PLANNING COMMITTEE REPORT

TO:	Planning Committee
BY:	Head of Development and Building Control
DATE:	16 September 2025
DEVELOPMENT:	Outline Application for the erection of 2No. detached dwellings and garages with all matters reserved except access.
SITE:	Potters Field Mill Lane Partridge Green West Sussex RH13 8JU
WARD:	Cowfold, Shermanbury and West Grinstead
APPLICATION:	DC/24/1887
APPLICANT:	**Name:** Mr John Elliott **Address:** Tyburn House Ely Grange Frant East Sussex TN3 9DZ

REASON FOR INCLUSION ON THE AGENDA: The application, if approved, represents a departure from the Development Plan

RECOMMENDATION: To approve outline planning permission subject to appropriate conditions and subject to the completion of the necessary section 106 agreement within four months of the decision of this Committee, or such longer period as is agreed by the Director of Place acting reasonably and properly.

1. THE PURPOSE OF THIS REPORT

To consider the planning application.

DESCRIPTION OF THE APPLICATION

1.1 Outline planning consent is sought for the construction of 2no. detached dwellings on an existing field located on the north side of Mill Lane, Littleworth, with all matters other than access reserved for later consideration. The indicative Site Plan indicates the potential scale and location of each dwelling, and sets out that each dwelling would be accessed via the existing single access point off Mill Lane. Each dwelling is indicatively shown set back from the road with separate car ports.

DESCRIPTION OF THE SITE

1.2 The application site comprises a 0.3-hectare parcel of land on the northern side of Mill Lane in Littleworth. The site is located outside of the built-up area boundary with the larger settlement of Partridge Green further south, and Littleworth, a smaller settlement, closer to the site. The site comprises a small undeveloped infill plot lying between existing housing and benefits from an existing access gate.

1.3 Residential properties at Mill Cottage site to the east, with further residential properties opposite to the south. To the immediate west are three Grade II listed buildings at Potters

Field and Quince Cottage. Open fields are located to the rear and in the wider vicinity to the west, southwest, and east. A public footpath (PRoW 1824/2) runs north-south to the east of the site, outside of the site itself.

2. INTRODUCTION

STATUTORY BACKGROUND

2.1 The Town and Country Planning Act 1990.

RELEVANT PLANNING POLICIES
The following Policies are considered to be relevant to the assessment of this application:

2.2 **National Planning Policy Framework**

2.3 **Horsham District Planning Framework (HDPF 2015):**
Policy 1 - Strategic Policy: Sustainable Development
Policy 2 - Strategic Policy: Strategic Development
Policy 3 - Strategic Policy: Development Hierarchy
Policy 4 - Strategic Policy: Settlement Expansion
Policy 15 - Strategic Policy: Housing Provision
Policy 16 - Strategic Policy: Meeting Local Housing Needs
Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
Policy 26 - Strategic Policy: Countryside Protection
Policy 28 - Replacement Dwellings and House Extensions in the Countryside
Policy 31 - Green Infrastructure and Biodiversity
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
Policy 34 - Cultural and Heritage Assets
Policy 35 - Strategic Policy: Climate Change
Policy 38 - Strategic Policy: Flooding
Policy 40 - Sustainable Transport
Policy 41 - Parking

2.4 **West Grinstead Neighbourhood Plan (2019-2031):**
Policy 1: Local Gap
Policy 4: Green Infrastructure: Existing trees, hedgerows, habitats, and wildlife
Policy 10: Car Parking

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

The Council is currently unable to demonstrate a five-year supply of deliverable housing sites, with the supply currently calculated as being 1 year. The presumption in favour of development within Paragraph 11d) of the NPPF therefore applies in the consideration of all applications for housing development within the District (unless footnote 7 or Paragraph 14 applies to relevant applications), with Policies 2, 4, 15 and 26 now carrying only moderate weight in decision making.

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

2.5 **Horsham District Local Plan (2023-40) (Regulation 19):**
Strategic Policy 1: Sustainable Development
Strategic Policy 2: Development Hierarchy
Strategic Policy 3: Settlement Expansion
Strategic Policy 6: Climate Change
Strategic Policy 9: Water Neutrality
Strategic Policy 10: Flooding
Strategic Policy 13: The Natural Environment and Landscape Character
Strategic Policy 17: Green Infrastructure and Biodiversity
Strategic Policy 19: Development Quality
Strategic Policy 20: Development Principles
Policy 21: Heritage Assets and Managing Change within the Historic Environment
Strategic Policy 24: Sustainable Transport
Policy 25: Parking
Strategic Policy 37: Housing Provision
Strategic Policy 38: Meeting Local Housing Needs
Policy 39: Affordable Housing
Policy 40: Improving Housing Standards in the District
Policy 45: Replacement Dwellings and House Extensions in the Countryside
Policy 46: Ancillary Accommodation

