



DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/26/0262

Land North of Jolesfield Cottages, Jolesfield, Partridge Green, West Sussex, RH13 8JT,

DESCRIPTION:

Outline Application for the development of 9 new residential dwellings with all matters reserved except access.

RELEVANT PLANNING HISTORY:

None.

DESCRIPTION OF THE SITE

Land North of Jolesfield Cottages comprises a 0.9ha parcel of undeveloped land located to the north of the defined settlement boundary of Partridge Green, with the site considered a countryside location for planning purposes. The site can be accessed from the B2135 and is relatively flat in nature, enclosed on its eastern and western boundaries by existing vegetation. Parts of the site are situated within Flood Zone 2 and 3, and subject to an identified medium and high risk of surface water flooding, commensurate with a pond that sits centrally along the western boundary to the site.

The site is part of a Local Gap designated by West Grinstead Parish in their Neighbourhood Plan to prevent settlement coalescence of Partridge Green and Littleworth. The surrounds are predominantly rural in character, with some low-density residential development along the B2135 including Jolesfield Cottages immediately to the south of the proposal. There is an existing PRow (ref. 1839) to the south of the site, within the proposed development boundary. Jolesfield Common (playing fields) sit immediately to the east of the site. The Common and adjacent allotments are access via a short track along the application site's northern boundary. Grade II listed Midway House sits opposite the site to the west.

DESCRIPTION OF THE APPLICATION

The application seeks outline planning permission for nine residential dwellings with all matters reserved other than access. An indicative site layout shows five dwellings located in the northern part of the site and four dwellings in the southern part of the site. Access is proposed to be facilitated by two existing access points from Jolesfield (B2135) serving the northern and southern parts of the site respectively. The proposal seeks to retain the existing pond feature in the centre of the site and would not require changes to the PRow (ref. 1839).

RELEVANT PLANNING POLICIES

The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (2015):

Policy 1 - Strategic Policy: Sustainable Development

Policy 2 - Strategic Policy: Strategic Development

Policy 3 - Strategic Policy: Development Hierarchy

Policy 4 - Strategic Policy: Settlement Expansion

Policy 16 - Strategic Policy: Meeting Local Housing Needs
Policy 24 - Strategic Policy: Environmental Protection
Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
Policy 26 - Strategic Policy: Countryside Protection
Policy 31 - Green Infrastructure and Biodiversity
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
Policy 34 - Cultural and Heritage Assets
Policy 35 - Strategic Policy: Climate Change
Policy 36 - Strategic Policy: Appropriate Energy Use
Policy 37 - Sustainable Construction
Policy 38 - Strategic Policy: Flooding
Policy 39 - Strategic Policy: Infrastructure Provision
Policy 40 - Sustainable Transport
Policy 41 - Parking

West Grinstead Neighbourhood Plan (2021):

Policy 1: Local Gap

Policy 4: Green Infrastructure: Existing Trees, Hedgerows, Habitats and Wildlife

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 1.7 years. The presumption in favour of development within Paragraph 11d) of the NPPF therefore applies in the consideration of all applications for housing development within the District (unless footnote 7 or Paragraph 14 applies to relevant applications), with Policies 2, 4, 15 and 26 now carrying only moderate weight in decision making.

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

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 7: Appropriate Energy Use
Strategic Policy 8: Sustainable Design and Construction
Strategic Policy 9: Water Neutrality
Strategic Policy 10: Flooding
Strategic Policy 11: Environmental Protection
Strategic Policy 12: Air Quality
Strategic Policy 13: The Natural Environment and Landscape Character
Strategic Policy 14: Countryside Protection
Strategic Policy 15: Settlement Coalescence
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 23: Infrastructure Provision
Strategic Policy 24: Sustainable Transport
Policy 25: Parking
Strategic Policy 38: Meeting Local Housing Needs

Policy 39: Affordable Housing
Policy 40: Improving Housing Standards in the District

Supplementary Planning Guidance:

Planning Obligations and Affordable Housing SPD (2017)
Community Infrastructure Levy (CIL) Charging Schedule (2017)

Planning Advice Notes:

Shaping Development in Horsham (SDPAN)
Biodiversity and Green Infrastructure

REPRESENTATIONS AND CONSULTATIONS RESPONSES

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

Consultations:

INTERNAL CONSULTATIONS

HDC Arboricultural officer: Advice

The positioning of the dwellings is acceptable from an arboricultural perspective. In order to make an informed assessment of the development proposed at the site please seek confirmation on how and where any underground services such as fresh and foul water would be integrated into the scheme.

