

Objections to DC/23/0189 Sandgate Nurseries: A Joint Representation by HoH and CPRH

HoH and CPRH are local community organisations that each represent the views of hundreds of Henfield residents.

- HoH was formed in 2013 to help shape the current and future development of Henfield. We want to make sure that planning decisions are properly debated with the community and that the village has an input into where development takes place. We aim to create a sustainable future for our village and community.
- The Campaign to Protect Rural Henfield (CPRH) was formed in 2018. We strive to protect and enhance the rural environment of our village. We support housing development that meets local needs and aligns with the neighbourhood and district planning strategies.

The two organisations have worked together to produce an agreed set of objections to this planning application.

1. THE SITE

Photographs 1-6 in the Appendix illustrate the site. The site was formerly used as a garden nursery and has been disused since at least 1992, much longer than the 16 years claimed by the applicant. We wish to draw attention to a number of points not made in the applicant's documentation.

The site is largely enclosed by informal bushes and trees, except along the West End Lane boundary where the new site entrance is proposed. A number of trees have recently been felled here making the site more visible from the road.

To the north of this point, directly opposite the site, is a development of 172 houses which was allowed on appeal in June 2014 (PINS Ref: APP/Z3825/A/13/2205204). This site, now known as Bishop Park, extended the built-up boundary of Henfield westwards into previously open countryside (see Figure 1). The Bishop Park development is now used to justify the current proposal on the grounds that it has already degraded the setting of the adjacent Grade 2 listed farmhouse, Camellia Cottage (see Section 3a below) and creates an opportunity to 'round out' the built-up area boundary. The argument clearly illustrates the danger of creeping urbanisation (see Section 2c below). Fields to the south-east of this site have already been subject to planning proposals on similar grounds.

In the SW corner of the field, a copse of Priority Deciduous Woodland straddles the boundary with the adjacent Dear's Farm (*Photo 7*), the boundary being unclear amongst the bushes. These trees would be largely lost to the development. The woodland continues across Hollands Lane and southwards into the grounds of Rye House. The loss of the trees in Sandgate Nursery accelerates the fragmentation of woodland habitat (see Figure 2) and is likely to exacerbate the loss of wildlife (see Section 4).

A significant veteran oak tree stands near the entrance to Rye House and is identified on the Tree Location Plan; its root protection area must extend into the site but it is not addressed in the applicant's Arboricultural report.

The site is bounded on its southern edge by Hollands Lane which is a Bridleway (BW2583) and an important east-west link to and from the popular Downs Link (BW3513 and National Cycle Network route 223) which links Henfield to Guildford in the north and Shoreham in the south. The south-eastern corner of the site is approximately 120m away from the Downs Link.



Figure 1: Aerial map of west Henfield illustrating the continuing urban creep. The current site is outlined in red.

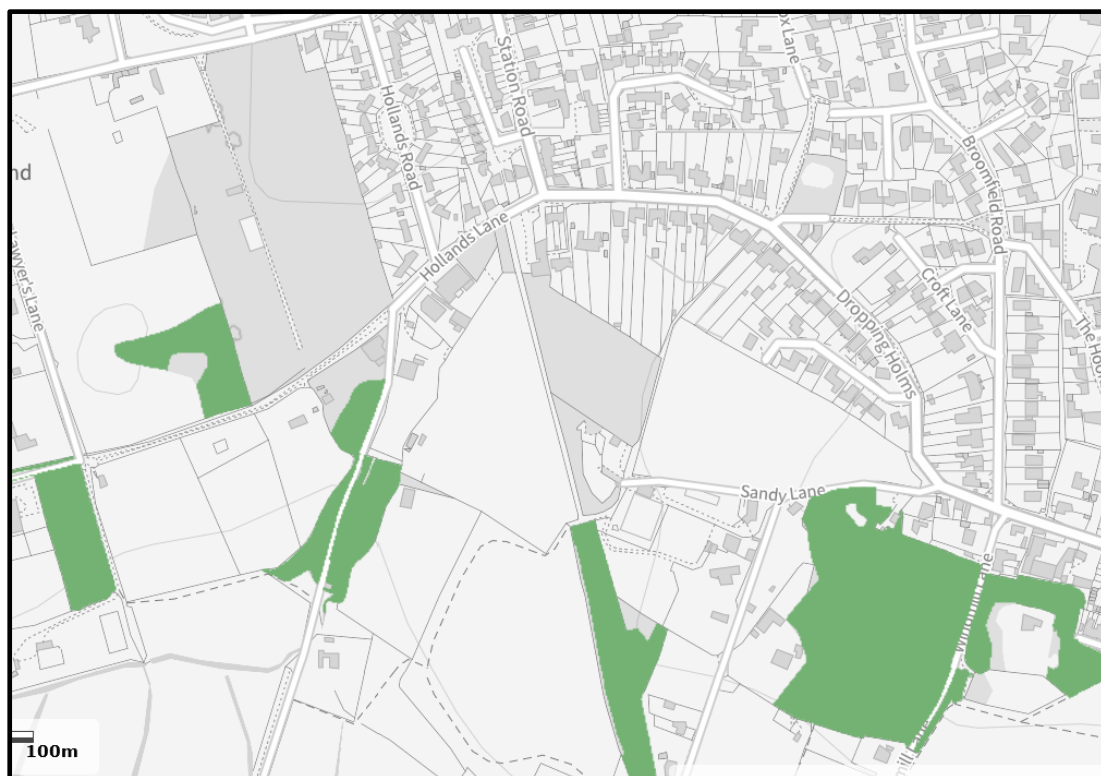


Figure 2: Fragmentation of local Priority Woodland areas (Map from DEFRA's MAGIC)

Hollands Lane is of historic significance (see Section 3b below) and forms part of the Horsham District Heritage Trail ([A River History and the Rise of Henfield](#)). In addition, Hollands Lane is recognised as an important green corridor and a key feature in Horsham District's Green Infrastructure.

Figure 3 shows the topography of the area. The British Geological Survey identifies the underlying solid geology as Lower Greensand Group, which forms part of the sandstone ridge on which Henfield is built. The site is set on a gently sloping area, falling from approximately 17m OD in the north to 14.7m OD in the south. It also slopes downwards towards the western boundary of the site.