2.6 **Supplementary Planning Guidance:**
Planning Obligations and Affordable Housing SPD (2017)
Community Infrastructure Levy (CIL) Charging Schedule (2017)

2.7 **Planning Advice Notes:**
Facilitating Appropriate Development
Biodiversity and Green Infrastructure

2.8 PLANNING HISTORY AND RELEVANT APPLICATIONS

WG/23/93	Erection of bullock shelter, feed & implement store Site: Potters Field Mill La Littleworth Partridge Green	Application Permitted on 12.08.1993.

A site further to the west on Mill Lane is subject of the following application (included elsewhere on this Agenda): -

DC/24/1888	Outline application for the erection of 2 no. detached dwelling houses and garages with all matters reserved except access.	Under Consideration

3. OUTCOME OF CONSULTATIONS

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

INTERNAL CONSULTATIONS

3.2 **HDC Landscape:** Holding Objection/ More Information: -

3.3 It is our judgement that the proposals do not address landscape concerns expressed within pre-application advice, and though a document titled, 'LVIA' has been provided, it is not compliant with the 'Guidelines for Landscape and Visual Impact Assessment', Third Edition (GLVIA3, 2013) prepared by the Landscape Institute (LI) and Institute of Environmental Management and Assessment (IEMA) and does not provide a transparent assessment of the likely landscape and visual effects. Notwithstanding, this document is useful to provide some indication of massing of the 2no proposed dwellings in relation to key view points within the context along and around Mill Lane, noting however that the visualations are not carried out in accordance with TGN 06/19 Visual Representation of development proposals prepared by the Landscape Institute (LI).

3.5 Our judgement remains that the proposals are contrary to Policies 25 and 26 of the HDPF as they are likely to result in adverse effects on the receiving landscape by eroding the rural and historic character of the area with the introduction of suburban built form. The proposals are also considered likely to result in adverse effects to the visual amenity of users along Mill Lane and users of public right of way 1824 which runs along the site's eastern boundary.

3.6 Notwithstanding, due to its positioning within Mill Lane, immediate context and urbanising influences, this parcel is considered more favourably and capable to more successfully assimilate development than the western site DC/24/1888, provided a suitable landscape strategy is adopted and consideration is taken to the landscape setting of the adjacent listed building.

3.7 **HDC Conservation:** Objection: -

3.8 Quince Cottage and Potters Field are mid-late eighteenth-century dwellings. They are located a little outside the hamlet of Littleworth and may have had some connection with the brick and tile works that were immediately adjacent. It would seem unlikely that they were not associated with that industry. They are now experienced as part of the residential expansion of Partridge Green but are clearly rural dwellings. They are also differentiated from the suburban character of the twentieth century development along Mill Lane by being set back within their plots and some distance from the road frontage. Their shared orientation is the result of a historic field boundary which can still be perceived in the fields to the west. The experience of these as separate to the later suburban development is important in preserving their special interest.

3.9 The proposal for a pair of detached houses to the west will more closely draw the listed buildings into a suburban streetscape. The large area of hard standing will dilute the rural character of their setting. The prominence of the proposed houses towards the front of their plots will result in the listed buildings being experienced as secondary and less important. This will result in harm to their special interest through detrimental change within their setting. This harm will be less than substantial and in the middle of that scale.

3.10 There is confidence that development may be possible without harming the setting of the listed buildings, but the outline application offers no detail that would assuage my concern. Fundamentally it would be beneficial to reinforce a contrast of development on the north side of Mill Lane from the suburban sprawl on the south side.

3.4 **HDC Environmental Health:** Comment, conditions recommended.

OUTSIDE AGENCIES

3.5 **Drainage:** Require evidence to show surface water and foul water drainage has been considered, to demonstrate that adequate space is provided in the masterplan, draining the

site is feasible and a viable outfall or method of disposable is available for foul and surface water.

3.6 **Ecology Consultant:** No Objection subject to conditions.

3.7 **Nature Space:** A NatureSpace report has been provided and if approved there are mandatory conditions and informatives within the Report (on pages 7/8) that must be used *in verbatim* on the decision notice. This is in order to comply specifically with conditions in the council's district licence.

3.8 **Natural England:** No Objection – subject to appropriate mitigation being secured. The delivery, management and maintenance of any measures identified in the applicant's water neutrality statement that are required to ensure that the proposed development will not result in increased levels of abstraction within the Sussex North Water Supply Zone.

