and maintains majority of the existing mature broad-leaved treelines and underlying scrub along the southern, western and northern boundaries of the site;*
 - ▣ *Maintaining natural buffer habitats between retained boundary vegetation along the southern, western and northern boundaries and the roads/residential areas to maintain habitat corridors for wildlife.*
 - ▣ *Sensitive lighting scheme for bats.*
 - ▣ *Recommended working practices and timings of works will also provide mitigation for potential protected species on site;*
- 5.50. Compensation in the form of:
- ▣ *Planting of new, scrub, native trees, and flower-rich grassland to ensure that replacement habitat is provided which in turn will provide habitat for reptiles, foraging and commuting bats, and breeding birds.*
- 5.51. Enhancements to be secured by condition including:

- ❏ *Long-term management of retained wildlife areas outside of residential curtilage to benefit wildlife and biodiversity.*
 - ❏ *Provision of bird, and bat, boxes to provide additional safe, nesting/roosting opportunities.*
 - ❏ *Monitoring to include an ecological clerk of works at construction phase and monitoring to ensure implementation of the conditions and to check that there is no change in the baseline that may alter the implementation of the development. All newly created habitats will be monitored and maintained in the long-term to ensure their biodiversity value, to be detailed within a LEMP document and secured through Section 106 agreement.*
- 5.52. The application will incorporate these recommendations into the detailed design of the proposals to enhance the biodiversity of the development.

Trees

- 5.53. In relation to the 2021 application the Council Tree Officer concluded that as the majority of the trees at the site appeared to be self-seeded specimens that have grown up since the nursery site ceased, there would not necessarily be an objection to their removal. There was concern raised about the lack of tree survey information provided and concern about the impact on the RPAs of the boundary trees and a pre-commencement condition was recommended.
- 5.54. This application is supported by Tree Survey and Arboricultural Impact Assessment by Viking Tree Services. The AIA concludes the following:
- 4.1 Whilst a number of trees are being lost from this site they are almost all scrubby self-seeded trees from the interior of the site whilst the mature native trees along the western and southern boundary have been retained and will be further enhanced by a rigorous planting scheme.*
- 4.2 This incarnation of the layout retains by far the greatest number of trees and in particular those of the highest value from an ecological, arboricultural landscape perspective.*
- 4.3 There has been considerable effort put into the planting and woodland management scheme for this site both as an attempt to offset the loss of trees but also to offer back to the community and landscape an improved woodland with a much greater variety of tree species, in particular natives, and a greater variety of vertebrate and invertebrate wildlife.*
- 4.4 The correct execution of the proposed works will be critical in achieving the aim of having minimal impact on the retained trees. A detailed arboricultural method statement produced post planning consent, along with a thorough understanding of the issues by the main contractor and monitoring by the project arboriculturist, will enable the development to be achieved and the trees to continue contributing into the future.*
- 5.55. It is considered that the initial assessment by the Council was correct and the further information submitted with this application demonstrated that the mature trees on the boundary will be retained and protected.

Drainage

- 5.56. A Flood Risk Assessment prepared by Price Myers is submitted with this application. The site is located in Flood Zone 1 and is at a very low risk of flooding by river or sea. The site is also at very low risk of surface water flooding.
- 5.57. As set out in the accompanying FRA, the surface water drainage strategy includes shallow permeable paving for all driveways. The remainder of the hardstanding areas are to be separated into three catchments based on the existing site levels. Each catchment is proposed to discharge into an infiltration basin that comprises of a below ground soakaway beneath. The infiltration basins and soakaways are designed to accommodate the 1 in 100 year plus 40% climate change storm event.
- 5.58. The foul water drainage from the site is proposed to connect to the public foul water sewer located in Hollands Lane via gravity.

Sustainability

- 5.59. A Sustainability Energy Assessment by BlueSky Unlimited is submitted with this application. This demonstrates that through the energy efficiency of the buildings and the use of Air Source Heat Pumps in all houses, the development can achieve a carbon reduction of 63.27%.
- 5.60. Through water efficiency measures, the development will achieve the 85 Litres per person per day target.