Figure 3: Topographical map (from <https://en-gb.topographic-map.com/maps/si8s/West-Sussex/>) showing location of site and height above sea level:

Key: Blue = <15m Green = 15-22m Yellow/orange 22-30m Red = >30m

The southern boundary stands about 1 metre higher than the adjacent Hollands Lane, which is a 'sunken lane' characteristic of the greensand areas in Sussex. To the south of Hollands Lane, the land falls away further to the floodplain of the river Adur, an area known locally as the Brooks. This area floods routinely to a depth of 3-4 metres as a result of run off from the higher ground. The rate of water rise in wet weather has increased since the Bishop Park estate was built, despite the provision of a SUD system.

Shallow north-south drainage ditches (eg. *Photo 8*) carry run-off across the site, discharging on to Hollands Lane. This section of Hollands Lane, between the junction with the Rye Farm track to the east and Lawyers Lane to the west, is a tree-lined track, mostly unsurfaced (*Photo 9*). As a result, the lane is muddy for much of the year and floods in wet weather (see Section 5b below). It is unadopted and local property owners have dug ditches alongside the lane to try to control flooding.

Contrary to the statement in the applicant's Flood Risk report (section 6.1.2), there is no natural watercourse here.

Eastwards from the junction with the Rye Farm track, starting close to the SE corner of the field, Hollands Lane becomes a surfaced public highway, serving a small industrial estate. The junction is regularly subject to flooding by surface water run-off from the development site.

Along the northern edge of the site, the narrow West End Lane has an essentially rural character (*Photo 10*). It has no pavements along the section near the site entrance near the site entrance.

The houses on Hollands Road to the east overlook the site with partial screening by trees.

2. PLANNING CONTEXT

a) Planning Policy and Spatial Strategy

The potential for allocating the site was considered thoroughly in the preparation of the Henfield Neighbourhood Plan. The Neighbourhood Plan passed referendum on 6th May 2021 with more than 90% of voters supporting it.

The Site Assessment for Sandgate Nurseries showed that it would negatively affect heritage, ecology and sustainability. In a public poll, this site was rated as 29th out of 32 proposed sites in answer to the question "Would you support the inclusion of this site in the Neighbourhood Plan at referendum?"

As a result, **the site is NOT allocated in Henfield's Neighbourhood Plan** (formally made on 23 June 2021).

The Neighbourhood Plan instead defines (in Policy 1) a spatial strategy of creating new housing in the more accessible areas to the north and east of the village while protecting the south and west because of the rich wildlife and scenic views towards the South Downs, together with the leisure and recreational opportunities which support Henfield's tourist economy. This long term strategy, and the investment being made in it, would be undermined by development of the Sandgate Nurseries field.

As the Inspector concluded in the recent appeal case at nearby Sandy Lane, Henfield (Appeal Decision APP/Z3825/W/20/3261401, 19 August 2021, paragraph 64: ***"development of the appeal site would run contrary to community aspirations as expressed through the HNP. To allow this appeal so soon after the neighbourhood plan is made would significantly undermine public trust and confidence in the planning system. The community has engaged positively with the Government's neighbourhood planning agenda by agreeing a quantum of development with the Council and, through local consensus, identifying housing sites that would cause the least harm to planning interests. The proposal would drive a coach and horses through this community-led process."***

Neither is the site allocated in the 2015 Horsham Planning District Framework. The scheme would be contrary to Horsham's overarching strategy and hierarchical approach of concentrating development within the main settlements.

The site (SA 317) has been considered a number of times for possible inclusion in the local plan:

- In the November 2007 Development Plan Document, Site Specific Allocations of Land, it was concluded that *“Development would impact on landscape and setting of village as well as potential damage to protected species.”*
- In 2014 the Strategic Housing Land Availability Assessment (SHLAA) identified the site as having potential for development at a lower density (40 houses). This figure was referenced in the later planning appeal and Secretary of State decision (see below).
- The SHLAA Site Assessments carried out in 2016 concluded that the site is not currently developable due to *“significant, unacceptable and irreversible”* impacts it would cause to the countryside location and the setting of Dear’s Farm and the Grade II listed Camellia Cottage.
- The site was not taken forward in the Strategic Housing and Economic Land Availability Assessment (SHELAA), Housing Report 2018.
- In the 2020 Regulation 18 consultation on the revised Horsham Local Plan, SA317 was included in a *“Short list of sites with potential for allocation”*. Despite reservations about landscape character, heritage and ecology, SA317 was proposed for 55 houses on the basis that *“development here could comprise a ‘rounding off’ of village form effectively ‘mirroring’ the recent Barratt development opposite.”* The draft Local Plan has not yet progressed even to Regulation 19 consultation so it currently carries no weight in planning decisions.

The significance of the site not being allocated is made clear by the Inspector in the Sandy Lane case (*op. cit.*). Paragraph 15 of that Decision says:

“If a site is not allocated in a Local Plan or a neighbourhood plan, it fails the first criterion and hence the expansion of the settlement is not able to be supported by development of that site, no matter how well the site performs against the other criteria.”

Paragraph 16 continues:

“the site’s position outside of the built-up area boundary creates a conflict with HDPF Policies 2, 4 and 26. This is not a technical breach, as the appellant suggests, but a conflict with the plan-led settlement strategy.”

HoH AND CPRH OBJECTION

This site is NOT allocated in the current Horsham District Planning Framework or in Henfield’s Neighbourhood Plan (made on 23 June 2021). It conflicts with the spatial strategy of the village as set out in the Henfield Neighbourhood Plan, Policy 1. If additional housing is needed, there are better options available than Sandgate Nurseries.

b) Planning History

In 2014, application DC/14/0588 for 72 houses was refused by Horsham District Council. This decision was appealed and on 19 May 2015 the appeal was called in by the Secretary of State. After a public inquiry in Feb 2016 (Planning Inspectorate Reference APP/Z3825/W/14/3001703) the inspector recommended that planning permission should be refused. The Secretary of State supported the Inspector’s decision to refuse planning permission in his decision letter dated 12 December 2016.

The Secretary of State outlined 4 main reasons for rejecting the planning appeal, namely:

1. ***Housing land supply does not warrant the development.*** Although Horsham cannot currently (May 2023) demonstrate a 5-year housing land supply, under paragraph 14 of the NPPF only a 3-year supply need be demonstrated when there is a Neighbourhood Plan less than 2 years old which contains policies and housing allocations to meet its identified needs. Henfield has such a Neighbourhood Plan and the HDC Housing Land Supply is currently 3.0 years (Authority Monitoring Report, 31 December 2022).