HDC Conservation: Comment

I agree with the conclusion reached at section 7 of the heritage statement, that there is potential for less than substantial harm to the setting of the listed building, Medway House. The harm would be at the lowest end of that scale. I do not disagree that mitigating this harm is possible but am reluctant to support the application. Please determine the application as directed by paragraph 215 of the NPPF and if you are satisfied this is a sustainable location for residential development.

HDC Drainage Engineer: Further Information Required

An indicative foul water drainage strategy including identified means of foul discharge should be provided prior to granting Outline planning permission.

OUTSIDE AGENCIES

Ecology Consultant:

Response 1: Further Information Required

We request clarification as to whether any hedgerow or scrub will be removed and, if so, whether these habitats have been assessed for the presence of Hazel Dormouse, a European Protected Species.

Response 2: Further Information Required

We note that a small area of mixed scrub will be removed and a non-licensed Precautionary Method Statement for Hazel Dormouse will be required. The outline details of this are required prior to determination in line with paragraph 99 of the ODPM Circular 06/2005. Furthermore, if a EPSL is required for this application, appropriate measures for the provision of the licence must be outlined prior to determination to allow certainty to the LPA that a licence will likely be granted.

Southern Water: Insufficient Information Provided

Construction of the development should not commence until details of the proposed means of foul water drainage disposal have been submitted to and approved in writing by the Local Planning Authority, in consultation with Southern Water.

WSCC Highways: Further Information Required

WSCC Highways would require a 7-day automatic speed survey carried out in the location of both proposed access points and scaled drawings detailing the separate access points and showing the required visibility in line with the 85th percentile recorded speeds. The applicant should provide a suitable crossing point with dropped kerbs and tactile paving on both sides of the B2135 at the point of the bus stop outside The Green Man public house. It is also questioned whether the site could be served by a singular access point onto the B1235 away from the other two access points.

WSCC Rights of Way: No Objection

Response 1: Further Information Required

Further information is required to clarify how Public Footpath 1839 will be accommodated, protected, and maintained during and following the proposed development.

Response 2: No Objection

I am satisfied with the applicant's response, which confirms that the PRoW is acknowledged and that they are committed to ensuring it is always protected and remains available, unless a temporary closure is formally applied for.

Nature Space: No Objection Subject to Conditions

The applicant has now been sent their NatureSpace documentation. Should you be minded approving the planning application there are mandatory conditions and informatives within the Report that must be used *in verbatim* on the decision notice.

PUBLIC CONSULTATIONS:

Representations:

13 letters of Objection have been received from 12 addresses, objecting to the application on the following grounds:

- Land is part of the Local Gap allocated in WGNP.
- Highways safety concerns.
- Flood risk and drainage issues.
- Site supports a lot of biodiversity.
- Within the curtilage of a Grade II Listed Building.
- Would have an urbanising effect and set precedent for other applications.
- Views across the site and surrounding fields would be lost.
- Footpath would become less rural.
- Site is located in a designated green space.
- Application is opportunistic.
- Development should be steered to more sustainable settlements.

No letters of support have been received. One contributor made comments neither objecting nor supporting the application, citing concerns over shared access being compromised by the development.

Parish Comments:

West Grinstead Parish Council: Strong Objection

WGPC strongly oppose this application on the following grounds:

- The site is within the local gap, not adjacent to the BUAB.
- The area is prone to flooding with surface water.
- Inadequate sewage infrastructure.
- Access is on an unsafe bend with high traffic speeds.
- Site is rich in wildlife.
- There is a local heritage asset opposite the site.
- Site does not conform with the WG Neighbourhood Plan
- There are currently several developments in the pipeline in the area.

- There are not enough services to support the development.

If HDC are minded approving then S106 monies should be provided for drainage infrastructure at the lowest point of the roadway, a reduction in speed and signage to assist this, a footpath to the playing fields, a cycle way to the village sports ground, improvement to wildlife corridors and habitats and improvement to the sewerage network.