3.9 **WSCC Highways:** Highway Authority does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 116), and that there are no transport grounds to resist the proposal.

PUBLIC CONSULTATIONS

3.10 Representations:
6 representations have been received, objecting to the application on the following grounds:

- Curtilage of existing listed properties encroached upon by development.
- Development clearly visible from road and footpath
- Significant level of development in the hamlet
- Drainage issue – soakaways not adequate to mitigate risk
- Lane already seen increase in traffic
- Reduce privacy for residents
- Increase noise and light pollution in the area
- Impact local wildlife
- Proposal fails to respect historical and environmental significance of Littleworth
- Overdevelopment

3.11 1 representation has been received in support of the application, which would make a useful contribution to local housing shortfall

3.12 Parish Comments:
West Grinstead Parish Council: Objection. Recommend to refuse the application for the following reasons:

- The development is in the countryside outside the built-up area
- It is outside the secondary boundary of Littleworth and Jolesfield
- It is not adjoined to the existing settlement edge
- It is out of keeping with the surrounding area/location
- The water neutrality requirements has not been sufficiently explained with a robust solution
- It is of potential detriment to the listed buildings in the area

4. HOW THE PROPOSED COURSE OF ACTION WILL PROMOTE HUMAN RIGHTS

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

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

5. HOW THE PROPOSAL WILL HELP TO REDUCE CRIME AND DISORDER

It is not considered that the development would be likely to have any significant impact on crime and disorder.

6. PLANNING ASSESSMENTS

6.1 Outline planning permission is sought for the erection of 2no residential dwellings to the north of Mill Lane, with all matters reserved except access. The application is accompanied by a location plan and block plan, and an indicative site plan. Matters relating to appearance, layout, scale, and landscaping would be addressed at the subsequent reserved matters stage.

Principle of Development:

6.2 The application site comprises an undeveloped field located to North of Mill Lane, which runs in an east-west direction through Littleworth, a small hamlet which is predominately centred along Littleworth Road, and a short distance north of Partridge Green. Partridge Green is classified as a 'medium village' under Policy 3 of the HDPF, defined having a moderate level of services and facilities. However, Littleworth itself is not identified as a classified settlement within the settlement hierarchy under Policy 3 of the HDPF. The application site is therefore located outside of a defined built-up area and is considered to be within a countryside location in policy terms.

6.3 As the site is located outside of any defined built-up area boundary, Policies 3 and 4 of the Horsham District Planning Framework (HDPF) are relevant in the determination of the application. As stated within Policy 3 of the HDPF, development will be permitted within towns and villages that have defined built-up areas; with development in the countryside more strictly controlled through the provisions of Policy 4. This policy states that development outside of built-up areas will only be supported where the site is allocated in the Local Plan or in a Neighbourhood Plan and adjoins a settlement edge. The application site is not identified in the Local Plan and is not allocated within an adopted Neighbourhood Plan. The proposed development would not therefore accord with the spatial strategy expressed through Policies 2, 3 and 4 of the HDPF.

6.4 In this countryside location, the proposal is also considered against Policy 26 which seeks to protect the countryside against inappropriate development unless it is considered essential and appropriate in scale; whilst also meeting one of four criteria. This criteria includes: supporting the needs of agriculture or forestry; enabling the extraction of minerals or the disposal of waste; providing for quiet informal recreational use; or enabling the sustainable development of rural areas. The proposed development does not meet any of

this criteria, nor is it considered to be essential to the countryside location, and does not therefore comply with Policy 26 of the HDPF.

6.5 The West Grinstead Neighbourhood Plan does not include any policies controlling development within the countryside, therefore the proposed development would not be in conflict with the neighbourhood plan in this regard. Nevertheless, the proposals fail to accord with spatial Polices 2, 3, 4, and 26 of the HDPF as set out above.

6.6 It is noted that the Regulation 19 Horsham District Local Plan (HDLP) proposes the designation of Secondary Settlements within draft Policy 2, where some degree of infill to otherwise unclassified settlements could contribute to the sustainable development of rural areas. Littleworth has been reviewed as part of this process, where it is recognised that Littleworth is a small hamlet which is predominantly centred along Littleworth Road, a distance to the north of Partridge Green, which contains a reasonable level of services and facilities. The dwellings in the area are a mix of sizes and ages which help to contribute to a sense of place, and there are a number of allotments available which provides evidence of an established community. For this reason, it has been recommended that Littleworth be designated as a secondary settlement.

6.7 The proposed Secondary Settlement boundary would extend tightly around the defined curtilages of the residential dwellings to the south of Mill Lane, excluding the application site. As such, while the application site would adjoin the Secondary Settlement boundary, it would remain within the countryside in policy terms.

