



DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/20/1697

Land North of The Rosary, Church Road, Partridge Green, West Sussex, RH13 8JS,

DESCRIPTION:

Outline Application for the erection of 81 new dwellings and associated public open space, landscaping, vehicular access, drainage and highways infrastructure works with all matters reserved except access.

RELEVANT PLANNING HISTORY:

DC/14/0820	Outline development of a mix of 129 private and affordable housing units, with associated access, parking and additional landscaping on land to the west of Church Road	Application Refused on 17.06.2015
DC/16/2064	Development of 101 dwellings, with associated access, parking and landscaping (outline application with all matters reserved except access)	Application Withdrawn on 15.11.2016

SITE AND SURROUNDS

The 4.8Ha site is located to the north-west of Partridge Green to the west of Church Road, and to the north of The Rosary. The Downs Link (Bridleway 3566) marks the western boundary of the site, and Church Road (B2135) marks the eastern boundary. The small settlements of Jolesfield and Littleworth are located to the north and north-east of the site respectively.

The land rises towards the central eastern part of the site, and this point marks the 'brow' of the B2135. The land undulates downwards towards the north-western corner of the site, which marks the site's low point. Although noise from Church Road can be heard, and glimpses of sub-urban development to the south and east can be seen, the site is tranquil in nature and rural in character.

To the north of the site is an existing line of mature trees and dense vegetation, allowing some glimpses through to Jolesfield House which is located approximately 80m to the north. A sporadic line of mature oak trees (some protected by TPOs) run through the middle of the site in an east-west direction, marking a historic field boundary. Other mature trees are located along Church Road (the eastern boundary of the site) several of which are also protected by TPOs.

Occasional views into the site from the Downs Link can be seen through the existing boundary tree cover, and towards the north-west corner of the site the Downs Link rises above the site forming a bank down to the site itself. Glimpses of St Michael's Church can also be seen from parts of the Downs Link when looking east. Beyond Church Road to the east of the site is an existing development of residential houses (and St Michael's Church) which form part of the built-up area of Partridge Green. Similarly, houses to the south of the site in 'The Rosary' can be seen from parts of the southern portion of the site.

DETAILED DESCRIPTION

The application is proposed in Outline with all matters reserved except for the access arrangements from Church Road, which comprises a new priority T junction. The site is proposed for up to 81 residential units (including a mix of 1, 2, 3 and 4 bedroom private and 35% affordable houses), and is shown to include associated landscaping, public open space (totalling 2.6Ha), internal road networks

and paths, foul and surface water drainage (including attenuation pond and an underground pump station), and a Locally Equipped Area of Play (LEAP). The development has been screened by the Council as not EIA development.

RELEVANT PLANNING POLICIES

The National Planning Policy Framework (NPPF, 2019)

Horsham District Planning Framework (HDPF, 2015):

Policy 1 - Strategic Policy: Sustainable Development
Policy 2 - Strategic Policy: Strategic Development
Policy 3 - Strategic Policy: Development Hierarchy
Policy 4 - Strategic Policy: Settlement Expansion
Policy 15 - Strategic Policy: Housing Provision
Policy 16 - Strategic Policy: Meeting Local Housing Needs
Policy 24 - Strategic Policy: Environmental Protection
Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
Policy 26 - Strategic Policy: Countryside Protection
Policy 27 - Settlement Coalescence
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

Horsham District Planning Framework (2015) – Update on Status

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 (the HDPF), however at this stage the emerging policies carry only limited weight in decision making. As the HDPF is now over 5 years old, the relevant policies for the determination of this application must be considered as to whether they are 'out of date' (NPPF paragraph 11d). In this case, the relevant policies as set out above are considered to remain in accordance with national policy set out in the NPPF. The Council's annual target for housing delivery has now risen from the previous 800 dwellings per year set out in HDPF Policy 15 to 920 dwellings per year in accordance with the latest standard housing methodology calculator, however the Council's latest Authority Monitoring Report (2020) sets out that a 5 year housing land supply at 920 dwellings per year can be demonstrated. Accordingly, as the relevant policies are compliant with the NPPF, and a 5 year housing land supply can be demonstrated, paragraph 11 of the NPPF is not engaged in decision making.