Member Comments:

None received

HUMAN RIGHTS AND EQUALITY:

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

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

PLANNING ASSESSMENT

The main considerations material to this application relate to:

- The principle of development
- Arboriculture
- Heritage
- Residential Amenity
- Highways
- Ecology

Principle of Development:

Horsham District Planning Framework (HDPF, 2015) Policies 2, 3 and 4 collectively seek to ensure that development is appropriately sited to retain the district's distinctive settlement pattern and rural landscape character. Policy 3 designates a series of built-up area boundaries (BUAB) where development is acceptable in principle, with development on land outside of these boundaries more strictly controlled. The proposal is located outside of a defined BUAB meaning that Policy 4, which outlines the circumstances where development outside of a BUAB will be supported, is relevant.

The proposal does not meet the criteria for Policy 4 as the site is not allocated in a Local or Neighbourhood Plan and the red line boundary does not adjoin an existing settlement edge. There are some allowances made for a certain level of development in the countryside under Policy 26 of the HDPF, for example if it supports rural enterprise, however this proposal does not meet any of the criteria stated and is therefore not compliant with Policy 26.

Also relevant to this application is Policy 1 of West Grinstead's Neighbourhood Plan (WGNP) which designates a Local Gap between the existing settlements of Partridge Green, Jolesfield, Littleworth and the land centred around Jolesfield Common to ensure the openness and rural character between these settlements is retained. The proposed development is located within this Local Gap and therefore would only be deemed acceptable under Policy 1 if it meets the following stated criteria:

- It does not result in an unacceptable reduction in the openness and break between settlements;
- It contributes to the conservation and enhancement of the landscape character; and
- It safeguards residential amenity of neighbouring properties.

With regard to the first point, the applicant has stated that the site does not contribute visually to the openness of the Local Gap when viewed from the roadside and surroundings due to it being well

contained by hedgerows and trees, as well as being adjacent to existing houses to the south. Whilst it is accepted that there is an existing line of vegetation along the western boundary as well as a dense tree belt to the east, views from the PRoW (ref. 1839) to the north and from Mill Lane to the south remain open. It is therefore considered that the addition of 9 dwellings in this location would result in a reduction in this openness, as well as a change in landscape character from inherently rural to more urbanised.

Furthermore, though it is acknowledged that built development exists to the south of the site, the proposed development does not follow the existing settlement pattern and instead proposes two cul-de-sacs set back at a greater distance from the road, with built development concentrated on the eastern side of the site. This layout would result in a greater portion of the Local Gap being impacted and increased visibility of the proposal, particularly when viewed from the south. It is therefore concluded that the proposal does not meet criterion 1 or 2 of WGNP Policy 1.

Considering the above, the proposal directly conflicts with the overarching hierarchy and locational strategy of the development plan and therefore a principle for development has failed to be established. Whether this conflict with Policies 2, 4 and 26 of the HDPF and Policy 1 of the WGNP is outweighed by other material considerations is discussed in the Planning Balance at the end of this report.

Housing Mix and Affordable Housing:

Policy 16 of the HDPF (2015) seeks to achieve a mix of housing sizes, types and tenures in order to meet the district's housing needs as identified in the Strategic Housing Market Assessment (SHMA) and create sustainable, balanced communities. The policy also sets out requirements for affordable housing, although it is recognised in the Shaping Development in Horsham District PAN that this is no longer in line with national policy. It has since been confirmed that developments of less than 10 dwellings are not required to provide affordable housing; therefore, this is not discussed further in this report.

When considering the housing need as set out in the Northern West Sussex Strategic Housing Market Assessment (2019), this proposal should aim to achieve the following mix as far as practicable:

- 1-bed (5%) = 0.45 dwellings
- 2-bed (30%) = 2.7 dwellings
- 3-bed (40%) = 3.6 dwellings
- 4+ bed (25) = 2.25 dwellings

The indicative housing mix proposed by the applicant comprises 7 x 3-bed dwellings and 2 x 4-bed dwellings, resulting in solely large family homes being provided. While it is recognised that the application is at outline stage and therefore the housing mix is not fixed, the applicant should demonstrate that they have tried to meet the required housing mix as closely as possible. It is therefore recommended that, should the application be permitted, further consideration of housing mix is made at reserved matters stage.

Indicative Layout

Matters relating to appearance, landscaping, layout and scale have been reserved for later consideration. However, the applicant has provided an indicative layout plan (drawing no. 2510LA_R5_002) which sets out how nine homes could be accommodated on the site. No parameter plans have been provided for consideration.

Policy 32 of the HDPF (2015) states that good design is a key element in sustainable development and seeks to ensure that development promotes a high standard of urban design, architecture and landscape. Policy 33 states that development proposals should make efficient use of land, integrate effectively with the character of the surrounding area, use high quality and appropriate materials, retain landscaping where feasible (mitigating loss where necessary) and ensure no conflict with the character of the surrounding town or landscape.