6.8 The weight to be applied to this conflict is though diminished given the Council is unable to demonstrate a 5-year supply of deliverable housing sites and has failed the most recent Housing Delivery Test. In recognition of this, and the key objective of Government policy to significantly boost the supply of homes, the Council has adopted a Facilitating Appropriate Development (FAD, Oct 2022) document to help identify where development proposals on non-allocated sites outside of settlement boundaries could be supported. The advice contained in the FAD is guidance only and does not form policy and does not alter the statutory decision-making framework. It nevertheless forms a material planning consideration in decision making.

6.9 The FAD sets out the weight that can be given to current and emerging local policy and to enable the Council to act proactively to continue to deliver housing in a sustainable manner. For development proposals located outside the defined BUAB, the FAD (at paragraph 5.7) echoes the requirements of HDPF Policy 4 and states that applications will be considered positively provided that all of the following criteria are met:

- The site adjoins a BUAB
- The level of expansion is appropriate to the related settlement
- The proposal meets local housing needs
- The impact does not prejudice long term development
- The development is within an existing defensible boundary

6.10 This proposal would not meet all the criteria of the FAD because the site does not adjoin a defined built-up area boundary, albeit the site would be located directly north of the proposed secondary settlement boundary. In all other respects, the development would comply with the FAD as it would represent a level of expansion appropriate to Littleworth, would help meet local housing needs, would not prejudice long term development, and is within an existing defensible (field) boundary.

6.11 In terms of other material considerations that weigh in favour of the development, Paragraph 83 of the NPPF states that "*to promote development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially*

where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby.". The addition of two dwellings would have a very minor benefit in enhancing the vitality of the settlement.

6.12 The proposed development is also not considered 'isolated' for the purposes of Paragraph 84 of the NPPF, which requires that planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more stated exception circumstances apply. The site is instead located in close proximity to residential development to either side and to the south on the edge of Littleworth, and therefore would not appear isolated from existing built form.

Sustainable Location

6.13 An appeal was allowed at Bayley Paddock, which is also located on Mill Lane for the change of use to a holiday let (DC/23/0107). Within the decision, the Inspector acknowledged that the proposal would accord with Policy 26 of the HDPF as it would enable the sustainable development of the rural area. The Inspector recognised that that the site was in close proximity to bus stops which provide access to Partridge Green, and even without the bus stop, walking and cycling are viable transport options. An appeal was dismissed at Land East of Pemberley, which is also located on Mill Lane (DC/21/1240), however, again the Inspector recognised the sustainable location of the development due to the bus stop and cycle/walking options which provides access to various services in Partridge Green. This benefit was considered to attract moderate weight in favour of the proposal. Furthermore, the conversion of a barn to dwellinghouse, on Mill Lane, was permitted (DC/24/1710) also acknowledging that the site would be sustainable due to the accessibility of Partridge Green. On the basis of these planning decisions, it is considered that future occupiers would also have access to a range of facilities and services located in Partridge Green, with the proposed dwellings a reasonable distance from a 'medium village' with good transport links to go to other settlements in necessary.

Conclusions on Principle

6.14 The site is located outside any defined BUAB and is not allocated for development in the adopted development plan (the HDPF or the West Grinstead Neighbourhood Plan). The principle of the development is therefore contrary to Policies 2, 3, 4 and 26 of the HDPF. Notwithstanding this, it is recognised by Officers that in the context of the Council's 5-year housing supply position, the benefits that would arise from the delivery of extra housing carry positive weight in the determination of the proposal. In order to come to a considered conclusion, it is necessary to therefore balance the benefits of the proposed development against the conflict with the above adopted development plan policies and any other policy compliance, conflict and harm.

Highways / Access:

6.15 Policy 40 of the Horsham District Planning Framework states that transport access and ease of movement is a key factor in the performance of the local economy. The need for sustainable transport and safe access is vital to improve development across the district. Policy 41 of the Horsham District Planning Framework states that development that involved the loss of existing parking spaces will only be allowed if suitable alternative provision has been secured elsewhere. Adequate parking facilities must be provided within the developments to meet the needs of the anticipated users.

6.16 Matters relating to access are submitted for approval thorugh this outline consent. It is outlined that the site is currently served by an existing field gate, and this would be modified to form a vehicle crossover to serve the two dwellings. This would be subject to a licence from WSCC Highways. The indicative driveway layout would appear suitable to provide at least three car parking spaces for each of the dwellings in accordance with

WSCC parking standards. WSCC Highways have noted the 40mph speed limit outside the site and the ability to attain appropriate visibility splays, and as a result do not consider that the proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network. Accordingly, the means of access into the site are considered satisfactory.