2. ***The location of the development is inappropriate***, contrary to both HDPF Policy 4 on settlement expansion and Policy 26 on countryside protection. The Inspector in the recent Sandy Lane appeal confirmed this interpretation of Policy 4 is still valid, saying in Paragraph 15: *"I agree with the finding of the Inspector and Secretary of State in the Nurseries Sandgate appeal that Policy 4 should be taken at face value."*
3. ***The character and appearance of the area is not suitable***, contrary to HDPF policies 25, 32 and 33.
4. ***There is a designated heritage asset which would be adversely affected***. The proposal would harm the setting of the listed building (Camellia Cottage) contrary to the HDPF policy 34, NPPF paragraph 200, and the setting would not be preserved or enhanced as sought by section 66(1) of the Listed Buildings and Conservation Act.

The full decision can be accessed at [this link](#).

These fundamental objections remain valid today.

In December 2021 application DC/21/0908, an outline application for 51 affordable dwellings and the erection of a community centre was refused. The reasons for refusal most pertinent to the current application were:

1. 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.
2. 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.
3. The Council was **not satisfied that the proposals would not negatively impact any protected species within, or in the vicinity of, the site**.
4. It was **not demonstrated that satisfactory SuDs drainage can be provided** to serve the site without resulting in increased flood risk.
5. **Harmful impact on the setting of the Grade II listed Dear Farm**.
6. The **acceptability of the access on to West End Lane** was not demonstrated.
7. **No legal agreement was in place to secure the development** as outlined.

The applicant claims that these reasons for refusal have been overcome in the new application. We will show below that this is not the case and these objections largely remain valid.

HoH AND CPRH OBJECTION

The underlying Planning reasons for refusing development at this site have not changed. If additional housing is needed, there are better options available than Sandgate Nurseries.

c) Creeping Urbanisation

This site lies in the countryside outside the built confines of Henfield. The proposed development is not essential to its countryside location and would cause harm to the landscape character of the area.

Therefore it is not compliant with the strategic policies which seek to guide development either to allocated sites or to sites within the settlement boundaries. Furthermore by virtue of its location in the countryside it does not protect, conserve and enhance the landscape or protect the rural character and undeveloped nature of the countryside. These are 'in principle' objections to the scheme.

The Bishop Park development opposite this site breached the natural built-up area boundary of the village along the Downslink, creating a protrusion into the countryside which is now being used to justify this incremental development as a 'rounding off' of village form.

For example, the applicant's Landscape and Visual Impact Appraisal (LVIA) states in para 5.8 *"The proximity of the Site to established and new housing, and the commercial area to the southeast has a significant influence on perceptual aspects of the site such as tranquillity and remoteness. The site is overlooked by the housing and affected by traffic/manufacturing noise from West End Lane and the light industrial uses to the southeast. Accordingly perceptual aspects of the site are considered to be of medium-low value."*

Similarly, the LVIA acknowledges (para 5.22) that the site is visible from highpoints within the South Downs National Park (SDNP) but excuses it because *"any visible built structure would form a very small element in the overall view and would be seen in the context of the established residential and commercial areas around the site and also the wider urban setting of Henfield. In particular the site would be seen with the Bishop Park development situated at higher elevation."*

In turn, allowing development of the Sandgate site would automatically create a new built-up area boundary and so become grounds to justify further intrusion into the countryside along West End Lane.

This site's ill-defined western boundary is not a defensible boundary able to withstand incremental urbanisation, as required by HDPF Policy 4.5. The adjacent Dear's Farm site has already been proposed for development under the Henfield Neighbourhood Plan and under the Horsham SHLAA. In both cases it has been rejected because of the adverse effects it would cause on the countryside and on the setting of Dear's Farm and the Grade II listed Camellia Cottage. Developing the Sandgate Nurseries site, however, would create a new Built-Up Area Boundary making development of Dear's Farm difficult to resist. Other fields to the south-east of the site would similarly become more vulnerable as 'rounding out'.

HoH AND CPRH OBJECTIONS

- 1. This site's western boundary is not a defensible boundary able to withstand incremental urbanisation. As such, the development of this site risks creeping development along West End Lane contrary to HDPF Policy 4.**
- 2. Note must be taken of the cumulative impacts of the development when considered together with the Bishop Park development. There is incremental harm to the setting of Camellia Cottage and to views from the South Downs, contrary to HDPF policy 4.4.**
- 3. The site represents unsustainable development contrary to HDPF Policies:**
 - **Policy 1 as it is not an identified site in the current Local Plan or Neighbourhood Plan**
 - **Policy 2 as it does not maintain the District's rural character, is not a strategic development and does not focus development around Horsham.**
 - **Policy 4 as it is not allocated in the Local or Neighbourhood Plan and would be the expansion of an existing settlement.**
 - **Policy 25 as it does not protect, conserve or enhance the natural environment and landscape character; nor does it conserve or enhance the setting from the South Downs National Park to the south.**
 - **Policy 26 as it is outside the Built Up Area Boundary (BUAB); does not support the needs of agriculture or forestry or extraction of minerals or disposal of waste.**

d) Residential Care Community and Affordable Housing

The proposal is for the 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). We will deal with these two aspects in turn.

i. Retirement Community

The proposal does not meet the requirements of HDPF Policy 18 'Retirement Housing and Specialist Care' as:

- The proposal does not accommodate the range of retirement needs found in the community or contribute "appropriate services and facilities".
- There is no provision for people on lower incomes: the proposal does not include any affordable provision or make an appropriate financial contribution.
- local shops, services, community facilities and the wider public transport network are not accessible by foot or public transport from this location. The walk from Sandgate Nursery into the village centre, and back carrying shopping, is challenging even for younger people and is unlikely to be possible for the elderly or infirm, certainly not for anyone in a wheelchair. There is no usable public transport serving this part of the village (we consider the available public transport in detail in Section 5 Site Access below). As we see at the adjacent Bishop Park development, residents at this distance from the High Street almost always use their cars to go for shopping.

The Henfield Housing Needs Assessment (reviewed October 2017) prepared for the Henfield Neighbourhood Plan 2017-2031 examined the question of retirement housing and care provision very thoroughly. It identified (in Section 3.7.1) the need for a variety of housing arrangements and tenures as part of the delivery of new housing, including conventional sheltered housing units, leasehold sheltered housing units, enhanced sheltered units for rent and for sale, extra care housing units for rent and for sale, and specialist dementia care homes. The single style of housing units and tenure proposed does not meet these varying requirements.