The submitted indicative layout proposes the creation of what would effectively be two separate cul-de-sacs set back from the B2135, with five dwellings to the north and four to the south of the site. As currently shown, there is no internal road or pathways linking the two which results in a fragmented design that could feel incoherent to residents. Whilst it is appreciated that this layout has been informed by the flood risk issues at the site, it is queried whether a more joined up development could be achieved.

Arboriculture:

Policy 33 of the HDPF (2015) sets a presumption in favour of the retention of existing landscape and natural features including trees, while Policy 26 sets the expectation that development is appropriate to its respective setting and maintains the pattern of woodlands, hedgerows and trees. An initial evaluation of the site has found no areas of ancient woodland in close proximity; no tree preservation orders and no ancient trees.

The applicant has submitted both a Tree Survey Schedule and a Tree Protection Plan, the latter of which shows that one semi-mature Goat Willow (Category C) is to be removed as part of the proposal. The Council's Arboricultural Officer has reviewed the proposal and advised that the indicative siting of the dwellings is acceptable from an arboricultural perspective however, further information in relation to underground services would be required to make an informed assessment. As the proposal is at outline stage, it is considered acceptable for this to be provided at reserved matters stage.

Heritage:

Policy 34 of the HDPF states that the Council will sustain and enhance its historic environment through positive management of development affecting heritage assets, stating that development will only be permitted if the proposal would preserve or enhance those heritage assets.

The site is in close proximity to Medway House, a Grade II listed building located on the opposite side of Church Road (B2135). The applicant has submitted a Heritage Statement on the recommendation of the Council's Conservation Officer, which evaluates the impact of the proposal on Medway House and sets out any mitigation measures required. This statement concludes that the proposal would lead to a minor level of harm to the significance of Medway House, which correlates to 'less than substantial' harm in NPPF terms.

The Council's Conservation Officer has reviewed the Heritage Statement and agrees with the conclusions drawn, however is reluctant to support the application. They have therefore recommended that Officers determine the application in line with paragraph 215 of the NPPF, which 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.

This will be considered as part of the planning balance within the conclusion section of this report.

Residential Amenity:

Policy 33(2) of the HDPF (2015) requires development to ensure that it is designed to avoid unacceptable harm to the amenity of occupiers/users of nearby property and land through loss of privacy, outlook, light, noise, or general disturbance. Similarly, Paragraph 198 of the NPPF requires development to be appropriate for its location and avoid impacts upon living conditions.

Neighbouring Amenity

The closest neighbouring dwelling (1 Jolesfield Cottages) is located immediately adjacent to the southern access point and is the first in a row of semi-detached dwellings heading towards Partridge Green. The proposed development indicatively consists of two areas of built development, with four dwellings proposed in the southern part of the site. The distance between the existing and proposed dwellings is such that there is unlikely to be a significant loss of outlook or light, and the orientation of the proposed dwellings is considered sufficient to prevent concerns around loss of privacy.

Amenity of Future Occupiers

The proposal as shown on drawing no. 2510LA_R5 accommodates nine dwellings across the site in two separate cul-de-sac areas. The siting and orientation of the dwellings is such that no concerns are raised around the amenity of future occupiers at this stage of planning with regard to loss of privacy, light and outlook and the relationship between the dwellings is considered to be typical of this type of development.

Construction Impacts

It is acknowledged that there may be temporary impacts relating to noise and/or general disturbance as a result of construction activity at the site. It is however considered that this can be appropriately managed via condition and will not lead to an unacceptable impact upon residential amenity.

Conclusion

Further information will be submitted at reserved matters stage (i.e. floor plans, elevations etc.) to enable a more complete assessment of residential amenity, however it is the opinion of Officers that there is sufficient space on site to accommodate the proposed number of dwellings without compromising the amenity of either existing neighbouring or future occupants. The proposal is therefore considered to conform with Policy 33 of the HDPF (2015).

Highways Impacts:

Policies 39 and 41 of the HDPF seek to ensure that both sufficient capacity in the existing infrastructure exists prior to the release of land for development and that adequate parking facilities are provided to meet the needs of anticipated users. In addition, paragraph 116 of the NPPF (2024) outlines how development that would result in an unacceptable impact upon highways safety should be refused. It is the intention of the applicant to utilise the two existing gated access points on the B2135 (Jolesfield) and is important to note that the speed limit changes midway between the two access points from 40mph to national speed limit (60mph).