Water Neutrality

- 5.61. Following the Natural England (NE) Position Statement (September 2021), and the Natural England FAQ's (December 2021) for development within the Sussex North Water Supply Zone all developments that consume mains water in the Sussex North Water Supply Zone must demonstrate water neutrality.
- 5.62. Notwithstanding that the former nursery use would have extracted mains water in association with this use, the following approach is taken to water neutrality.
- 5.63. As set out above, the development will achieve the Natural England target of 85 litres per person per day.
- 5.64. The application site lies within the Principal Aquifer which supplies the North Sussex Supply Zone. The indicative drainage strategy seeks to dispose of surface water to the ground via infiltration. There will be an increase in the amount of water that naturally infiltrates to the ground currently, as whilst there will be some degree of runoff from the existing site, the development proposes to discharge all runoff from the impermeable areas to the ground, which would replenish the aquifer.
- 5.65. Therefore the water consumption from the site will be offset by discharging surface water to the ground which would replenish the aquifer.

Air Quality

- 5.66. An Air Quality Assessment has been undertaken by Redmore Environmental and accompanies this submission. The Assessment recommends good practice control measures to provide suitable mitigation for a development of this size during the construction phase and reduce potential impacts to an acceptable level.
- 5.67. Due to the low number of anticipated vehicle trips associated with the proposals, road traffic exhaust emission impacts were not predicted to be significant.
- 5.68. The assessment identifies a number of mitigation measures in line with the requirements of the Sussex Air Quality Partnership Air Quality and Emissions Technical Guidance in order to reduce vehicle exhaust emissions associated with the proposals.
- 5.69. The report concludes that air quality factors are not considered to be a constraint to the approval of the development.

Contamination

- 5.70. A Preliminary Risk Assessment has been undertaken by Aviron and accompanies this submission. The report concludes that, *'The risks present are considered to be generally Low due to the historical development and limited potential contaminative site usage.'*
- 5.71. However, *'Due to the sensitive nature of the proposed development as a residential estate, it is considered possible that a limited site investigation may be required for planning purposes. Whether an investigation is considered necessary is dependant on the decision of the Local Planning Authority.'*



Section 6

Conclusions and Planning Balance

- 6.1. The proposals comprise the following development:

Outline application for erection of a continuing care retirement community of up to 72 units of accommodation (Use Class C2) and up to 10 starter homes (Use Class C3) with associated community facilities including medical centre and on-site laundry and catering facilities, with access, infrastructure, open space, landscaping and associated works (all matters reserved except for access).

- 6.2. The development will bring forward 72 dwellings in a continuing care retirement village along with a further 10 starter home affordable dwellings to meet the clear and growing need for this form of accommodation in the district. This should be given substantial positive weight in the overall planning balance.
- 6.3. The proposal will also bring forward economic benefits through jobs associated with the continuing care element of the proposals and on-site management. On a temporary basis there will be jobs created during the construction process. These should be given appropriate positive weight.
- 6.4. The plan is silent on the provision of continuing care provision, despite the strategic evidence of need. The Neighbourhood Plan does not allocate sufficient, or indeed any, sites to address the demonstrated need for this form of residential use.
- 6.5. Policy 18 (Retirement Housing and Specialist Care) is a strategic policy which does not allocate sites for this form of housing but directs it to appropriate locations and sets preferred criteria that need to be met to ensure that such developments are in the most suitable location, close to shops and amenities. The proposed development is in a sustainable location. Henfield is a 'small town and larger village', which means that it is a settlement with a good range of services and facilities, community networks and local employment provision, together with reasonable bus services. The proposal provides safe pedestrian access to local shops and services and public transport.
- 6.6. Whilst there will be some change to the wider setting of the neighbouring Grade II Listed Building, the harm will be at the lowest end of the scale of less than substantial harm and the public benefits of the development will clearly outweigh this. Therefore, this should be attributed only a very low level of harm in the overall balance.
- 6.7. There will be some change to the rural setting of the village given the existing open nature of the site, however, the site is visually enclosed by the existing vegetation and built form. As set out in the LVIA, the proposed development will be well related to the existing built-up area of Henfield and will form a logical and

sustainable extension to the settlement. Therefore, this should be attributed a low level of harm in the overall planning balance.

- 6.8. The preceding section sets out how the technical aspects of the development are addressed within the indicative layout.
- 6.9. For the reasons above it is considered that the substantial benefits of the scheme significantly outweigh the low level of harm resulting from the change to the rural setting of the village and the very low level of harm to the setting of the neighbouring Grade II Listed Building. It is therefore respectfully requested that planning permission is granted.