West Sussex Joint Minerals Local Plan (2018)

Policy M9 - Safeguarding Minerals

Supplementary Planning Guidance:

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

Neighbourhood Plan:

An 8 week public consultation on the (Regulation 16) West Grinstead Neighbourhood Plan (WGNP) took place between July and September 2020. An independent Examiner was appointed by Horsham District Council to undertake the Examination of the WGNP. On 09 December 2020, the Examiner issued a report recommending that subject to a number of modifications, the plan meets the legal requirements and Basic Conditions. HDC are soon to publish a Decision Statement confirming that the Examiner's recommended modifications to the WGNP have been accepted, and that the plan (as

modified) should proceed to Referendum (anticipated to be in May 2021). In line with the Planning Practice Guidance (Paragraph: 107 Reference ID: 41-107-20200925) which was modified recently in light of implications caused by the COVID-19 pandemic, the publication of the Council's Decision Statement means that the West Grinstead Neighbourhood Plan is now considered to carry significant weight in the decision making process.

The application site subject to this assessment was originally sought by the Parish Council to be allocated within the Submission (Reg 16) version of the WGNP as a 'Local Gap' (LG3) in accordance with draft Policy 1, as set out below:

Draft Policy 1: Retention of Local Gaps

Development between the settlements of Partridge Green, Jolesfield and Littleworth and land centred around Jolesfield Common, as identified on the Policies Map, will be resisted unless it can be demonstrated that:

- 1. There is no significant reduction in the openness and break between settlements;*
- 2. Proposals contribute to the conservation and enhancement of the landscape character; and*
- 3. Proposals provide a landscape buffer to protect the residential amenities of neighbours.*

However, in his final report into the examination of the WGNP (issued 09 December 2020), the Examiner recommended in paragraph 7.69 that this Local Gap allocation (LG3) is to be deleted from the plan. The deletion of LG3 has been accepted by the Parish Council and Horsham District Council, and as such, the application site is not subject to any specific allocation or land designation within the WGNP or Horsham District Planning Framework.

Parish Design Statement:

The 'Partridge Green and Dial Post Design Statement' was published in 2001, and was adopted by the Council as Supplementary Planning Guidance (SPG).

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 Landscape Architect: No Objection

[Summary]: The proposals will result in some harm to the landscape character and visual amenity of the area. However, assessing the landscape characteristics, urbanising influences and the parameter plan/illustrative layout, it is considered that development would not result in an uncharacteristic change to the receiving landscape and the harm would not be considered significant.

- The site falls within the 'J3 Cowfold and Shermanbury Farmlands Area' of the Horsham District Landscape Character Assessment (2003), and within the 'Partridge Green PG4 Local Character Area' of the Horsham District Landscape Capacity Assessment (2020). This assessment specifically refers to the application site has having some capacity for development.
- Regarding coalescence between the site and Jolesfield - despite the inclusion of open space in the northern field the proposals would result in a reduction of openness, but not lead to coalescence due to existing development along Church Street to the east. Should development parcels be contained within the southern field, the harm to this spatial perception would be neutral or negligible. Although development is set back from the road and trees and hedgerow are to be retained/enhanced, the development would still be visible and perception of activity noted, therefore the green approach to the village would be urbanised. Lighting must therefore, be kept to a minimum. Some harm to the landscape character and spatial perception will have to be considered within the overall planning judgement.
- The site can be seen along the Downs Link (set at a higher level). The receptors of this route are of high sensitivity due to recreational activity. The proposals will result in adverse harm to these

receptors, however as the proposal is set back with open space along the western boundary there is scope for mitigating planting to soften the proposals. Given the receptors using this route are aware of the proximity of Partridge Green, this transient experience will not be completely uncharacteristic but is nonetheless extending urbanising features into the countryside.

- The green corridor that divides the site (east-west) as shown in the parameter plan has been enhanced to show a continuous avenue of trees. The pedestrian link at the south-eastern corner of the site would benefit the wider community, however design of this path should be better considered. The viewpoint towards the church from the Downs Link should be marked on the parameter plan. Further enhancements to the planting along the western boundary would also be expected.

HDC Arboricultural Officer: No Objection

[Summary]: Protected Oak tree (T10) fell in a storm in October 2019 and is not required to be re-planted, therefore no objection is raised to the proposed access point. No other tree concerns are raised (verbal comments received from the Tree Section, 17/11/20).

HDC Conservation Officer: No Objection

[Summary]: I am satisfied the submitted Heritage Impact Assessment can be considered reliable. I accept that the impact on the three listed buildings will be neutral. I would consider Jolesfield House as a non-designated asset if it retains much of its early nineteenth century fabric and appearance. I am satisfied the impact of the proposed development of the site will not result in harm but this is contingent on the site layout respecting the setting of Jolesfield House as a small country house. I also agree that any opportunity to direct distance views of St Michael's should be taken.