Henfield currently has 5 retirement/sheltered housing locations, and 2 nursing homes giving dementia care. Some currently have vacancies.

In addition, many of the homes to be brought forward under the Neighbourhood Plan will be suitable for a range of retirement needs. They include both bungalows and affordable homes (see below).

Of course, it is neither necessary nor feasible to meet all the housing needs of older residents within the village. The applicant provides a case study from Wellcross Farm, Broadbridge Heath (DC/19/1897) as an example of a successful appeal for a retirement community. As it is only 12 miles away it may well be attractive to some Henfield residents seeking the much greater amenity provided by Horsham town. However, Wellcross Farm differs from the current proposal in the critical respect that the applicant there was a company specialising in the creation and operation of retirement communities. In contrast the applicant here is neither a developer nor a care provider.

Basic questions, such as how an age eligibility policy will be administered or enforced, which is normal in other retirement premises, are not addressed. We question whether such a superficial

proposal is actually deliverable or would be financially viable even if planning permission were to be granted.

HoH AND CPRH OBJECTION

The limited range of retirement housing provision proposed does not meet the complex needs found in the Henfield community. The proposal fails to provide the range of tenures and accommodation types that are needed and makes no provision for affordability.

There is no usable public transport service to help retired people access the shops, services and amenities in the centre of the village, or to help care workers commute to the site.

It is not clear that sufficient local demand exists to make this style of retirement care proposal viable in this location.

ii. Starter Homes

Henfield fully recognises the need to bring forward affordable homes for younger families. The Henfield Neighbourhood Plan allocates the following sites for the provision of 270 new homes over the plan period:

- a. Land North of Parsonage Farm (205 dwellings)
- b. Land east of Wantley Hill (25 dwellings)
- c. Land west of Backsettown, off Furners Lane (30 single-storey dwellings)
- d. Land south of the Bowls Club (off Furners Mead) (10 single-storey dwellings)

Based on the Horsham requirement of 35% affordable homes in any development of 15 or more homes, and 20% for smaller developments, these allocations will bring forward 91 affordable homes.

The Sandgate Nursery application is unusual in that generally it would not be considered financially viable for a developer to build a development entirely of starter homes in this area. The application states that 10 “starter homes” will be provided, which, if they meet the government definition means they will sell for 80% of market price and no more than £250,000 (outside London). In Henfield, including on the Bishop Park estate, semi-detached houses currently sell for well in excess of £400,000.

The homes charity ‘Shelter’ has criticised the Starter Homes policy on the basis that *“Starter Homes would primarily help those on very high salaries or couples without children, but they are not a good replacement for other forms of affordable housing and will not help the majority of people on average wages struggling to get an affordable, decent home.”* Hence they do little to address the housing needs of families in the Henfield area who are on the Council waiting list for a home (see https://england.shelter.org.uk/professional_resources/policy_and_research/policy_library/research_starter_homes- will they be affordable)

The status of the Starter Homes scheme is unclear and in doubt (see: <https://committees.parliament.uk/work/592/starter-homes/>).

The application makes no mention of a potential affordable housing provider, and the applicant ought to reach an agreement with a provider as soon as possible to clarify tenure and secure funding arrangements for the affordable homes and ensure the layout and specifications of the affordable units meet the provider’s requirements.

It is by no means clear that this commitment to Starter Homes can be delivered by the land promoter, who has yet to sell the land to a builder. While affordable housing is certainly needed nationally, planning permissions are often not built out because they are not financially viable, or the proposals are changed to reduce the amount of affordable housing after permission has been granted.

In addition to more clarity on the different forms of tenure, we think the applicant needs to demonstrate that the proposal is financially viable before outline permission can be considered.

HoH AND CPRH OBJECTION

Planning permission should not be granted if the applicant cannot provide more detail around the forms of tenure proposed and provide evidence that this unusual proposal can be financially viable.

3. HERITAGE ASSETS

Several factors make this location historically important.

- a) **Camellia Cottage at Dear's Farm** (Photo 11), is a 16th century Grade II listed building, formerly Dear's Farmhouse. It stands in its own ground at the north-west corner of the field and is accessed from the south side of West End Lane. The original house shown in the photos has been renamed Camellia Cottage, with the former barn and land now in separate occupation and retaining the name "Dear's Farm". The cottage is screened from the site at ground level by a 3m beech hedge. It is a significant grade 2 listed building, immediately adjacent to the site and the development risks negatively impacting it.

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Listed Buildings Act) states: *"In considering whether to grant planning permission for development which affects a Listed Building or its setting, the local planning authority or, as the case may be, the Secretary of State shall 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".* [emphasis added]

Paragraph 200 of the NPPF (2021) emphasises that the setting of a historic building contributes to its value: *"**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.**"* [emphasis added]

The significance of Camellia Cottage as a heritage asset derives from it being a fine example of an authentic 16th century farmhouse, in a setting separated from the developed area of the village and surrounded by farmland.

The Henfield Extensive Urban Survey (EUS, 2004) identifies the origins of the parish as scattered farmstead settlements, which still characterised outlying areas of the village in the medieval and late medieval periods. The area was known as "'Hall Lands' which is the likely root of the modern name "Hollands Lane". Dear's Farm also dates from the medieval period and inspection of map regression shows that it is relatively typical in scale and location of the disbursed agricultural groups around the nucleus of the village.

The use of the land as a nursery has not significantly altered the historic relationship between the listed building and the land. The greenhouse structures are clearly identifiable as a

‘horticultural’ use and the extent of the residential area of the village remains easily visually defined as the c.1920s houses on Hollands Road. In this sense, the nursery has had a very limited impact on the setting of the listed building and still contributes to preserving its historic context as an agricultural group in a rural setting.

A modern two storey extension has been added to the south of the building. This reflects the character of the original house but is clearly discernible as a recent intervention. The house is oriented at right angles to West End Lane, presenting its main facade to the west and its associated farm buildings. These include a flint barn on an east-west axis and a smaller stables outbuilding also on an east-west axis, adjacent to West End Lane.