Appendix 1

Wellcross Farm Appeal Decision

APP/Z3825/W/20/3262938



Appeal Decision

Site visit made on 6 May 2021

by M Shrigley BSc (Hons) MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 May 2021

Appeal Ref: APP/Z3825/W/20/3262938

Land at Wellcross Farm, Broadbridge Heath

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Legal & General Senior Living Ltd against the decision of Horsham District Council.
 - The application Ref DC/19/1897, dated 12 September 2019, was refused by notice dated 7 August 2020.
 - The development proposed is an outline application for the erection of a continuing care retirement community of 146 units of accommodation (C2 Use) and community facilities including restaurant, café, shop, hairdressers, spa and consultation / treatment suite for use by GP's and primary healthcare providers, with access, infrastructure, open space, landscaping and associated works (all matters reserved except for access).
-

Decision

1. The appeal is allowed and outline planning permission is granted for the erection of a continuing care retirement community of 141 units of accommodation (C2 Use) and community facilities including restaurant, café, shop, hairdressers, spa and consultation / treatment suite for use by GP's and primary healthcare providers, with access, infrastructure, open space, landscaping and associated works (all matters reserved except for access) at Land at Wellcross Farm, Broadbridge Heath in accordance with the terms of application reference DC/19/1897, dated 12 September 2019, subject to the conditions set out in the Schedule at the end of this decision.

Procedural Matters

2. The original description of the development as stated on the application form and subsequently quoted in the above banner has been subject to an agreed change by the main parties, during the planning application process. This reduced the number of units. As a result, the proposal entails 141 units of accommodation, with the remaining parts of the description unchanged. Accordingly, I have applied the revised number of units to my decision.
3. Access is the only detailed matter applied for. All other details are reserved for subsequent approval. Therefore, outside of access provision I have taken all other submitted details to be indicative only. That said, the main parties refer to wider technical plans/information for the purpose of setting out relevant parameters to inform the reserved matters for subsequent approval, owing to the sensitivity of the site. I have considered the information before me in that context.

4. Additional information for access and road safety audit matters also forms part of the appellant's bundle. Because highway safety is not a reason for refusal in the Council's decision notice and given the potential for conditions and the application of separate highways consent, I have taken that into account in reaching my decision. In doing so I am satisfied there is no material disadvantage to parties.

Main Issue

5. The effect of the development on the character and appearance of the open countryside.

Reasons

6. The appeal site is predominantly an undeveloped area of open fields. Along with neighbouring land it comprises of attractive open greenery at the settlement edge of Broadbridge Heath. The open character of the site is an important visual component of the settlements setting. The River Arun cuts across the site not far from the built-up settlement edge as a further noticeable characteristic. The openness of the land also has a distinctive visual connection with the open countryside further to the south.
7. In terms of local planning policy provision, Policy 18 of the Horsham District Planning Framework, November 2015 (HDPF) supports proposals for retirement housing and specialist care accommodation subject to it being within an appropriate location, normally within built up areas with good levels of accessibility.
8. Policies 25 and 26 of the HDPF also in dispute do not prevent all development in the countryside, but they do require that inappropriate development be avoided. This is generally consistent with the wording of 170 (b) of the National Planning Policy Framework (the Framework) which sets out the need to recognise the intrinsic character and beauty of the countryside when considering new development.
9. I recognise that the high degree of intervening landscape openness relative to the river corridor at the settlement edge generates an attractive rural environment. There is existing development to the south of the site, but relative to the overall landscape, existing buildings are largely infrequent and sporadic. Given the total number of units involved there would be substantial intrusion into the rural landscape where greenery presently dominates. Accordingly, factoring the size of the scheme it would result in significant urbanisation of the land comparative to the current levels of openness evident outside of the settlement edge.
10. However, wider public vantages of the appeal site to a large extent would be restricted by intervening landscape features and existing buildings. Although there would be encroachment into the countryside, there would also be a great deal of latitude within the overall site boundary for substantial amounts of landscaping provision to be agreed. This would include separation from the River Arun, and adequate scope to prevent the perception of visual parcellation of the landscape.
11. Therefore, considering existing landscape features there is no convincing basis to conclude that the appeal scheme would not be able to sensitively address existing rural surroundings, should suitable details be agreed at reserved

matters stages. Whilst there would undoubtedly be urbanisation arising from the size and permanence of the scheme, significant areas of landscaping and greenery could still be accommodated relative to the river corridor and other areas of visual sensitivity around the periphery of the overall appeal site.

12. In that context, I find that there would be visual harm arising from urbanisation of the land. The effect would conflict with Policies 18, 25 and 26 of the HDPF. There would also be conflict with the elements of the Framework which entail protecting the intrinsic beauty of the countryside from harm.