HDC Drainage Engineer: No Objection

[Summary]: No objection. Standard conditions suggested include (1) Drainage Strategy, and (2) SuDS Verification Report.

HDC Environmental Health: No Objection (subject to conditions)

[Summary of Initial Comments]: No AQ Assessment submitted. Further details of the proposed pumping station are required to assess the noise impact upon nearby dwellings. Conditions suggested including: (1) Contaminated Land; (2) Construction Management Plan; (3) Acoustic Impact Assessment (from pumping station).

[Summary of Final Comments]: Conclusions within the AQ Assessment are agreed with. An air quality mitigation plan should be secured by condition, accompanied by a s106 agreement to secure the financial contribution of £11,194. The noise impacts of the proposed air source heat pumps must be considered. The applicant should avoid duplicating mitigation normally secured through other regimes.

HDC Housing: No Objection

[Summary]: The applicant has proposed 29 affordable units which makes the application compliant with the HDPF. Housing Officers would urge the applicant to reach an agreement with a provider as soon as possible, in order to clarify and confirm the tenure split. Housing Officers support the application.

OUTSIDE AGENCIES

Ecology Consultant: No Objection (subject to conditions)

[Summary]: The submitted ecology information has been reviewed and includes enough information available for the application to be determined. The mitigation measures specified should be secured and implemented in full. A construction plan for biodiversity should be secured, including details of any lighting needed during construction. The proposed measures to secure net gains for biodiversity are supported, and these should be outlined in a Biodiversity Enhancement Strategy to be secured prior to slab level construction. A Wildlife Sensitive Lighting Design Strategy should also be secured. In summary, no objection is raised, subject to these conditions being secured.

Archaeology Consultant: No Objection (subject to condition)

[Summary]: The development site lies within a sensitive area of archaeological potential. A Geophysical and Walkover Survey and Desk-Based Assessment have been carried out. The Walkover Survey identified a number of features not recorded in the Geophysical Survey, including possible field boundaries, and positive/negative earthworks. A condition is recommended for a programme of archaeological works to be secured in a Written Scheme of Investigation (WSI).

WSCC Highways: No Objection

[Summary of Initial Comments]: There are no in principle objections to the proposed development, however a Stage One Road Safety Audit is required to be submitted and all matters resolved. Specific comments include:

- Access – the proposed junction onto the B2135 is appropriate;
- Speed limits at the site frontage have already been reduced from 40mph to 30mph.
- Stopping sight distances (based on 85th percentile speeds) are recorded at 38.1mph northbound, and 34.8mph southbound. As the recorded speeds are below 40mph, Manual for Streets Guidance has been applied to determine the stopping sight distances. The access has been sited so as to achieve the required stopping sight distances. Adequate visibility can also be achieved for pedestrians crossing. Overall, the proposed access satisfies the guidance within Manual for Streets.
- Sustainable Access – Services available in Partridge Green are within reasonable walking and cycling distance, and there is appropriate infrastructure in place for these modes. A bus service is also available. It is accepted that the majority of trips outside the village will rely on the private car (as is the case for existing residents), but alternative travel options are available.
- Travel Plan - The measures are largely based on informing residents of travel options, but achieving the target based on this approach alone may not be possible. There are other elements of the Travel Plan that do not accord with the WSCC draft Travel Plan, therefore it is recommended that a revised Travel Plan is conditioned.
- Traffic Impact – Trip generation has been estimated using TRICS database (an accepted approach in forecasting traffic increases). The site is anticipated to generate 65 two-way vehicle trips in the AM peak hour (8-9am), and 52 two-way vehicle trips in the PM peak hour (5-6pm). This increase is not considered to result in traffic impact that could be considered severe.
- Layout/Parking – the layout plan submitted is only indicative as this will be a matter reserved for subsequent approval.

[Summary of Final Comments]: A Stage One Road Safety Audit has now been submitted, and raises no safety problems. A condition requiring the revision and re-submission of the Travel Plan is recommended, as well as other conditions relating to the access, visibility splays, and construction management. In summary, WSCC Highways are satisfied that the proposed development would not create any unacceptable safety problems or any other issue that could be considered severe, and highway objection is raised.

WSCC Flood Risk Management: No Objection

[Summary]: The proposal for sustainable drainage techniques (permeable paving, swales and attenuation basis) would be used to control the surface water run-off, and is accepted. Details for the management and maintenance of the SuDS features should be submitted for approval.