Layout, Scale, Appearance & Landscaping:

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

6.18 The openness and undeveloped nature of the application site contributes to the rural character of Littleworth and landscape setting of the adjacent listed buildings. The Council's Landscape Officer has noted that the development pattern along this section of Littleworth hamlet is characterised by dispersed dwellings set back from the road to the north of Mill Lane, and a ribbon of development to the south of Mill Lane. Mill Lane is a verdant road, framed by hedgerow, trees and open field, relating closely to its landscape character area, J3 – Cowfold and Shermanbury Farmlands, a historical feature of which is its small fields carved out of woodland and shaws.

6.19 Other relevant key characteristics of the LCA J3 are mostly small scale intricate landscape, localised areas with more open character, field ponds, gently undulating low ridges and valleys, small farmsteads and cottages dispersed along lanes and tracks. Key issues identified include loss of hedgerows and shaws, and visual intrusion from suburban development which reflects the key sensitivities of suburbanisation on main road routes.

6.20 The Landscape Officer's comments note that the methodology and approach within the submitted Landscape Visual Impact Assessment does not reflect good practice and therefore fails to fully assess the effects of proposal on landscape character and visual amenity. Their judgement is though that the proposals would result in adverse effects to the rural character and visual amenity of the area.

6.21 These comments are noted, and it is recognised that there is a looser more rural character on land to the north of Mill Lane with a more suburban character to the southern side. The application site does contribute to the semi-rural character on this northern side of Mill Lane. This character is though also derived from the existing presence of detached dwellings set within spacious plots with surrounding screening, with the application site directly adjoining by residential development to the south, east and west.

6.22 It is considered that the presence of 2 detached dwellings, as suggested within the indicative drawings, would not be out of keeping with the pattern of development on the northern side of Mill Lane. There would inevitably be some loss of openness as a result of development on the site. This existing openness is though experienced within the constraints of the more suburban development to the south and adjoining detached residential properties, and is not considered of fundamental importance to the existing character of this section of Mill Lane / Littleworth.

6.23 The proposal would reflect existing historic field boundaries and is of a scale which reflects the northern side of Mill Lane. There is also significant scope to develop a comprehensive landscaping scheme which would be considered and secured through the subsequent reserved matters submission. It is therefore considered that while there may be some localised harm the application site is capable of assimilating development and with a

suitable landscaping strategy the resulting impact on landscape character and visual amenity would be acceptable.

6.24 The surroundings are characterised by residential development of varying form and design. The northern side of Mill Lane features a loser series of detached dwellings set within larger plots, with the southern side properties set within narrower plots. The matters of layout, scale and appearance have been reserved for later consideration, and as such do not form part of the current application. The submitted indicative plans do though show two detached dwellings of a siting and footprint which would be reflective of surrounding properties. There are no reasons why an acceptable layout, scale and appearance could not be secured through a future reserved matters submission.

6.25 The application site falls within the setting of three Grade II listed buildings to the west at Potters Field and Quince Cottage. Section 16 (2) of the Town and Country Planning (Listed Buildings and Conservation Areas) (Act 1990 places a statutory duty on decision makers to 'have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

6.26 Policy 34 of the Horsham Development Framework aims to sustain and enhance the historic environment through positive management of development affecting heritage assets. By reassuring development preserve and ensure clear legibility of, locally distinctive vernacular building forms and their settings, features, fabric, and materials.

6.27 Paragraph 215 of the NPPF states *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.*

6.28 The Council's Conservation Officer has raised concerns that the development would result in the adjacent listed buildings being experienced as secondary and less important due to large areas of indicated hardstanding which would dilute the rural character of the area and their indicative forward position. These comments are noted.

6.29 There is no evidence to suggest a historical functional relationship between the listed buildings and the application site, which is not considered to have any particular significance in relation to the listed buildings. The adjoining listed buildings are experienced as the outer lying dwellings on the northern side of Mill Lane, with the presence of surrounding natural screening lessening their prominence from the public realm. The historic fabric and vernacular construction which give rise to the building's significance are not seen in the context of the application site.

6.30 The indicative plans demonstrate that significant separation can be retained around the proposed development, with considerable scope for appropriate landscaping across the site. This layout would ensure that the development does not directly compete with the adjoining listed buildings, the features and historic fabric of which would remain unchanged.