Other considerations

13. The appeal scheme would provide important niche market retirement/care accommodation as well as affordable housing provision within the district. There would be significant benefits arising from the provision of specialist housing for the local population which also has support in the development plan. The homes would cater for older residents enabling them to continue to live locally, which could free up existing family size homes within the district. This in turn has the potential to alleviate the pressure elsewhere within rural locations to deliver general housing. There would also be benefits for elderly people currently living in unsuitable accommodation achieved through increased housing choice within the district.
14. Thus, I give the benefits arising from specialist housing provision together with the proposed affordable on-site provision substantial weight in my decision. Further benefits also arise from landscape and ecological enhancements which would be able to be provided, based on the evidence submitted.
15. Outside of the main issue of the case I have carefully considered the range of objections to several other issues suggested as weighing against the scheme. With respect to site accessibility matters, Broadbridge Heath is a Tier 2 Settlement (Small Towns and Larger Villages) as set out within Policy 3 of the HDPF. The settlement is recognised as containing a range of services accommodating resident's needs. The contributions proposed to upgrade nearby bus stops and Public Rights of Way will improve linkages to the settlement and beyond.
16. I note that neither the northern crossing point close to the Newbridge Roundabout or to the north of the site access were deemed as essential to make the development acceptable in the views of the Highway Authority. I have no substantive evidence to disagree with that advice. I also acknowledge that the development is to provide an on-demand shuttle bus service. This also relates to the type of accommodation to be provided and the degree of accessibility to public transport expected.
17. Whilst there would be some limited improvements to existing pedestrian connectivity there is no convincing evidence that highway safety detriment would arise. Although a pedestrian bridge over the river has scope to further improve wider connectivity, I do not find it is not an essential requirement. Moreover, access to public bus stops and the proposed shuttle bus service planned would allow an appropriate level of transportation mode choice for residents if they needed access to services outside of those planned within the development.

18. I accept that widening existing pavements on Five Oaks Road for pedestrian movements has the potential to result in some additional ecological impacts. This would arise from cutting back existing vegetation close to the highway verge. However, the amount of vegetation involved would be modest and I am satisfied that suitably worded planning conditions would be able to successfully manage that issue in line with safeguarding wildlife interests.
19. I note that an Appropriate Assessment (AA) was completed by the Council as the site is within the wider conservation area identified as a habitat for bats in the Sussex Bat Special Area of Conservation (SAC) Protocol and is close to other nearby SACs (namely the Mens SAC and Ebernoe Common SAC). On the advice of Natural England (NE), the Council's recommendation was informed by a static bat survey carried out in May 2020, on the site. NE have considered the AA undertaken by the Council, and the measures proposed to mitigate for any adverse effects. The advice of NE was that it concurred with the findings and raised no objection during the determination period of the planning application.
20. I have considered the range of avoidance and mitigation measures proposed. Alongside those there is no substantive evidence that there would be an adverse effect on the integrity of the habitats listed, either alone or in combination with other projects. As a result, I agree there is no conflict with regulation 63 of the Conservation of Habitats and Species Regulations 2017. I note that given only one bat survey has been undertaken during spring that seasonal change is possible. Nonetheless, considering the site is largely open fields and because tree loss is avoided there are reasonable assurances that if protected species were encountered relevant licences could be obtained. Moreover, there is no strong evidence that birds or reptiles would be negatively impacted upon, alongside scope for conditions to protect flora and fauna.
21. In addition, there are several issues raised in relation to the proximity of Slinfold aerodrome concerning: noise from aircraft; potential increases in the bird population from tree planting associated to the scheme; that no independent body has been consulted on safety. I have considered all of those points. Whilst there would be noise at selected periods it would not be long lasting. I am unconvinced flights would be of a frequency which would make the proposed residential use incompatible with its surroundings bearing in mind mitigation measures can also be provided within the buildings of the scheme.
22. I accept there may be an uplift in bird biodiversity associated to the appeal development. However, existing wildlife corridors close to the river are an existing part of the natural environment. In such surroundings bird biodiversity could increase irrespective of the development. Beyond that point there is also flexibility to calibrate future landscaping so that it minimises any conflict with flight paths. There is also impetus on operators of the aerodrome to ensure its activities are safely undertaken. Considering all those elements I do not find that the proximity of the aerodrome relative to the appeal site is a strong basis to reject the development.
23. Localised flooding problems from the river adjacent to the site are reported, especially at times of high rain fall and as a result there should be a defensible area to prevent such problems affecting built up areas. Nevertheless, there is adequate scope within the boundary of the site for mitigation to ensure flood risks can be managed to an appropriate level.