WSCC Public Rights of Way: No Objection (s106 Contribution Required)

[Summary]: To encourage sustainable travel, the proposed link from south-west of the development to the Downs Link need to accommodate cyclists (so must be 3m wide, all-weather surface etc). Several PROW routes are omitted from the submitted Travel Plan (Fig 3.1) and Transport Assessment (Fig 3.1), and the map in section 2.8 is incorrect. S106 contribution to be sought for improvements to PROW 1840 located beyond the red line of the site. Works specification to be agreed with WSCC and secured in s106 agreement.

WSCC Minerals: No Objection

[Summary]: The proposal is within the Weald Clay Mineral Safeguarding Area. The applicant has not provided an assessment of this, however, the relative abundance of this resource is acknowledged,

and its safeguarding is a low priority. In accordance with criteria (iii) of Policy M9, it will be for the LPA to establish whether the need for the development outweighs the safeguarding of the mineral.

WSCC Fire and Rescue: No Objection (subject to condition)

[Summary]: To ensure that all dwellings on the proposed site are within 150 metres of a fire hydrant for the supply of water for firefighting, additional fire hydrant(s) are needed on this site. Condition suggested to that effect.

Southern Water: No Objection

[Summary]: Southern Water can facilitate four sewerage and surface water run-off connected to the proposal. A formal application for connect will be required. Any SuDS facilities not adopted by Southern Water will require long-term management agreements to be in place. No habitable rooms shall be located within 15m of the wastewater pumping station due to noise and vibration.

West Grinstead Parish Council: Objection

[Summary]: Strong opposition on the following grounds:

1. Site is outside built-up area boundary, contrary to HDPF Policy 3.
2. Not an allocated site, contrary to HDPF Policy 4.
3. Disagree that Partridge Green is a 'large village' (as proposed in the Council's Reg-18 draft Local Plan). The PC's representations on the Reg-18 plan are relevant here.
4. The West Grinstead Neighbourhood Plan is at Reg-16 stage, and will not go to referendum until at least May 2021 (due to COVID), however, the draft policies carry some weight.
5. A 'Local Gap' allocation is proposed to preserve identities of Partridge Green and Jolesfield.
6. The proposed site access onto Church Road remains a major concern. Average speeds along this road are above the 30mph limit, with very high max speeds.
7. Crossing Church Road to use PROW1840 to the local school would be dangerous.
8. Few improvements offered to local footpath networks.
9. Bus links to the village and beyond are poor, big reliance on cars. Traffic on High Street will increase.
10. Limited capacity on the village's two GP surgeries.

Representations:

22 letters of objection were received from 19 different households. A summarised list of reasons for objection is below:

- Loss of settlement gap between Jolesfield and Partridge Green;
- Overdevelopment;
- Impact on local infrastructure and resources;
- Loss of green fields and trees;
- Impact on wildlife/habitats/ecology;
- Poor access design (visibility etc);
- Unsafe increase in traffic volumes;
- No job opportunities;
- Located outside built-up area, and unallocated for development;
- Impact on character of the Downs Link;
- Contrary to planning policy;
- Flooding/surface water concerns.

2 letters of support were received, citing benefits of the proposal including: provision of affordable housing, additional public amenities, and improved access to Downs Link.

4 letters (from 3 different households) neither object to or supporting the scheme were also received.

HUMAN RIGHTS

Article 8 (right to respect of a private and family life) and Article 1 of The First Protocol (protection of property) of the Human Rights Act 1998 are relevant to the application. Consideration of human rights is an integral part of the planning assessment set out below.

PLANNING ASSESSMENT

Background

Prior to this proposal, major-scale residential development on this site has been proposed twice before. Application DC/14/0820 (the '2014' scheme) proposed Outline development of 129 dwellings, and was refused by the Council in June 2015 for the following reasons (summarised):

1. Failure to demonstrate that the proposed quantum of development can be satisfactorily accommodated on the site;
2. Failure to demonstrate that appropriate visibility can be achieved between the site and the B2135 Church Road for either vehicles or pedestrians;
3. Failure to demonstrate that the development will not cause harm to protected and other trees or the erosion of hedgerows;
4. Absence of a Legal Agreement to secure the required quantum of affordable housing and other planning obligations.

Application DC/16/2064 (the '2016' scheme) proposed Outline development for 101 dwellings. This application was withdrawn by the applicant in November 2016, so was not determined by the Council.