6.31 At this outline stage there are no reasons to consider that development of the site would result in harm to the setting of the listed buildings. It is instead considered that at this outline stage the proposed density of the development, taking into account the size of the site and the relationship with surrounding development, would preserve the setting of the listed buildings in accordance with Policy 34 of the HDPF and the NPPF. This assessment reflects the views of the Conservation Officer, who has confidence that development may be possible without harming the setting of the listed buildings, but raises concerns that the outline application offers no detail. In this instance the need for a further reserved matters application would provide the certainty that an appropriate design solution can be found for the site.

Other Considerations

Residential Amenity:

6.32 Policy 33(2) of the HDPF states that permission will be granted for development that does not cause unacceptable harm to the amenity of the occupiers/users of nearby properties (and the proposed development) and land. Development should consider the scale, massing, and orientation between buildings.

6.33 The indicative site layout indicates that the proposed dwellings would maintain a sufficient distance from nearby residential properties to limit potential overlooking, loss of privacy and loss of light. No objections are therefore raised in this regard. It is noted that there have been several objections in relation to the application for a number of reasons, such as; impact on listed buildings, privacy issues, impact on wildlife and overdevelopment. These are acknowledged, however, this would be subject of further consideration and public consultation when elevations are submitted at reserved matters stage.

Ecology:

6.34 Policy 31 of the HDPF states that development will be supported where it demonstrates that it maintains or enhances the existing network of green infrastructure. Development proposals will be required to contribute to the enhancement of existing biodiversity and should create and manage new habitats where appropriate.

6.35 The provided ecological assessment concluded that bats are likely to be absent from the site as there are no buildings or structures onsite and there are no potential roost features in the trees. The assessment highlighted that there is suitable habitat for dormice on site, but due to the limited extent of suitable habitats there is a lack of connectivity to the wider landscape and the majority of the habitat will be retained. Recommendations were made to ensure that these habitats are protected. The Ecologist had no objections on ecological matters and welcomed the reasonable biodiversity enhancements on site and mitigation measures.

6.36 As the development site is within 100m from a pond that returned a positive eDNA for great crested newts, a licence is required to undertake works. The Applicant has confirmed they have entered into the District Licencing Scheme for Great Crested Newts and have provided the relevant certificate. Following consultation with NatureSpace, the applicant has proceeded with acquiring a district licence. NatureSpace have recommended that mandatory conditions and informatives are attached to the planning permission. These are considered reasonable and necessary to address potential impacts on Great Crested Newts. For these reasons, the development is considered to have taken appropriate consideration of Great Crested Newts and their habitat.

Water Neutrality:

6.37 The application site falls within the Sussex North Water Supply Zone as defined by Natural England which draws its water supply from groundwater abstraction at Hardham. Natural England has issued a Position Statement for applications within the Sussex North Water Supply Zone which states that it cannot be concluded with the required degree of certainty that new development in this zone would not have an adverse effect on the integrity of the Arun Valley SAC, SPA and Ramsar sites.

6.38 Natural England advise that plans and projects affecting sites where an existing adverse effect is known will be required to demonstrate, with sufficient certainty, that they will not contribute further to an existing adverse effect. The received advice note advises that the

matter of water neutrality should be addressed in assessments to agree and ensure that water use is offset for all new developments within the Sussex North Water Supply Zone.

6.39 The submitted Water Neutrality Statement outlines that the existing baseline use on site is 0 l/d. The proposed development of 2 4-bedroom dwellings represents a water demand of 509.31 l/day. To offset this increased water demand, rainwater harvesting is proposed to provide water to the toilets and washing machine within the dwelling, as well as water for external use, reducing water demand to 352.4 l/day.

6.40 This remaining water use is to be offset by way of an offsite water-saving plan through Nicholls Water Credits Ltd, at Dangstein Home Farm, Rogate, Petersfield GU31 5BZ. The allocation of 371 credits from Nicholls Water Credits Ltd has been confirmed through the receipt of the purchase agreement between Dangstein Farm Ltd and Tymaric Properties Ltd. This confirms that the credits purchased have been assigned to the development at Potters Field and cannot be used on other schemes. Through the combination of Rainwater Harvesting on-site and credits purchased off-site, the development would be water neutral. Therefore, subject to conditions and S106 legal agreement to secure the off-site mitigation, the development would be water neutral.

6.41 Natural England have been consulted on the water strategy following the carrying out of an Appropriate Assessment by officers, and have raised no objection, subject to the delivery, management and maintenance of measures identified in the water neutrality statement to achieve water neutrality. The information available and the mitigation measures proposed are considered to provide the necessary certainty to demonstrate that the proposed development would be water neutral. Appropriate mitigation measures have been demonstrated and are considered sufficient to avoid adverse effects on the integrity of the interest features of the Arun Valley SPA, SAC, and Ramsar site from the development either alone or in combination with other plans and projects, in accordance with Policy 31 of the Horsham District Planning Framework (2015), Paragraph 193 of the National Planning Policy Framework (2024), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats and species).