WSCC Highways have been consulted on the proposal and advised that further information is required to ensure a robust assessment of highway safety matters. Though the applicant has provided visibility splays (drawing no. 2510LA_R5) for the access points, the Local Highways Authority (LHA) deem it necessary for 7-day automatic speed surveys to be carried out at both access points to inform these, as vehicles in this area will be accelerating and decelerating relative to the speed limit change. In addition, the LHA has raised concerns around how the proposed accesses will coexist with other uses (i.e. PRow, neighbouring access, allotment access) and suggested that a new singular access point would be preferable.

With regard to parking provision, the submitted Planning Statement confirms that two parking spaces would be provided per dwelling as well as an EV charging point and storage space for two bicycles. Going by the dwelling sizes specified on drawing no. 2510LA_R5_002 and the WSCC Parking Demand Calculator, this would be an undersupply of parking (18 spaces compared to the required 22), though it is noted that the same drawing shows space for three cars at 8 of the proposed dwellings. Should the application be permitted, it is recommended that further consideration is made of the required parking provision in line with the final housing mix at reserved matters stage.

Regarding other means of transport, the applicant has stated that the proposals' location means that a range of services are accessible by public transport, walking and cycling although it is highlighted by

the LHA that the existing PRoW (ref. 1839) may not be suitable for all residents as it is currently unsurfaced and unlit. In addition, they have flagged the need for a suitable crossing point with dropped kerbs and tactile paving on both sides of the B2135 near to the bus stop outside The Green Man public house, to ensure safe access. It is noted that there is a footway outside the site that leads south into Partridge Green and its various facilities. These are some 0.7 miles, a 16-minute walk according to Google maps, and not lit for the full length. This footpath will allow for walking and cycling to Partridge Green for part of the year.

Due to the existence of PRoW 1839 on site, WSCC PRoW team have been consulted on the application. Initially, further information was requested clarifying how the PRoW would be accommodated, protected and maintained both during and following the proposed development. The applicant provided additional information confirming that the footpath would be sensitively integrated into the layout and that access will be maintained at all times, unless a temporary diversion is applied for. WSCC PRoW have confirmed that they are satisfied with the information provided and have no objection at this stage.

To conclude, though it is acknowledged that some of the information requested by the LHA can be provided at Reserved Matters stage, insufficient information has been provided to ensure that the proposed access points would not lead to an unacceptable impact upon highways safety meaning the proposal is therefore not in line with paragraph 116 of the NPPF nor Policy 40 of the HDPF.

Ecology:

Policy 25 of the HDPF (2015) seeks to protect existing biodiversity and green infrastructure in the District by ensuring no net loss, while Policy 31 looks to encourage the provision and enhancement of new habitats as well as outlining requirements for areas of particular importance (SPAs, SACs, SSSIs etc.). This is in line with paragraphs 187-188 of the NPPF (2024).

An initial evaluation of the site shows that it is not statutorily designated, with the nearest designation being Chanctonbury Hill Site of Special Scientific Interest (SSSI) located approx. 8km to the southwest of the site. The site is also not located within the identified conservation area for any of the Sussex Bat Special Areas of Conservation, therefore no HRA screening assessment for these designations is required. The site is however located within the red impact risk zone for Great Crested Newt (GCN), where there is a high risk of GCN being present.

The applicant has submitted a Preliminary Ecological Appraisal (PEA- December 2025) based upon a site walkover undertaken in October 2025, which found an array of habitats on site. Biological records highlighted several protected species and features outside of the development footprint were identified to be suitable for roosting and foraging bats. As the identified features are to be retained, it was concluded that no further bat surveys were required. The PEA put forward several mitigation measures, including:

- Vegetation clearance to be undertaken outside of bird nesting season, unless preceded by an ecologist's check.
- Buffer zones of 10m to woodland and 5m to hedgerows and scrub.
- Lighting to comply with BCT (2023) guidance.

The Council's Ecological Consultant has reviewed the submitted information and requested that clarification be provided as to whether any hedgerow or scrub will be removed as part of the proposal and whether these have been assessed for the presence of Hazel Dormouse, a European Protected Species. The applicant responded confirming that a small area of mixed scrub is to be cleared but that a Method of Works would be prepared which they consider to be an appropriate response. This view was not shared by the Council's Ecological Consultant who advised in their second response that the outline details of the Method of Works should be provided prior to determination to ensure impacts upon protected species can be mitigated, and to rule out the requirement for a European Protected Species Mitigation Licence.