The barn is now in residential use and occupies an evidently separate curtilage to Camellia Cottage but the farmstead context and relationship between the buildings remains easily read. Together as a group in close proximity, these buildings each have a historic and aesthetic significance that amplifies the experience of their significance.

Their significance lies in the collective archaeological, architectural and artistic character as a clearly defined farmstead, dating from the 16th century. The farmstead is a ‘double loose’ arrangement with the farmhouse to one side and the barn straddling the boundary between the yard and fields. This was a locally distinctive pattern of development typical of the Low Weald but **this is the only remaining double-sided loose farmstead to survive in Henfield, which gives it particular value.**

Whilst Camellia Cottage is currently screened by mature vegetation to a large extent, it is not completely separated from the application site. There is likely to be intervisibility between the upper floors of the new houses and Camellia Cottage especially in winter.

Moreover, setting is not limited to being able to see the heritage asset directly. Nor does it depend on public views or access as these can vary over time. Vegetative screening cannot be considered permanent and irreversible, unlike houses which can be expected to endure for at least 100 years.

The setting has been to some extent degraded by the development of the Bishop Park estate on the opposite side of West End Lane. The harm would be substantially worsened by having the adjacent field developed also. Development here would cumulatively erode the rural setting of the listed building and its historic context of relative isolation, which is one of the aspects of its significance as an example of the scattered patterns of medieval settlement in the parish.

The close juxtaposition of the proposed houses with the listed building and the road frontage to West End Lane would alter the context in which the listed building is experienced. The small break provided by the nursery land provides a sense of rural stillness at the junction with Stonepit Lane, which would be compromised by the proposed 82 dwellings. The experience of the listed building, in both public and private spheres, would be compromised by glimpsed views of the adjacent houses in close proximity and the intrusion of residential noises into the relatively peaceful rural setting.

The presence of buildings on the application site would therefore cause permanent, irreversible and unacceptable harm to the rural setting of the Grade II Listed Building, Camellia Cottage. Paragraph 199 of the NPPF (2021) requires that in these circumstances “**great weight should be given to the asset’s conservation**”.

A more complete description of the heritage impacts arising from development of the Sandgate Nurseries site is available in the expert report of Elmeare Murphy, prepared for Horsham District Council in January 2016 for appeal APP/Z3825/W/14/300170, HDC Ref: DC/14/0588.

HoH AND CPRH OBJECTION

The development would cause further permanent and irreversible harm to the rural setting of Camellia Cottage. The distinctive, historic farmhouse would be incorporated into an urban residential expansion, resulting in no visual or physical separation between the farmstead and the village. This would compromise its historic relationship with Henfield and the wider landscape.

This harm would not be outweighed by any public benefits arising from the proposed development and as such the proposal is contrary to the provisions of Policies 26 and 34 of the Horsham District Planning Framework (2015) and paragraphs 194, 195, 197, 199 and 200 of the National Planning Policy Framework (2021). The harm should be given great weight in the planning balance.

b) Hollands Lane

To the immediate south of the site, the importance of Hollands Lane as the 'Old Port Road' has now been recognised in the route of a new Horsham District Heritage Trail. The trail is intended to encourage tourism and is publicised both online and in a tourist [leaflet](#). The leaflet describes Hollands Lane as follows:

*"At Bineham Bridge you can glimpse the ancient farmhouse of New Inn to the right. Now simply a farm, the 17th century house was both a farm and an inn until 1915. Goods were unloaded here and carried along **Hollands Lane - the "old port road" - into the village.**"*

"This is a mixture of lane and footpath, now called Hollands Lane, which takes you past two ancient houses - Leeches and Canons. Leeches, originally Beeches, is first recorded in 1647 and was a yeoman's cottage on a mixed arable/cattle farm. The sloping roof indicates a typical "hall" house - a dwelling with just one main living space - an indication that the building is older than mid-17th century. Canons is a 17th century yeoman farmer's house in the west part of Hollands Lane, and is notable for its timber framing. The house is listed in the 1612 will of Thomas Canon, who left £10 for the poor in his will - a large sum at that time."

The sunken lane is a real exemplifier of local rural character, being a particularly undamaged stretch of the historic route to Bineham Bridge, in existence from at least 1548 (de Candole, 34-6), with fine views to the south and nicely marked at its transition from paved to unpaved by one of the oldest trees in Henfield (the veteran oak mentioned above).

We note the application proposes a new vehicular access road for emergency vehicles in the south east corner of the site (see Section 5c Road Access below). There has never been road access to this site from Hollands Lane and this would therefore further degrade the rural nature of Hollands Lane.

HoH AND CPRH OBJECTION

Housing development would harm the authenticity of this historical route at a time when the village is investing in making its heritage more accessible to locals and to visitors to boost its tourism economy. The development is contrary to the community aims and spatial strategy of the Henfield Neighbourhood Plan.

c) The Henfield Conservation Area

Only two roads give access to the site: Church Street (which becomes Upper Station Road to the west) and Nep Town Road (via Dropping Holms and Station Road). Both are narrow roads that lead through the protected historic Henfield Conservation Area (see Figure 4). The Conservation Area contains 60 nationally listed buildings and its 5 distinctive character areas reflect the evolution of the village over centuries. Development within the designated area is strictly controlled.

Both the roads are routinely lined with parked cars belonging to local residents who have no where else to park. Traffic along the roads has increased substantially since the construction of Bishop Park. Driving along them is a stop-go affair often described as 'like dodgems'. There are daily tailbacks at the tight junction of Church Street with the High Street and it is common to see vehicles running over pavements and verges. The pinch point between historic buildings on opposite sides of Nep Town Road is notorious for cars damaging tyres and wheels as they hit the kerb.



Figure 4: Henfield Conservation Area showing nationally listed buildings (from Conservation and Management Plan 2019)

Aside from the issues that this creates for the road traffic, it also affects both residents and visitors. Residents find it hard to relax in their homes knowing that their car may be damaged at any moment. Visitors cannot wander freely about enjoying the views and the architectural heritage. There are concerns that timber framed houses by the roadside are being damaged by the vibration of heavy lorries and delivery vans going to the new developments.

The increase in traffic is clearly having an adverse impact on the character of the Conservation Area and the ability of the public to enjoy it. The noise and the hurried traffic spoil the relaxed and tranquil ambience that was present just a few years ago.