The current application proposes a reduced quantum of housing than previously proposed (81 dwellings), as well as a reduction in size of the 'developable area' within the application site. As such, a key consideration in the determination of this application is whether the changes have overcome the previous reasons for refusal as set out in the 2014 scheme, as well as whether any other circumstances about the site, or planning policy have changed since the 2014 application was assessed. The assessment that follows (and the conclusions reached) are based on the merits of the development proposed, its accordance with the adopted Local Plan (the Horsham District Planning Framework), and other relevant material considerations which include national planning policy (NPPF), the West Grinstead Neighbourhood Plan (WGNP), and the Council's previous assessment of the 2014 scheme.

Principle of Development:

The site is located outside any of the District's defined built up area boundaries (BUAB's), and does not form part of Horsham's adopted development plan (comprising the Horsham District Planning Framework (HDPF) or a 'Made' Neighbourhood Development Plan), nor an adopted Site Allocations DPD. As a result, residential development here would conflict with the requirements of Policies 1 and 2 of the HDPF as well as with Policy 4 'Settlement Expansion', and as such, is not considered to be acceptable. In addition, the development would conflict with the countryside protection policy of the HDPF (Policy 26) owing to its siting outside the BUAB and as the proposed residential development is not considered to be essential to this countryside location.

Whilst the West Grinstead Neighbourhood Plan (WGNP) is not yet formally 'Made', having passed independent Examination with all recommended modifications accepted by the PC and by HDC; the WGNP is considered to hold significant weight in the decision making process. The WGNP (as modified) identifies a need to plan for around 110 dwellings in the Parish, however, the policies within the plan do not include any specific residential site allocations. The application site is not therefore allocated for development in either the WGNP or the adopted HDPF, and is not therefore acceptable in principle.

Policy 15 of the HDPF sets a housing target of at least 16,000 homes to be delivered over a twenty year plan period, running to 2031. This equates to an average of 800 dwellings per annum. The HDPF was found sound by the Planning Inspectorate in November 2015, and provides for a sufficient housing land supply of deliverable sites across a large proportion of the plan period, including a buffer of over 5%. As of 28th November 2020, the HDPF became 5 years old, therefore the Council's annual target for housing delivery has risen from 800 dwellings per year (as set out in Policy 15) to 920 dwellings per year in accordance with the Government's latest standard housing methodology calculator. Based on this, it is the Council's current position that it can demonstrate a five-year housing land supply of 108%

against the Government's requirement of 920 dwellings per annum (the standard methodology). The calculation and breakdown of this is outlined in the Council's most recent Authority Monitoring Report (AMR) 2019/20, published in December 2020. It is noted that the applicant does not challenge the Council's current five-year housing supply position, but considers in paragraphs 7.16 and 7.17 of the Planning Statement that should the Government decide to adopt the major changes to the standard methodology (as proposed in the White Paper consultation in Autumn 2020), then the Council will fail to meet its needs.

Whilst a recently calculated 5-year housing land supply of 108% can be demonstrated; work to progress a revised local plan (the Local Plan Review) continues, and a 'Regulation 19' draft Local Plan is due to be published for full public consultation in the Spring of 2021. The Local Plan Review will seek to address a projected shortfall in housing supply in the latter part of the HDPF plan period (as identified by the Local Plan Inspector appointed to examine the HDPF in 2015), as well as proposing suitable sites for the District's projected housing needs up to 2036. The Reg 19 draft Local Plan will include proposed site allocations across the District, which will be selected based on their sustainability credentials and the local housing needs of the Parish they are located within. The Reg 19 plan will be subject to public consultation prior to its submission to the Government for Examination, therefore the draft policies and land allocations included will only carry limited weight.

As background to the forthcoming Reg 19 draft Local Plan; in early 2020 the Council published a 'Regulation 18' consultation paper on the Local Plan Review. Within this document, it was identified that Partridge Green (as a 'small town/large village') has potential to deliver around 200 dwellings (in addition to any identified in a Neighbourhood Plan) in order to meet local and District-wide housing needs. The site subject to this application (site reference SA320 'Land West of Church Road') was included in a shortlist of sites with potential for allocation. It should be noted however, that the high-level assessment of sites in the SHELAA is simply to inform future site allocation options for the Council's new Local Plan, and the mention of Land West of Church Road in the Reg 18 paper does not carry any weight in terms of planning decision-making.

As such (and notwithstanding the Council's active work to progress a Local Plan Review), the proposed residential development of the site subject to this application is currently contrary to local and national planning policy, and is not acceptable at this time.