At the time of this second response, there remained outstanding reasons for refusal and therefore it was considered unnecessary to request that the applicant submit the required information. It is therefore concluded that the proposal is not compliant with Policies 25 or 31 of the HDPF, nor would it be in line with the requirements of The Conservation of Habitats and Species Regulations 2017 (as amended) or the NERC Act 2006.

GCN

Given the risk of impact from the development upon GCN, the applicant has applied for District Level Licence documentation to ensure impacts are satisfactorily mitigated. NatureSpace has been consulted on the proposal and confirmed that the documentation has been issued. Subject to the mandatory conditions and informative(s) being added to the decision, they are content that an impact can be ruled out.

Water Neutrality:

A 2021 Position Statement from Natural England identified that it could not be concluded with the required degree of certainty that new development in the Sussex North Water Supply Zone would not have an adverse effect on the integrity of the Arun Valley SAC, SPA and Ramsar sites. As a consequence, and to comply with the legal duties set out in the Conservation of Habitats and Species Regulations 2017 (known as the Habitat Regulations), all new development since has been required to demonstrate water neutrality.

On 31st October 2025 Natural England formally withdrew the 2021 Position Statement, citing a package of measures that they were satisfied would safeguard the Arun Valley sites. Principal amongst these measures is a reduction in the Southern Water abstraction licence 'by March 2026'. However, given the licence change has not yet taken place Horsham District Council, as competent authority under the Habitats Regulations, cannot yet be certain that new development will not result in adverse impacts on the Arun Valley sites.

To ensure development can come forward as water neutral in the meantime, the Council has agreed with Natural England to use the significant water savings made by Southern Water in 2024/25 through their programme of leakage reduction (amongst other measures). This has generated some 3,240,000 litres per day of water savings that can now be attributed to new development without increasing water abstraction in the Arun Valley beyond baseline. These savings were previously to be used to launch the Sussex North Water Certification Scheme (SNWCS), however following the withdrawal statement SNWCS will no longer be launching. Natural England standing advice dated 10 November 2025 raises no objection to using these savings to enable development to come forward. The standing advice clarifies that it functions as Natural England's formal response pursuant to Regulation 63(3) of the Conservation of Habitats and Species Regulations 2017 to all relevant planning applications which seek to achieve water neutrality using the above Southern Water savings.

Officers have undertaken an Appropriate Assessment which demonstrates that the anticipated increase in mains water consumption from this development, alongside all other development granted since the 31st October 2025, will not exceed 3,240,000 litres per day.

Accordingly, Officers consider that the proposed development will not have an Adverse Effect on the Integrity of the Arun Valley Site, either alone or in combination with other plan and projects, thereby complying with Regulations 63 and 70 of the Conservation of Habitats and Species Regulations 2017, HDPF Policy 31, and paragraph 193 of the NPPF.

Drainage and Flood Risk:

Policy 38 of the HDPF states that development should follow a sequential approach to flood risk management, giving priority to development with the lowest risk of flooding and making required development safe without increasing flooding elsewhere. Development proposed will: take a sequential approach to ensure most vulnerable uses are placed in the lowest risk areas; avoid the functional

floodplain except for water-compatible uses and essential infrastructure; only be acceptable in Flood Zone 2 and 3 following completion of a sequential test and exceptions test if necessary; and require a site-specific Flood Risk Assessment for all development over 1 hectare in Flood Zone 1 and all proposals in Flood Zone 2 and 3.

Paragraph 170 of the NPPF discourages inappropriate development in areas at risk of flooding by directing development away from the areas at highest risk. Paragraphs 173 and 174 of the NPPF state that a sequential risk-based approach should be taken to individual applications, with the aim of this being to steer new development to areas with the lowest risk of flooding, whilst Paragraph 173 states that a sequential risk-based approach should be taken to individual applications in areas known to be at risk now or in future from any form of flooding.

The majority of the application site lies within Flood Zone 1, which is land defined by the Planning Practice Guidance for the NPPF for Flood Risk and Coastal Change as having a low probability of flooding. However, the central part of the application site surrounding the pond is listed on maps held by the Environmental Agency as Flood Zone 2/3 and is also subject to medium and high-risk of surface water flooding. As such the development may be at direct risk of flooding and may increase the risk of flooding elsewhere.