24. The development would generate increased levels of traffic and noise. This is relevant to patient care interests at Kerwin Court Rehabilitation Centre as well as other nearby residents. Whilst there would be some uplift in traffic and noise levels from what is presently experienced the advice of the Council's technical consultees do not support that those changes would harm surrounding living conditions. I give significant weight to those conclusions. Subject to appropriately worded planning conditions I do not find the resultant level of change would be harmful. Furthermore, there is no evidence that odour arising from the development could not be suitably controlled.
25. I appreciate that the proximity of the nearest hospital is some distance away at Redhill. Although closer proximity to a hospital would be an advantage, I do not find it a strong reason for not accommodating the scheme in this location. This is largely because there would remain a great deal of scope to support residential care needs by future operators, as well as the choice available to potential residents based on their own individual needs.
26. An alternative residential scheme at Lyons Farm (planning application DC/19/1723) is referenced in the evidence alongside suggested inconsistencies in local decision making. There may be some similar arguments as to why the alternative scheme could be beneficial, but it is not the scheme before me. As a result, I give little weight to any comparison exercise. Moreover, in a decision-making context the Framework sets out that prematurity arguments linked to new plan development seldom are justified. I do not consider there is a convincing justification with respect to this appeal case to take a different approach.
27. I am cognisant that Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended, requires me to have special regard to the desirability of preserving the setting of listed buildings in the vicinity. I am satisfied that the separation distances involved as well as intervening landscape features would mean that there is no harm to the setting of a listed building.

Planning Obligation

28. A planning obligation by way of Unilateral Undertaking (UU) has been submitted by the appellant dealing with affordable housing, residential services/ facilities, highway and rights of way infrastructure improvements and ecological enhancements. The Council have indicated agreement with its content.
29. I am satisfied the terms of the UU are in accordance with the relevant legal tests stated within the Framework and associated Planning Practice Guidance. I accept that the provisions within it are able to extinguish the Council's second reason for refusal given within the Decision Notice in relation to an unmet legal agreement and subsequent conflict with Policies 18, 25, 31, 39 and 40 of the HDPF.

Planning Balance

30. Section 38 (6) of the Planning and Compulsory Purchase Act, 2004 requires that in making any determination under the Planning Acts, Local Authorities shall make the determination in accordance with the policies of the Development Plan unless material considerations indicate otherwise.

31. I have found there would be conflict with the Council's development plan by virtue of intrusion into the countryside which would lead to greater levels of urbanisation. However, the level of harm arising from the degree of urbanisation that the scheme involves is offset by several other factors which could inform the design of the scheme at reserve matters stages.
32. I note that accessibility is more limited relative to other urban and village locations the development plan directs residential schemes towards, having regard to Policy 18 and other parts of the HDPF. Nonetheless, accessibility would be improved by pedestrian footpath/bus stop improvements and the onsite bus service to be provided. Planned onsite facilities would also reduce the need to travel. In tandem with those points, there are several important benefits arising from the scheme in terms of niche residential accommodation for elderly members of the district alongside affordable housing provision, where there is an identified need. There is no evidence before me that the scheme could be successfully accommodated within the existing built up areas.
33. Bringing all relevant points together, I find that the benefits of the scheme outweigh the conflict with the development plan and the visual harm that would arise from intrusion into the open countryside. There is adequate scope to ensure the development is not positioned too close to the defensible barrier of the River Arun and that flood risks can be appropriately managed.

Conditions

34. I have considered the suggested conditions put forward by the Council should the appeal be allowed. Subject to minor modification standard conditions relating to the approved plans, time limit and the reserved matters requiring consent are necessary to properly define the development benefiting from consent in accordance with Section 92(2) of the Town and Country Planning Act 1990 (as amended).
35. Conditions setting out phasing and a range perimeter information contained within the planning application documentation for landscaping; wetlands; massing and access provision are necessary given ecological sensitivity to the development and having regard to protected species.
36. Conditions for securing ecological/biodiversity mitigation and enhancement implementation are required for defined phases to ensure wildlife is protected and sufficient enhancement takes place. The prior approval and implementation of a Construction Environmental Management Plan is required to ensure ecological impacts of the scheme are properly managed throughout all phases.
37. Approval of lighting design for each phase is required to protect natural habitats of protected species and other wildlife. Conditions requiring reptile and separate dormouse mitigation strategy approval and implementation are necessary in the interests of species protection.
38. Conditions seeking biodiversity mitigation and enhancement measures for each phase are needed to ensure wildlife is properly protected. I am satisfied that a condition ensuring vegetation removal being subject to adequate licensing enquiries is necessary and complementary to other regimes outside of the planning system. Conditions requiring tree protection is implemented throughout construction and agreed tree removal/constraints are also

necessary to protect visually significant trees and to further safeguard wildlife interests.