HoH AND CPRH OBJECTION

Building another 82 housing units on West End Lane can only aggravate the harm being caused to the character of this designated heritage area and lead to further deterioration in the quality of life for residents and loss of the benefits for tourism and Henfield's visitor economy.

d) Archaeology

The Henfield Extensive Urban Study (2004) (see <https://www.westsussex.gov.uk/land-waste-and-housing/landscape-and-environment/historic-town-characterisation/>) notes that the richness of prehistoric archaeological finds around Henfield despite the paucity of studies. For example, at Buckwish Farm, on the south side of Hollands Lane, it notes:

“Mesolithic worked flints collected casually, during and after ploughing over a number of years (include petit tranchet axes, ‘Horsham’ points, saws, punches, and a variety of arrowheads) [SMR reference: 3758 – WS841].”

Archaeology is not considered in the current application documents but in a previous application an investigation by the Heritage Collective in February 2014, Project Ref: 13/1177, concluded (para 6.4) that:

“due to a clear potential for early prehistoric remains across the site and the high significance of such remains should they be present, an archaeological evaluation should be carried out” before any development is permitted.

There is also evidence of Roman remains in the vicinity. The Greensand Way Roman Road is known to have crossed to the south of the application site and Roman pottery was found in the Sandpit on nearby Windmill Lane [SMR reference: 3745 – WS878].

The EUS concludes: “Since Henfield sits on the same spur of Lower Greensand silty sandstone and Folkestone Group sandstone on which most of the prehistoric finds have been located, it is likely that evidence for prehistoric activity will be discovered when and if archaeological excavations are undertaken in the village. The concentration of prehistoric and Romano-British finds also confirms that the area saw considerable activity before the Anglo-Saxon origins of Henfield and, thus, that there are grounds to suppose that both some of the routeways and the openness of the area (recorded in the later place-name) originated in the prehistoric period.” [emphasis added]

HDPF Policy 34 Cultural and Heritage Assets recognises that heritage assets are an irreplaceable resource, and as such commits (in Policy 34.8) to ensuring appropriate archaeological research, investigation, recording and reporting of both above and below-ground archaeology, and retention where required, with any assessment provided as appropriate.

HoH AND CPRH OBJECTION

Given the high likelihood of prehistoric and possibly Roman remains on the site, archaeological investigations ought to be conducted before planning permission is granted. Failure to do so would be in breach of HDPF Policy 34.

4. ECOLOGY

HDPF Policy 31 Green Infrastructure and Biodiversity seeks development that maintains or enhances the existing network of green infrastructure. Proposals that would result in the loss of existing green infrastructure will be resisted unless it can be demonstrated that new opportunities will be provided that mitigate or compensate for this loss and ensure that the ecosystem services of the area are retained.

Horsham District Council has joined with the Sussex Wildlife Trust to deliver the **‘Wilder Horsham’ project**, mapping existing important wildlife sites and associated corridors to establish a Nature Recovery Network. The preliminary mapping (August 2021) shows this site within a **Biodiversity**

Opportunity Area (BOA), which is a priority area of opportunity for restoration and creation of biodiverse habitats.

Hollands Lane is one of the main green entryways to the village, connecting from/to the paths along the river to Ashurst. Both **Hollands Lane and West End Lane have been identified in the 2021 HNP as significant wildlife corridors**. Policy 10 requires that development of more than 2 hectares or 50 dwellings (whichever is the smaller) should provide a Green Infrastructure plan as part of their proposals.

In addition to the **Priority Deciduous Woodland** described in Section 1 above, the site has become even richer in wildlife as a result being disused for more than 30 years. Multiple habitats and a wide range of flora and fauna have become established.

Species noted on the site include but are not limited to buzzards, doves, nightingales, foxes, badger (scrapes and setts are present), hedgehogs, toads, slow-worms, lizards and grass snakes, hundreds of species of invertebrates, including bees' nests and butterflies. Various breeds of deer visit the site regularly and use the site as a nursery in the spring. Fawns have regularly been seen sheltering in the grass.

Some of the **protected species** formally recorded on the site are the cuckoo (red listed), the wild strawberry, bluebells, tubular water-dropwort (red listed) and the Brown Hairstreak Butterfly, all protected under the Wildlife and Countryside Act, 1981.

The **Brown Hairstreak** is one of Britain's rarest butterflies and the field lies within the Priority area for Countryside Stewardship measures to conserve it (see Figure 5). Its habitat is hedges, scrub and woodland edge where Blackthorn is prominent and not flailed every year, such as are present along the western edge of the field.



Figure 5: DEFRA's MAGIC map (<https://magic.defra.gov.uk/MagicMap.aspx>)

Key: Pink = Priority Country Stewardship area for Brown Hairstreak butterfly
 Dull Green = Priority Woodland Habitat
 Dark Green = Priority Woodland Improvement Area

HoH AND CPRH OBJECTION

The applicant's Ecology Assessment is inadequate because it fails to identify protected species and fails to include a green infrastructure assessment as required under the Henfield Neighbourhood Plan, Policy 10.

It is difficult to see how development could protect, let alone enhance, the extensive biodiversity of this location. Purchasing an offset might enhance biodiversity at another location but would not necessarily protect the endangered species we have here.

The site's preservation will help conserve protected species like the brown hairstreak butterfly. It also protects the important wildlife corridor along the western edge of the village connecting to the Adur floodplain and the Downslink.

The site makes a valuable contribution to the Nature Recovery Network being developed by Horsham District Council.

Any development plan should also integrate with the village's wider strategy for tourism, leisure and the visitor economy.

5. SITE ACCESS, PARKING AND TRAFFIC IMPACTS

a) Modes of Transport

For the retirement community, there will be 2 car parking spaces provided per dwelling which amounts to 144 car spaces, plus any provided at the central facilities. This is difficult to reconcile with the applicant's TRICS data showing only 12-13 movements per hour at peak times.

Similarly the TRICS data shows only 1-3 pedestrian movements and zero cyclists at peak times. Yet 1-2 cycle spaces are to be provided for every dwelling.

These internal contradictions illustrate how superficially the proposal has been thought out. Scant attention has been given to needs and capabilities of the potential residents including their likely mobility limitations. The idea that they can access "convenience stores and many other local services; all located within 30-minute walk from the site (based on walking speed of 1.2 metres per second)" (Transport report, Section 7.1.2) is frankly risible. The report claims that "The pedestrian infrastructure in the village is considered to be good" yet studies by Henfield Community Partnership have repeatedly shown that disabled access is poor and shopping in the High Street is difficult for people who are partially sighted.