Paragraph 11 of the NPPF (2019) states that '*plans and decisions should apply a presumption in favour of sustainable development*', which for decision-taking means; '*approving development proposals that accord with an up-to-date development plan without delay*'. In determining what is meant by an 'up-to-date development plan', footnote 7 clarifies that out-of-date development plan policies include situations where the LPA cannot demonstrate a five-year supply of deliverable housing sites (with appropriate buffer), or where the Housing Delivery test is failed. In accordance with the data presented in the 2019/20 AMR, the Council can demonstrate a healthy five-year housing land supply of 108%. It is therefore considered that relevant policies for the supply of housing remain up-to-date, and the provision of NPPF Paragraph 11(d) do not apply.

Paragraph 12 of the 2019 NPPF also states that '*the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making*'. In relation to this, the Planning Inspectorate's June 2017 decision of an appeal submitted at Chanctonbury Nurseries in Ashington (APP/Z3825/W/16/3151508) is relevant. Despite acknowledgement of the merits of the proposed residential development scheme, the Inspector dismissed the appeal due to the conflict with the development plan strategy - namely that the site was not allocated in the development plan. Notwithstanding any merits or material benefits that would come with the proposed development at the application site, paragraph 12 of the NPPF and the above mentioned appeal decision at Chanctonbury Nurseries makes it quite clear that where a Council has an up-to-date development plan in place (as Horsham does), the presumption in favour of sustainable development does not override the strategy outlined in the development plan.

Paragraph 47 of the 2019 NPPF goes on to states that '*...applications for planning permission [should] be determined in accordance with the development plan, unless material considerations indicate otherwise*'. The HDPF has thoroughly assessed housing need within the Horsham District, and seeks to direct development to the most suitable sites to accommodate that need within the plan period.

Seeking to manage development and growth in this way is one of the fundamental principles of planning and the plan-led system, and is what the NPPF requires all Local Planning Authorities to do. The Council can confidently demonstrate a 5-year housing land supply of 108% against a recently raised target of 920 dwellings per annum, and are actively undertaking a review of the adopted plan to address needs to 2036. It is considered therefore that in terms of identified housing need, supply and delivery; there are currently no material considerations of such significant weight that would warrant a departure from the adopted development plan. The proposed residential development at Land North of The Rosary, insofar as the site is not within a defined settlement boundary and is not allocated within the Council's up-to-date development plan or the forthcoming West Grinstead Neighbourhood Plan; is contrary to the plan-led approach required by planning law, and as endorsed within policies contained within the NPPF and HDPF.

Summary

To conclude, the Council continues to be able to demonstrate a healthy five-year housing land supply (currently 108%) against the Government's standard methodology, and therefore, the adopted development plan and the overall strategy for growth across the District can be afforded full weight. Unplanned and ad-hoc major development, such as this proposal for up to 81 dwellings, places a strain on the District's key infrastructure (including road networks, healthcare and education), and can have a detrimental impact on the character of a settlement and the overall sense of place. As a result, planning for growth through suitable site allocations and accompanying policies in up-to-date Local Plans is vital to ensure settlements grow appropriately to meet current and future needs.

The adopted development strategy outlined in the HDPF currently provides for sufficient housing development across the District through site allocations and opportunity to develop smaller settlements through the Neighbourhood Planning process. In accordance with national planning policy set out in the 2019 NPPF; the HDPF resists the principle of residential developments in locations outside of the defined settlement boundaries and within the countryside. For the reasons outlined above, the principle of providing housing at this site which is located outside the defined built-up area boundary of Partridge Green and within the countryside, and where the land has not been allocated for development within a Local or Neighbourhood Plan, is unacceptable. The principle of the proposed development is therefore contrary to Policies 1, 2, 3, 4 and 26 of the Horsham District Planning Framework, and paragraphs 2, 11, 12 and 47 of the NPPF which requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise.

Notwithstanding the Council's view with regard to the unacceptable principle of the proposed development on this site, the following sections provide assessment of the more detailed site considerations.

Settlement Coalescence:

Policy 27 of the HDPF highlights the Council's aspiration to retain the District's existing network of rural settlements, all of which collectively contribute to the special character of the District. The Council recognises the importance of retaining the separate identities of rural settlements, and to maintain the sense of leaving one place and arriving in another. Policy 27 therefore seeks to protect landscapes from development which would result in the undesirable coalescence of settlements. Development is resisted by Policy 27 unless it can be demonstrated that there is no significant reduction in the openness and break between settlements. Despite adjoining the Partridge Green village boundary to its south and east, the application site is located outside the defined built-up area boundary of Partridge Green. A small cluster of housing and a pub - known as 'Jolesfield' - is located to the north of the application site, and a larger hamlet of housing and allotments further to the north-east of the site is known as 'Littleworth'. These clusters together have been recognised as having their own established communities, and have therefore been proposed in the Council's Regulation 18 draft Local Plan papers (Feb 2020) to be designated as a 'Secondary Settlement' - to be known collectively as Littleworth.