39. Conditions for noise mitigation/ construction management plan approval and implementation are necessary to protect living conditions. The prior approval and implementation of Archaeological investigations along with an appropriate reporting mechanism are necessary given the potential for archaeological finds on the site.
40. Conditions requiring suitable drainage strategy implementation for both foul and surface water, along with finished levels are appropriate to ensure the development is properly drained and flood risk is managed.
41. Standard conditions suggested relating to land contamination; travel plan implementation; a suite of conditions for highway safety issues: access, parking, cycle parking, and high speed broad band provision are also necessary in the interests of ensuring public safety and contamination risks are properly dealt with; highway safety and sustainable travel measures are applied, and to ensure the site is adequately serviced.

Conclusion

42. Overall, the benefits of the scheme would outweigh the harm arising to the character of the countryside in this location subject to appropriately worded planning conditions.
43. For the reasons given above the appeal succeeds.

M Shrigley

INSPECTOR

Schedule of conditions

1. The approved plans to which this outline planning permission relates are:
Site Location Plan 2738_001 Rev C / Main and Construction Access 13808 H-02 Rev P2/ Emergency Access 13808 H-05 Rev P1.
2. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission or two years from the approval of the last reserved matters as defined in condition 3 whichever is the later.
3. The permission hereby granted is for outline consent and subject to the following:
 - (a) Approval of the details of the layout of the development, the scale of each building, the appearance of each building, and the landscaping for each phase of the development (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development within that phase 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 for each phase of the

development, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved;

(c) Applications 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 be begun 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.

4. Prior to or in conjunction with, the submission of the first reserved matters application, a Phasing Plan shall be submitted to and approved in writing by the Local Planning Authority and the development shall thereafter be implemented in accordance with the approved Phasing Plan.
5. The submission of reserved matters applications pursuant to the outline application hereby approved shall demonstrate substantial compliance with the following parameter plans to fix the development principles, unless otherwise agreed to and approved in writing by the Local Planning Authority:- 04 REV E – Landscape Strategy received 20 January 2020; SK005 S2 REV P1 – Wetland Scrape Levels date received 16 January 2020; 2738-006 REV E Proposed Site Plan date received 20 December 2019; 2738-009 REV A Massing Strategy date received 20 December 2019; 2738_002 REV E Parameters Plan date received 20 December 2019 2738_001 REV C Location Plan date received 16 September 2019; H-02 REV P2 Main and Construction Access date received 16 September 2019; H-05 REV P1 Emergency Access date received 16 September 2019.
6. The submission of reserved matters applications pursuant to the outline application hereby approved shall demonstrate that all ecological and biodiversity mitigation and enhancement measures and/or works required for each Phase shall be carried out in accordance with the details contained in the Ecological Impact Assessment (EcIA) by BWB dated August 2019 and the Ecological Addendum (BWB, January 2020), as already submitted with the planning application and agreed in principle with the local planning authority prior to determination. This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.
7. The reserved matters applications pursuant to the outline planning application hereby permitted shall be accompanied by a Noise Mitigation scheme against external noise. The scheme shall have regard to the recommendations set out in the Peter Moore Assessment of aircraft noise Repot reference 191001/2 dated 27 May 2020. The approved sound attenuation works shall be completed before the dwellings are occupied and be retained thereafter.
8. The reserved matters applications pursuant to the outline planning application hereby permitted shall be accompanied by a Landscape and Ecological Management Plan (LEMP). The content of the LEMP shall include the following: a) Description and evaluation of features to be created and

managed (i.e. bats, dormouse and badger); b) Ecological trends and constraints on site that might influence management (i.e. bats, dormouse and badger); c) Aims and objectives of management; d) Appropriate management options for achieving aims and objectives; e) Prescriptions for management actions; f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period); g) Details of the body or organisation responsible for implementation of the plan; h) Ongoing monitoring and remedial measures. Where the reserved matters relate to a phase of the development hereby permitted, the LEMP may relate to that individual phase. The LEMP(s) shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objective of the LEMP(s) are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The LEMP(s) shall also detail the long-term design objectives, management responsibilities, a description of landscape components, management prescriptions, maintenance schedules and accompanying plan delineating areas of responsibility for all communal landscape areas. The landscape areas shall thereafter be managed and maintained in accordance with the approved details unless otherwise agreed to in writing by the Local Planning Authority.