Climate Change

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

6.43 The proposal currently before the Authority does not seek to specifically address the requirements of HDPF Policies 35, 36 and 37, though, it is accepted that these measures could be detailed through the reserved matters submission and be secured by way of appropriately worded conditions, such as the use of sustainable drainage infrastructure, cycle parking/electric vehicle charging apparatus, and opportunities for biodiversity enhancement. These measures, collectively, would be considered sufficient to establish compliance with the requirements of HDPF Policies 35, 36 and 37.

Biodiversity Net Gain (BNG):

6.44 Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) mandates that every development must achieve at least a 10% Biodiversity Net Gain (BNG), unless the development qualifies as exempt under the Biodiversity Gain Requirements (Exemptions) Regulations 2024, and that every planning

permission granted for the development of land in England shall be deemed to have been granted subject to the condition that development may not be begun unless a Biodiversity Gain Plan has been submitted to the planning authority and the planning authority has approved the Plan.

6.45 The Biodiversity Gain Plan must show how the development will achieve the required minimum 10% BNG using the statutory biodiversity metric tool and must demonstrate how the habitats will be managed and maintained for 30 years, starting from the date the development is completed. Off-site gains and significant on-site enhancements will be secured over this period by way of a Legal Agreement.

6.46 The Applicant has submitted a Biodiversity Metric which demonstrates a net loss of -1.55 habitat units (-73.51%) and a net gain of 0.07 hedgerow units (11.03%), with a 12.02% net gain achievable by way of offsite biodiversity gains. The offsite biodiversity gains will be undertaken using the land to the north of the application site, which is within the applicant's wider ownership and will be registered on the biodiversity net gain register. Due to this, a S106 legal agreement will be completed to secure the maintenance and monitoring of the registered offsite biodiversity gains for the required 30 years.

Drainage

6.47 The Council's Drainage Consultant has identified the information for surface and foul disposal. There are no reasons, given the location and constraints of the site, why adequate drainage could not be provided. The required information cannot though be secured until the detailed layout is known and this would therefore be secured through condition for approval at a later date.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

6.48 Horsham District Council has adopted a Community Infrastructure Levy (CIL) Charging Schedule which took effect on 1st October 2017. **This development constitutes CIL liable development.**

6.49 In the case of outline applications, the CIL charge will be calculated at the relevant reserved matters stage.

Conclusions and Planning Balance:

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

6.51 The proposed development would be in conflict with the spatial strategy for housing within the development plan as set out in Policies 2, 3 and 4 of the HDPF. In addition, the proposal would not meet any of the exceptions as identified within Policy 26 of the HDPF. The proposal would not therefore provide a suitable location for housing with regard to the spatial strategy within the Development Plan. It is however recognised that the Council are currently unable to demonstrate a 5-year housing land supply, with the Housing Delivery Test of April 2025 confirming that the Council can demonstrate a 1-year housing land supply. Therefore, for the purposes of decision making the presumption in favour of sustainable development within Paragraph 11(d) of the NPPF applies.

6.52 Paragraph 11(d) states that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, planning

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

6.53 In this instance policies 2, 4 and 26 are considered out of date and as determined by recent appeal inspectors now carry only moderate weight in decision-making. The West Grinstead Neighbourhood Plan, although recently adopted, does not contain policies and allocations to meet its identified housing requirement, instead relying on the new local plan to address housing need in the plan area. The protections of Paragraph 14 of the NPPF do not therefore apply to decision making in this case.

6.54 It is acknowledged that the development would be located outside the built-up area boundary and would be in conflict with Policy 26 of the HDPF. However, as outlined above, Littleworth has been recognised as being sustainably located with access to the larger settlement of Partridge Green. The proposal would be experienced as a form of infill development along Mill Lane, with existing development present to either side and immediately opposite. The proposal would be seen in this immediate context and would not represent encroachment outside of what would be perceived as the pattern of development in this section of Littleworth, with the transition to open countryside considered to take place further to the west of this application site.

6.55 There are no reasons to consider that at this outline stage a development of two new dwellings would not preserve the setting of neighbouring listed buildings, with no adverse harm identified.

6.56 Considering the outline application, it is considered that the harm afforded by the conflict with Policies 2, 3, 4 and 26 of the HDPF would not significantly and demonstrably outweigh the benefit of a new dwellings in this sustainable location. The application is recommended for approval accordingly, subject to the conditions as set out below and S106 legal agreement to secure the water neutrality credits and the biodiversity net gain.