It is acknowledged by the Council therefore, that these separate settlements exist in their own rights, and have different characteristics to the larger village character of Partridge Green. The consideration with regard to this assessment, is whether the development of the application site for housing would result in unacceptable settlement coalescence between Partridge Green and Littleworth/Jolesfield that would reduce the openness between them, resulting in a threat to their separate identities and characters, contrary to Policy 27.

In the report into the West Grinstead Neighbourhood Plan (December 2020), the Independent Examiner considered the Parish Council's reasoning for including a land allocation for two 'Local Gaps' (LG1 and LG3). Allocation 'LG3' was proposed on the parcel of land subject to the application site, in order to prevent settlement coalescence between Partridge Green and Jolesfield. In paragraph 7.66 of his report, the Examiner notes that sites LG1 and LG3 are '*specific and discreet parcels of land on the edge of Partridge Green*' and was of the view that any potential development on proposed local gap sites LG1 and LG3 '*would not undermine the wider policy objective of preventing the coalescence of Partridge Green and Littleworth*'. Taking his assessment into account, the Examiner concluded that the Local Gap allocations on sites LG1 and LG3 (the application site) should be deleted from the plan.

The Council's Senior Landscape Architect has reviewed the proposal in light of its potential impact on settlement coalescence between Partridge Green and Jolesfield to the north. The Landscape Architect has concluded that given the existing landscape separation between the application site and Jolesfield, in addition to the proposed development strategy which includes an area of open space in the northern field; the development as proposed (whilst acknowledging that there will be a reduction in spatial openness), will not lead to coalescence. The Landscape Architect notes that the existing presence of development along the eastern side of Church Road (opposite the application site) is important, as this establishes the existing experience of entering the settlement of Partridge Green.

In summary, taking the views of the Neighbourhood Plan Examiner and the Council's Senior Landscape Architect into consideration, it is the view of Officers that whilst the proposed development will inevitably result in a new urbanising influence along Church Road, the development as proposed has been designed to respect the existing openness between the site and Jolesfield to the north, as well as retaining and enhancing much of the existing vegetation within the site – particularly along the northern boundary. The presence of housing along the eastern side of Church Road already has an urbanising influence along this road corridor (which differs from the more rural character of Jolesfield), and when travelling south along the B2135 this strongly leads to the sense that one has left Jolesfield, and entered the larger settlement of Partridge Green. As such, it is not considered that the proposal will cause an unacceptably significant reduction in the existing openness between the Partridge Green and Jolesfield, and the urbanising influence that is likely to result can be appropriately managed at detailed design stage. The proposal therefore, is not considered to result in unacceptable settlement coalescence, and is not contrary to Policy 27 of the HDPF.

Landscape Impact:

The site is located outside of, but adjacent to the settlement boundary of Partridge Green. As such, in planning terms, the site is located within the designated countryside, where the provisions of HDPF Policy 26 apply. The site is not allocated for development on a district-wide or local level, and (as has already been established) by virtue of the countryside location of the site and the non-essential need for housing in such a location, the proposal is contrary to policy 26, and not considered to be acceptable in principle.

Existing Site Characteristics

The site comprises of two undulating grassed fields which appear to be unused. The site has a sense of enclosure due to the existing boundary vegetation which includes strong tree lined hedgerows and woodland shaws on the eastern and northern boundaries, and several mature Oak trees on the eastern boundary which are protected by TPO's. The historic east-west boundary that runs through the centre of the site (separating the northern and southern fields) is fragmented, with some remnants of mature hedgerows and several mature Oak trees (several of which are also protected by TPO's). The site is undulating, with a high point in the centre/east of this site, and a low point in the north-western corner, where a stream is present. The Downs Link marks the eastern boundary, and is partly raised on an embankment above the site allowing some views into the site, and across to St Michael's Church to the east.

The site is predominantly rural in character albeit subject to some urban influence from properties visible along the southern boundary and partially seen through the trees on the eastern side of Church Road. There is some noise intrusion within the site from nearby roads. The northern parcel is more closely associated with the rural countryside, and positively contributes to the settlement setting of Partridge Green and Jolesfield.