HoH AND CPRH OBJECTION

The location of the development is fundamentally unsuitable for residents who are likely to have mobility limitations. They are out of reach of local facilities and amenities and are likely to feel isolated.

b) Public Transport

Accessibility to key services is an important consideration for residents. So too are sustainable transport connections that enable staff to come and go.

Henfield is not served by any public transport in the evening and there is only a very limited Sunday service with the result that many residents are unable to return to Henfield after 1900 hours or travel outside of the village on Sundays. This lack of available public transport throws the majority of

the residents of Henfield into dependency upon their own motor vehicles for any form of activity outside the village.

The applicant's Transport report is incorrect in stating that "There are bus stops located on Hollands Road" (Section 4.1.1) near to the site. There are no bus stops in Hollands Road.

The "bus stops" in Station Road are actually at the bus depot where the 17 buses will pick up passengers as they leave early in the morning. There is currently no return service. Two buses a day, leaving in the morning with no return service is hardly a viable transport service.

This would make it completely impracticable for workers at the Residential Care Community to use public transport. They would have to use private car.

The Medical Centre Link is a service run entirely by local volunteers to help people get to hospital appointments in the absence of public transport. The service is always short of drivers and administrators and, although much appreciated by residents, cannot guarantee to provide transport when it is needed.

Bluebird Community Transport is now part of the charity CTSussex. They do offer a minibus dial-a-ride service to registered members from 9:30am to midday (Tue – Thur only) subject to availability. While a very useful service, it has extremely limited capacity and could not realistically support a care facility of the scale proposed.

HoH AND CPRH OBJECTION

Public transport is not a viable option either for Retirement Community residents to travel to village facilities or for staff to get to work.

c) Road access

The proposed single lane chicane and speed humps would mean traffic waiting and filtering along West End Lane. Traffic would be coming to and from Bishop Park, Hollands Lane, Station Road, homes all the way down West End Lane, Stonepit Lane, and the new development.

From our experience of other chicanes this would be a real concern as stacking traffic at junctions, near the Downslink, and outside local houses would very likely occur.

The proposal is that secondary access would be provided from Hollands Lane, restricted to pedestrians, cyclists and emergency vehicles, with details of this to be discussed at the Reserved Matters stage. But access is not a Reserved Matter. There has never been vehicle access from Hollands Lane so a new junction on to the bridleway will have to be created. As the sunken lane is 1-2 meters lower than the field at this corner, it is not clear how a safe entrance and exit can be created here.

HoH AND CPRH OBJECTION

No consideration has been given to the likely knock-on effects of a chicane arrangement caused by traffic stacking.

Details of the proposed secondary access ought to be provided now rather than at the Reserved Matters stage.

d) Downslink issues

The proposed development recognises the importance of the nearby Downslink, the long-distance footpath, bridleway and National Cycle Route that benefits both leisure users and wildlife. Usage of

the Downslink has increased dramatically as a result of the lockdowns and is actively encouraged by both Henfield's and WSCC's tourism strategy. At present, users' enjoyment of the rural route is interrupted between West End Lane and Hollands Lane by the need to pass down Station Road, which is increasingly congested with parked cars and cyclists. The proposal acknowledges the opportunity to re-route the Downslink through the Sandgate Nursery site, thereby enhancing the leisure route from north to south and at the same time reinforcing the green corridor.

Many visitors travel by car to reach the Downslink, parking either on Station Road or in the car park by The Old Railway Inn which fronts on to West End Lane. Use of the car park has increased because of the closure of the alternative car park in West Grinstead. At weekends, cyclists and walkers congregate in the car park and the traffic situation in the road is often chaotic. Introduction of the chicane is likely to make this hazardous situation worse as cars tail back.

There is no mention in the proposal of how cyclists would be directed to the new route. To avoid confusion, signposts will be needed to and from the Downslink both north of the site on West End Lane and south on Hollands Lane.

The proposal does not state whether cyclists would be permitted to use the new 2m wide footpath through the Sandgate Nursery site or whether they would be expected to ride through the chicane and use the roadway across the site.

A significant number of people, who may be in large groups, walking dogs or on cycles, use the Downslink. They will be passing through the Retirement Community close to the houses of residents. This may cause disturbance and vulnerable residents may fear for their own safety.

These issues need to be clarified and the implications for safety considered.

HoH AND CPRH OBJECTION

The recognition of the Downslink is welcomed but the implications have not been fully considered. It needs to be properly integrated into the scheme to ensure a smooth and safe flow through the development.

6. FLOODING

The flood risk assessment for the applicant concludes that there is an extremely low risk of flooding from surface water run-off and that this can be managed by directing it into a watercourse that is said to run along the north side of Hollands Lane.

Yet flooding on Hollands Lane is well-recognised and often problematic. Photographs were supplied in our representations to the earlier 2021 application and video footage of water pouring off the site after heavy rainfall is available.

There is **no natural watercourse along Hollands Lane** but neighbouring residents have dug drainage channels along the west and southern boundaries of the site to collect and channel the run-off. After heavy rainfall the floodwater often overtops these ditches. This can be seen in *Photos 13-15* of Hollands Lane. There is also flooding occurs to the north-west of the site near the junction with Stonepit Lane, reflecting the sloping topography of the site.

a) Surface Run-Off

The surface geology of the site is Head, ie. clay, silt, sand and gravel, which does not readily allow infiltration of water. Heavy rainfall is therefore unlikely to be absorbed and is likely to cause surface

run off. The applicant's infiltration tests (Flood Risk report, Appendix E) confirm that the water level in pits did not fall quickly over time, showing that **infiltration is not effective and surface run-off will occur**.

A similar situation was encountered at Bishop Park, where a SuD system including two infiltration ponds was installed. Experience shows that after heavy rainfall, these ponds overtop and discharge water on to West End Lane which still floods around the junction with Stonepit Lane.

HoH AND CPRH OBJECTION

Surface run-off is to be expected with a clay-based soil and there is abundant evidence that it occurs in practice creating flooding problems along Hollands Lane and on West End Lane west of the site entrance.

b) Groundwater

The applicant's report claims that the shallowest groundwater recorded is at a depth of 7.4m below ground level, based on data from 5 *unspecified* borehole points within 1000m of the development site. The land to the north and east of the site is higher than the development site and so these measurements are likely to be misleading.