9. The reserved matters applications pursuant to the outline planning application hereby permitted shall be accompanied by a lighting design scheme for each phase. The schemes shall identify those biodiversity features on site that are particularly sensitive for nocturnal species (in particular bats, dormice and badgers) and that are likely to cause disturbance along important routes used for roosting, shelter, foraging and / or commuting; and show how and where external lighting will be installed (through the provision of appropriate technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent nocturnal species using their territory both during construction and operation. All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.
10. The following approved works within each phase to clear vegetation on site shall not in any circumstances commence unless the local planning authority has been provided with either of the following in relation to that phase: a) a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 authorising the specified activity/development to go ahead; or b) a statement in writing from the relevant licensing body to the effect that it does not consider that the specified activity/development will require a licence.
11. No development within a phase shall take place until a Reptile Mitigation Strategy addressing the mitigation and translocation of reptiles in that part of the site, has been submitted to and approved in writing by the local

planning authority, to be guided by appropriate surveys and good practice guidance. The Reptile Mitigation Strategy shall include the following: a) Results of presence / absence reptile surveys; b) Purpose and conservation objectives for the proposed works; c) Review of site potential and constraints; d) Detailed design(s) and/or working method(s) to achieve stated objectives; e) Extent and location/area of proposed works on appropriate scale maps and plans; f) Type and source of materials to be used where appropriate, e.g. native species of local provenance; g) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development; h) Persons responsible for implementing the works; i) Details of initial aftercare and long-term maintenance of the Receptor area(s); j) Details for monitoring and remedial measures; k) Details for disposal of any wastes arising from works. The Reptile Mitigation Strategy shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

12. Prior to commencement of development a Construction Environmental Management Plan (CEMP: Biodiversity) shall be submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) may relate to the development hereby permitted as a whole, or specific phases. The CEMP (Biodiversity) shall include the following: a) Risk assessment of potentially damaging construction activities; b) Identification of "biodiversity protection zones"; c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements); d) The location and timing of sensitive works to avoid harm to biodiversity features; e) The times during construction when specialist ecologists need to be present on site to oversee works; f) Responsible persons and lines of communication; g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person; h) Use of protective fences, exclusion barriers and warning signs. The approved CEMP(s) shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.
13. No development or preliminary groundworks shall commence until a programme of archaeological trial trenching has been secured and undertaken in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the planning authority. A mitigation strategy detailing the excavation/preservation strategy shall be submitted to the local planning authority following the completion of this work and before any reserved matters are agreed. No development or preliminary groundworks shall commence on those areas containing archaeological deposits until the satisfactory completion of fieldwork, as detailed in the mitigation strategy, and which has been signed off by the local planning authority through its historic environment advisors. The applicant will submit to the local planning authority a post-excavation assessment (to be submitted within three months of the completion of fieldwork, unless otherwise agreed in advance with the Local Planning Authority). This will result in the completion of post-excavation analysis, preparation of a full site archive and report ready for deposition at the local museum, and submission of a publication report.

14. No development shall take place, including any works of demolition, until a Construction Management Plan (CMP) has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved CMP shall be implemented and adhered to throughout the entire construction period unless otherwise agreed to and approved in writing by the Local Planning Authority. The CMP shall provide details as appropriate but not necessarily be restricted to the following matters: • the anticipated number, frequency and types of vehicles used during construction, • the method of access and routing of vehicles during construction • the parking of vehicles by site operatives and visitors, • the loading and unloading of plant, materials and waste, • the storage of plant and materials used in construction of the development, • the erection and maintenance of security hoarding, • the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders, if required), • hours of works, • A site compound plan, • details of public engagement both prior to and during construction works, • Noise and dust mitigation, including vibration from any groundworks.
15. No development shall commence within each phase until a drainage strategy detailing the proposed means of foul water disposal to serve that phase has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.
16. Notwithstanding details previously submitted, no development within a phase shall commence until a detailed surface water drainage scheme for that phase including a Surface Water Drainage Statement, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development has been submitted to and approved in writing by the Local Planning Authority. The submitted details shall be fully coordinated with the landscape scheme (to be submitted with reserved matters applications) and shall be designed to prevent the discharge of water onto the public highway. The surface water drainage scheme for each phase shall subsequently be implemented prior to first occupation of that phase in accordance with the approved details and thereafter retained as such.
17. No phase of the development shall commence until precise details of the existing and proposed external ground levels and finished floor levels of the development within that phase in relation to adjacent datum points on land adjoining the application site have been submitted to and approved by the Local Planning Authority in writing. The development shall be completed in accordance with the approved details, unless otherwise agreed to and approved in writing by the Local Planning Authority.
18. No phase of the development shall commence until a Biodiversity Mitigation and Enhancement Layout for that phase, providing the finalised details and locations of the mitigation and enhancement measures contained within the Ecological Impact Assessment (EcIA) by BWB dated August 2019 and the Ecological Addendum (BWB, January 2020), shall be submitted to and approved in writing by the local planning authority. The enhancement measures for each phase shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