The applicant has submitted a Flood Risk Assessment (January 2025) which highlights that the proposed residential dwellings and access points are located on land identified to be wholly within Flood Zone 1 and outside of the areas of surface water flood risk. As such, paragraph 175 of the NPPF applies, which states that the sequential test does not need to be used in situations where a site-specific flood risk assessment demonstrates that no built development within the site boundary would be located on an area at risk of flooding both now and in the future.

A Surface Water Drainage Strategy has been incorporated into the Flood Risk Assessment (January 2025) which proposes a drainage arrangement of swales, attenuation tanks and permeable paving to manage surface water flows at the site before they are discharged to the existing pond or ditch/watercourse within the site boundary. It is concluded in this strategy that sufficient treatment is provided to mitigate against potential surface water flood risk associated with new access roads, driveways and dwellings.

The Council's Drainage Officer has been consulted on the application and has not raised any concerns with regard to flood risk, though they have recommended that an indicative foul water drainage strategy be provided prior to the granting of Outline permission. This can be secured by condition, alongside a detailed surface water drainage strategy that reflects the final scheme layout.

Other Matters:

Climate Change:

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

- Dedicated refuse and recycling storage capacity
- Opportunities for biodiversity gain
- Cycle parking facilities
- 9 electric vehicle charging points

In addition to these measures, conditions are attached to secure the following:

- Water consumption limited to 110litres per person per day
- Requirement to provide full fibre broadband site connectivity
- Biodiversity mitigation and enhancement

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

Biodiversity Net Gain (BNG):

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 must not be begun unless a Biodiversity Gain Plan has been submitted to the planning authority and the planning authority has approved the Plan.

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 (on unregistered sites) and significant on-site enhancements will be secured over this period by way of a Legal Agreement.

The Applicant has submitted a Biodiversity Metric which demonstrates a 10.04 % net gain is achievable by way of significant onsite biodiversity gains. As the predicted gains are significant, a legal agreement will be required to secure the maintenance and monitoring of the biodiversity gains for the required 30 years. Given that there are outstanding reasons for refusal, a legal agreement **has not** been completed at this time.

Conclusions and Planning Balance:

It has been acknowledged elsewhere in this report that the proposal would lead to less than substantial harm to the Grade II listed Medway House and therefore the harm should be weighed against the public benefits of the proposal (NPPF paragraph 215). The proposal will provide 9 dwellings in an area that cannot currently demonstrate a full 5-year housing land supply, constituting a notable public benefit. Given the impact upon Medway House is deemed to be at the lowest end of the 'less than substantial' scale, it is considered that the public benefit of 9 additional homes (and associated economic benefits) outweighs the limited harm to the designated heritage asset.

As mentioned, the Council is unable to demonstrate a full 5-year housing land supply, and the NPPF Paragraph 11d presumption in favour of 'tilted balance' is therefore engaged. This balance requires permission to be granted, unless the 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. As heritage impacts and flood risks have been considered acceptable, there are no footnote 7 matters that otherwise provide a strong reason for refusal.

In addition, despite being less than five years old West Grinstead's Neighbourhood Plan does not contain allocations to meet the indicative housing requirement given by HDC (110 dwellings). Therefore, paragraph 14 of the NPPF is not relevant and the 'tilted balance' continues to apply.

Planning Balance

The application seeks the introduction of nine dwellings outside the defined built-up area boundary, on a site which has not been allocated for development within the adopted development plan, and without an essential need for a countryside location. The development is therefore contrary to Policies 2, 4 and 26 of the HDPF (2015) and deemed unacceptable when considered against the development plan. In addition, the proposal is located on a site which is part of the designated Local Gap outlined in West Grinstead's Neighbourhood Plan under Policy 1. This allocated Local Gap is in place to ensure the

openness and rural character between settlements is maintained and to prevent coalescence. Though the site is located adjacent to a row of residential houses and is enclosed by vegetation on two sides, views from the PRoW to the north and from Mill Lane to the south remain open and exhibit several key characteristics of the Landscape Character Area (J3 Cowfold and Shermanbury Farmlands). The development of 9 homes will lead to a reduction in this openness, particularly when looking north from the PRoW, and lead to the urbanisation of an inherently rural landscape.