7. RECOMMENDATIONS

7.1 It is recommended that planning permission is granted subject to appropriate conditions and s106 legal agreement as detailed below.

1. **A List of the Approved Plans**

2 **Standard Time Condition:**

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

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

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

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

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

3 **Pre-Commencement Condition**: No development shall commence until a drainage strategy detailing the proposed means of foul and surface water disposal 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.

Reason: As this matter is fundamental to ensure that the development is properly drained and to comply with Policy 38 of the Horsham District Planning Framework (2015).

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

i. Details of site management contact details and responsibilities;
ii. A plan detailing the site logistics arrangements on a phase-by-phase basis (as applicable), including:
    a. location of site compound,
    b. location for the loading, unloading and storage of plant and materials (including any stripped topsoil),
    c. site offices (including location, height, size and appearance),
    d. location of site access points for construction vehicles,
    e. location of on-site parking,
    f. locations and details for the provision of wheel washing facilities and dust suppression facilities
iii. The arrangements for public consultation and liaison prior to and during the demolition and construction works - newsletters, fliers etc, to include site management contact details for residents;
iv. Details of any floodlighting, including location, height, type and direction of light sources, hours of operation and intensity of illumination;

The construction shall thereafter be carried out in accordance with the details and measures approved.

Reason: As this matter is fundamental in order to consider the potential impacts on the amenity of nearby occupiers during construction and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

5 **Pre-commencement (Slab Level) Condition:** No development above ground floor slab level shall commence until full details of the water efficiency measures and rainwater/greywater harvesting system required by the approved water neutrality

strategy (Water Neutrality Statement C3404 REV P2 received 19.02.2025) have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the development is water neutral to avoid an adverse impact on the Arun Valley SACSPA and Ramsar sites in accordance with Policy 31 of the Horsham District Planning Framework (2015), Paragraphs 179 and 180 of the National Planning Policy Framework (2021), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

6 **Pre-Occupation Condition**: No dwelling hereby permitted shall be first occupied until evidence has been submitted to and been approved in writing by the Local Planning Authority that the approved water neutrality strategy for that dwelling has been implemented in full. The evidence shall include the specification of fittings and appliances used, evidence of their installation, and completion of the as built Part G water calculator or equivalent. The installed measures shall be retained as such thereafter.

Reason: To ensure the development is water neutral to avoid an adverse impact on the Arun Valley SACSPA and Ramsar sites in accordance with Policy 31 of the Horsham District Planning Framework (2015), Paragraphs 179 and 180 of the National Planning Policy Framework (2021), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

7 **Pre-Occupation Condition**: No part of the development hereby permitted shall be occupied until the necessary in-building physical infrastructure and external site-wide infrastructure to enable superfast broadband speeds of 30 megabits per second through full fibre broadband connection has been provided to the premises.

Reason: To ensure a sustainable development that meets the needs of future occupiers in accordance with Policy 37 of the Horsham District Planning Framework (2015).

8 **Pre-Occupation Condition**: No part of the development hereby permitted shall be occupied until the parking, turning and access facilities necessary to serve that dwelling have been implemented in accordance with the approved details as shown on plan [(11)101, REV B] and shall be thereafter retained as such.

Reason: To ensure adequate parking, turning and access facilities are available to serve the development in accordance with Policy 40 of the Horsham District Planning Framework (2015).

9 **Regulatory Condition**: All mitigation measures and/or works shall be carried out in accordance with the details contained in the Ecological Assessment (Greenspace Ecological Solutions, November 2024). This includes the non-licensed Precautionary Method Statement for Hazel Dormouse in Section 6.4.11 and the Precautionary Method Statement for mobile protected species in Section 6.4.2 of the Ecological Assessment (Greenspace Ecological Solutions, November 2024). This avoids impacts on European Protected Species and protected species.

This will 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.

Reason: To conserve protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (as amended).

10 **Regulatory Condition**: No development hereby permitted shall take place except in accordance with the terms and conditions of the Council's Organisational Licence (WML-OR136, or a 'Further Licence') and with the proposals detailed on plan "Potters Field: Impact plan for great crested newt District Licensing (Version 1)" dated 30th April 2025.

Reason: In order to ensure that adverse impacts on great crested newts are adequately mitigated and to ensure that site works are delivered in full compliance with the organisational licence (WML-OR136, or a 'Further Licence'), section 15 of the National Planning Policy Framework, Circular 06/2005 and the Natural Environment and Rural Communities Act 2006.

Background Papers: DC/24/1887
DC/24/1888