Investigations have taken place much closer at the Hollands Lane Industrial Estate, immediately south-east of the development site, in connection with land contamination:

- A desktop study by Groundsure Screening (16 July 2021) using data from the Environment Agency identified the superficial hydrogeology of the development site (Secondary Undifferentiated) as aquifer-bearing with a Moderate-High risk of groundwater flooding at Hollands Lane immediately downstream of the site.
- An environmental assessment of the Hollands Lane industrial site was conducted for Horsham District Council by Montgomery Watson (final report September 1997). Groundwater samples from 19 boreholes were taken at depths of 1-5 metres below ground level.
- Further groundwater samples were taken at Unit 2, Hollands Lane Industrial Estate from 3 boreholes at depths of 1.4-3.3metres in the Phase 2 GeoEnvironmental Report, Ref: 1548/SI, prepared By Peter Baxter Associates, 27th September 2022.

HDC holds copies of all these reports.

HoH AND CPRH OBJECTION

Studies clearly show that groundwater can be quite close to the surface and is likely to contribute to flooding in wet weather.

c) Flood Risk and Control Measures

The combination of surface run-off from the clay soil and the high groundwater level, together with the topography of the site, clearly explain the fact that flooding is regularly experienced along the Hollands Lane boundary of the site and to the north-west of the site.

The existing runoff from south-west corner of the site overflows the drainage ditches and floods across the Hollands Lane bridleway (BW2583). Due to the clay soil and topography, the western section of the bridle path adjacent to the site cannot drain quickly. In wet years it has been impassable for months without walkers diverting onto the current site to avoid the flood. Permeable

surfaces proposed in the development will not solve the problem as water still will not penetrate the clay below.

Much of the runoff flows eastwards along Hollands Lane to the Rye Farm track where it regularly causes damage to the track surface (see *Photo 16*) before draining to the floodplain (*Photo 17*). The rate of rise of the flood waters in the plain has increased noticeably since the construction of the Bishop Park estate and the floods now routinely exceed the contours shown on the Environment Agency's Flood Zone maps causing flooding of properties such as Little Barn in Zone 1 (*Photo 18*).

The applicant commits in the Design and Access statement that *"flood risk will not be increased elsewhere"*. This does not resolve the existing problems and is therefore inadequate.

NPPF 2021, paragraph 161 requires *"using opportunities provided by new development and improvements in green and other infrastructure to reduce the causes and impacts of flooding"*. [emphasis added]

If outline permission were to be granted, the existing flooding problems need to be resolved at the reserved matters stage and HDC should seek a financial commitment towards better control of runoff which will upgrade and improve BW2583.

HoH AND CPRH OBJECTION

The applicant's report about flood risk reaches incorrect conclusions. Runoff from the site causes local flooding on West End Lane and along Hollands Lane. It contributes to faster rate of rise of floodwater levels on the floodplain which causes increasing problems. A SuDS system will NOT solve this problem because infiltration is ineffective, as shown by the applicant's own tests.

If permission for new development were to be granted, then, as required by NPPF 2021, HDC should use the opportunity to seek a financial commitment towards alleviating the existing problem, not merely to avoid exacerbation. Any proposal which did not include substantial betterment of the existing flood situation would be inadequate.

7. WATER NEUTRALITY

The applicant's Planning and Design Statement says (Sections 5.61-5.65) that the *"indicative drainage strategy seeks to dispose of surface water to the ground via infiltration"*. *"Therefore the water consumption from the site will be offset by discharging surface water to the ground which would replenish the aquifer"*.

This is patent nonsense. The Flood Risk report says that the infiltration tests failed (Section 6.1.1). It should be acknowledged that all rainfall on the site currently enters the aquifer in one way or another, either directly by limited infiltration or by running downhill into the floodplain. But this has no bearing on water neutrality, which is to do with the amount of water consumed by the households and discharged elsewhere as waste.

Section 9.6 of the Flood Risk report puts forward a range of hypothetical offsetting measures. Given the difficulties that other developers have faced with identifying practical offsetting measures it is not sufficient to claim that this can be dealt with as a reserved matter. It needs to be established that water neutrality is viable for this development before outline planning permission is given.

HoH AND CPRH OBJECTION

The applicant has not demonstrated even in principle that water neutrality can be achieved. This should be a prerequisite for outline planning permission.

8. MINERALS

Part of the site lies within the Brick Clay Resource Minerals Safeguarding area and therefore ought to be checked with WSCC to determine whether it is needed for mineral extraction.

APPENDIX 1: PHOTOGRAPHS OF THE SITE



Photo 1: View looking south across the site from the gate on West End Lane, August 2021. The hedge surrounding Camellia Cottage is on the right.



Photo 2: The derelict glasshouse, looking east



Photo 3: Examples of the polytunnel frames



Photo 4: The ruined garage/workshop building looking south-west. An overhead cable once brought electric power to the building.



Photo 5: Concrete access track alongside the greenhouse looking north



Photo 6: The overgrown access track and polytunnel frames looking south from the greenhouse.



Photo 7: The priority woodland in the SW corner of the site.



Photo 8: Shallow N-S drainage ditch in the SW corner of the site. The ditch discharges on to Hollands Lane.



Photo 9: Hollands Lane looking west from the entrance to Rye House (on the left), with a track into the site on the right used to bypass the muddier sections of the lane.



Photo 10: View from field towards rear of houses along Hollands Lane



Photo 11: West End Lane looking west, with the existing entrance to the site on the left and the entrance to Camellia Cottage just beyond it.



Photo 12: Camellia Cottage (from 'Henfield Then and Now' by Mike Ainscough)



Photo 13: A drainage ditch from the field discharging into the ditch alongside Hollands Lane



Photo 14: Hollands Lane in wet weather looking west towards the entrance to Rye House (which is on the left) with the drainage ditch along the north side of the lane taking runoff from the field.



Photo 15: Hollands Lane in wet weather looking west from the entrance to Rye House (which is on the left)



Photo 16: The junction of Hollands Lane (right) with the Rye Farm track (ahead) showing how runoff from the field damages the surface.



Photo 17: The floodplain looking south towards Rye Farm, taken from the access track near Little Barn, approx. 300m south of the site. Dec. 2019



Photo 18: Little Barn (in Flood Zone 1) taken from the access track, approx. 300m south of the site. Dec. 2019