Furthermore, the lack of an Outline Method of Works for mixed scrub removal means that an impact upon Hazel Dormice, a European Protected Species, cannot be ruled out. This lack of information means that the Council is unable to fulfil its statutory duties under s40 NERC Act 2006 (as amended) and The Conservation of Habitats and Species Regulations 2017 (as amended). In addition, there remains highway safety concerns relating to the proposed access that mean that the proposal does not conform with national policy (paragraph 116, NPPF). Collectively, these policy conflicts weigh very significantly against the proposals.

As the Council currently cannot demonstrate a five-year housing supply, the provision of nine additional dwellinghouses towards this supply shortfall as well as the associated socio-economic benefits is afforded significant weight in the overall planning balance.

Having regard to the above Policy conflicts, when considered against the requirements of the NPPF and the development plan, the harm afforded by the proposal's conflict with the HDPF spatial strategy and Policy 1 of the West Grinstead Neighbourhood Plan, the insufficient ecological information, and the identified highway safety concerns, significantly and demonstrably outweighs the benefits of nine dwellings. Accordingly, even when applying the tilted balance under paragraph 11(d), the proposal does not constitute sustainable development. The application is therefore refused.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

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.**

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

Recommendation: Application Refused

Reason(s) for Refusal:

1. The development would be located beyond a defined built-up area on a site not allocated within the Development Plan, would be located on land defined as a Local Gap within the West Grinstead Neighbourhood Plan, and would not be essential to this countryside location. The development would therefore be contrary to the overarching spatial strategy and hierarchy approach of concentrating development within defined settlements and advocating a planned approach to settlement expansion, contrary to policies 1, 2, 4 and 26 of the Horsham District Planning Framework (2015) and Policy 1 of West Grinstead Neighbourhood Plan (2021). Notwithstanding the absence of a five-year land housing supply, and the provisions of the National Planning Policy Framework (2024) at paragraph 11(d), it is not considered that there are any material considerations in this instance which would outweigh harm arising from conflict with Local and Neighbourhood Plan policies in these regards.
2. It has not been demonstrated to the satisfaction of the Council that the proposal would not impact upon Hazel Dormouse, a European Protected Species, and therefore the proposal would be contrary to Policies 25 and 31 of the Horsham District Planning Framework (2015) as well as The Conservation of Habitats and Species Regulations 2017 (as amended) and the NERC Act 2006.

3. It has not been demonstrated to the satisfaction of the Council that the proposed access arrangements would not lead to an unacceptable impact upon highways safety, therefore the proposal is not compliant with Policy 40 of the Horsham District Planning Framework 2015 nor in line with Paragraph 116 of the NPPF (2024).
4. No s106 legal agreement has been completed to secure and monitor the proposed significant onsite Biodiversity Net Gain. Absent of the completed s106 legal agreement it has not been demonstrated that Biodiversity Net Gain is capable of being achieved and secured for 30 years as required by schedule 7A (Biodiversity Gain in England) of the Town and Country Planning Act 1990.

NOTE TO APPLICANT

POSITIVE AND PROACTIVE STATEMENT

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

Plans list for: DC/26/0262

(The approved plans will form Condition 1 on the Decision Notice of all Permitted applications)

Schedule of plans/documents **not approved**:

Plan Type	Description	Drawing Number	Received Date
Supporting Statement	PLANNING STATEMENT	NONE	16.02.2026
Supporting Docs	BNG METRIC	NONE	16.02.2026
Location plan	EXISTING	2510LA_R5_000	16.02.2026
Block plan	EXISTING AND PROPOSED	2510LA_R5_001	16.02.2026
Block plan	PROPOSED	2510LA_R5_002	16.02.2026
Location plan	EXISTING	2510LA_R5_003	16.02.2026
Supporting Docs	LETTER FROM DAVID ARCHER ASSOCIATES	NONE	16.02.2026
Supporting Docs	TREE SURVEY SCHEDULE	NONE	16.02.2026
Supporting Docs		NONE	16.02.2026
Supporting Docs	BIODIVERSITY NET GAIN ASSESSMENT	NONE	16.02.2026
Plans	TREE PROTECTION PLAN	NONE	16.02.2026
Supporting Docs	FLOOD RISK ASSESSMENT AND SURFACE WATER DRAINAGE STRATEGY	NONE	16.02.2026
Supporting Statement	Ecology Supporting Letter	NONE	13.04.2026
Supporting Docs		NONE	13.04.2026

DELEGATED

Case Officer sign/initial Sophie Moore Date: 11/05/2026

Authorising Officer sign/initial Adrian Smith Date: 11/05/2026