19. Prior to the commencement of development (of each phase of the development hereby permitted) the following components of a scheme to deal with the risks associated with contamination, including asbestos contamination, of the site shall each be submitted to and approved, in writing, by the local planning authority: a) A preliminary risk assessment for each phase which has identified: • all previous uses • potential contaminants associated with those uses • a conceptual model of the site indicating sources, pathways and receptors • potentially unacceptable risks arising from contamination at the site; b) A site investigation scheme for each phase, based on (a) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site; c) The site investigation results and the detailed risk assessment (b) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken within each phase. The development shall be completed in accordance with the approved details, unless otherwise agreed to, and approved in writing, by the Local Planning Authority.
20. Prior to the first occupation (or use) of each phase of the development hereby permitted, a verification report demonstrating that the SuDS drainage system for that phase has been constructed in accordance with the approved design drawings shall be submitted to and approved by the Local Planning Authority. The development shall be maintained in accordance with the approved report.
21. Prior to the first occupation (or use) of any part of the development hereby permitted, a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved Travel Plan shall thereafter be implemented in full as specified. The Travel Plan shall be completed in accordance with the latest guidance and good practice documentation as published by the Department for Transport or as advised by the Highway Authority.
22. No part of the development shall be first occupied until such time as the vehicular access serving the development has been constructed in accordance with the details shown on the drawing titled MAIN AND CONSTRUCTION ACCESS -A264 FIVE OAKS ROAD and numbered H-02 rev P2. The works shall be undertaken in strict accordance with the approved details, and shall thereafter be maintained as such, unless otherwise agreed to and approved in writing by the Local Planning Authority.
23. No part of the development shall be first occupied until the access restrictions to the existing Wellcross Cottage/A264 access has been provided on site in accordance with the approved plans and details submitted and approved to the Local Planning Authority before provision. Thereafter, the access once provided shall not be used by residents, staff or visitors of the development, including deliveries, other than for emergency access.
24. No dwelling shall be first occupied until the car parking serving the accommodation/facilities of the relevant phase of the development has been constructed in accordance with plans and details to be submitted to and approved in writing by the Local Planning Authority. Once provided the spaces shall thereafter be retained at all times for their designated purpose.

25. No dwelling shall be first occupied until covered and secure cycle parking spaces serving the accommodation/facilities of the relevant phase of the development have been provided in accordance with plans and details to be submitted to and approved by the Local Planning Authority. Once provided the spaces shall thereafter be retained, at all times, for their designated purpose.
26. Prior to the first occupation of each dwelling, the necessary infrastructure to enable connection to high-speed broadband internet (defined as having speeds greater than 24 megabits per second) shall be provided.
27. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.
28. All works shall be executed in full accordance with drawings:- • 1164-KC-XX-YTREE-TreeSurvey-REV E date received 16 September 2019 • 1164-KC-XX-YTREE-TR01 REV C Tree Removal Plan date received 20 December 2019 • 1164-KC-XX-YTREE-TCP01 REV E Tree Constraints Plan date received 16 September 2019.
29. No development within a phase shall take place until a Dormouse Mitigation Strategy addressing the safeguarding of dispersing dormice has been submitted to and approved in writing by the local planning authority, to be guided by good practice guidance. The Dormouse Mitigation Strategy shall include the following:-
 - a) Purpose and conservation objectives for the proposed works.
 - b) Risk assessment of potentially damaging activities to dispersing dormice.
 - c) Timing of vegetation clearance to avoid critical periods of breeding and hibernation.
 - d) Precautionary measures of vegetation clearance including scale maps indicating where such methods are required.
 - e) Location and species mix of replacement vegetation to ensure no net loss of suitable dormice habitat.
 - f) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development.
 - g) Persons responsible for providing ecological supervision and elements of work which require supervision.
 - h) Details of initial aftercare and long-term maintenance of retained/replaced habitat.
 - i) Details of pre-commencement toolbox talk to be given to all site workers.

The Dormice Mitigation Strategy shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

Solve Planning Ltd

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	Initials	Date
Prepared by	RG	01/02/2023
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