Landscape Character and Capacity Assessment

The site falls within the 'J3 Cowfold and Shermanbury Farmlands Area' of the Horsham District Landscape Character Assessment (2003). This wider character area largely reflects the characteristics of the application site, and is described as: gently undulating with low ridges and valleys, small scale pasture fields, larger scale arable fields, scattered woodlands, hedgerows/shaws creating enclosure and restrict views, some open areas where hedgerows have been lost. Despite localised visual intrusion from pylons and some urban development on the A283, the wider area generally has an undeveloped rural character. A key issue that has been identified in this character area is the visual intrusion from development at Partridge Green, with the overall landscape condition described as 'declining'. Sensitivity to change for this character area is assessed as 'moderate'.

The Council's Landscape Capacity Assessment was updated recently (2020), and shows the application site as included within the 'Partridge Green PG4 Local Character Area'. PG4 covers a wider study area within the western surrounding fields of Partridge Green, and concludes overall that this area has Low-Moderate capacity for small-scale housing development (i.e. no more than 60 dwellings), and No-Low capacity for medium-scale housing development (i.e. 60-250 dwellings). The assessment of area PG4 specifically notes that development on the fields to the west of the Downs Link would be more visually sensitive and would create an incursion into the countryside; however the application site (between Church Road and the Downs Link) is specifically referred to as having some capacity for development, provided that care is taken to retain the separate identity of Jolesfield.

Assessment of Impact

The Council's Senior Landscape Architect has reviewed the proposal in detail and has provided their specialist view on the level of impact it is likely to have on the landscape. As already noted in the 'Settlement Coalescence' section of this report, the Landscape Architect has acknowledged that the proposal would have an urbanising influence on the green approach to Partridge Green; and although it would reduce the spatial openness between the site and Jolesfield to the north, it would not result in unacceptable coalescence between these two settlements. Whilst the submitted site plan and land use parameter plan are only shown indicatively at this Outline stage, the proposal shows that the development parcels would be set back to some degree from the eastern (Church Road) boundary, with the retention of most existing trees and hedgerows. The urbanising influence of the development when viewed from Church Road would still be notable, but the setting-back and retention/enhancement of tree screening along this boundary will help to minimise this impact.

The Landscape Architect also notes that the site can be seen from certain points along the Downs Link to the west, particularly as it sits at a higher level than the application site in some parts. The users (receptors) of this route are considered to be of high sensitivity, and development of the site without considered design is likely to result in adverse harm to these receptors. The Landscape Architect is of the view that given the development parcels are shown to be well set-back from the western boundary, this provides opportunity for appropriate planting to be included which would enable the softening (albeit not full screening) of the scheme from the sensitive western (Downs Link) viewpoint. The Landscape Architect acknowledges that the development of this site would extend urbanising features into the countryside; but notes that given the users of the Downs Link are inherently aware of the proximity of Partridge Green, this transient experience will not be completely uncharacteristic or unexpected.

The enhanced central belt of trees running east-west within the site helps to restore the historic field boundary, and therefore helps to maintain the special landscape character of the site, which is welcomed. If the application were to be considered acceptable at Outline stage, the Landscape Architect has noted several key aspects that should be considered further at detailed design stage. These include the pedestrian/cycle link at the south of the site linking Church Road to the Downs Link, more robust planting along the southern and western boundaries, and retention of key views towards St Michael's Church from the Downs Link.

Summary

The Council's Senior Landscape Architect concludes that by virtue of its urbanising influence, the proposal as presented is likely to result in some harm to the landscape character and visual amenity of the area when compared to the existing undeveloped character. Despite this, the relatively enclosed

and well screened nature of the site, coupled with existing residential development to its immediate south and east, is also acknowledged, and has led to the conclusion within the Council's recent Landscape Capacity Assessment (2020) that the site has some capacity for development. The Landscape Architect is of the view therefore, that the development as shown on the illustrative layout would not result in an uncharacteristic change to the receiving landscape, and the harm would not be considered significant. Notwithstanding this, the harm to the landscape character that has been identified remains a factor in the overall decision making process, and this must be considered as part of the overall planning balance.

Highways Impact:

The application is supported by a Transport Assessment (with detailed drawings contained within) and a Travel Plan. The subsequent submission of a Stage One Road Safety Audit (RSA) addressed the issue raised in WSCC's initial objection. Pre-application discussions took place between the applicant and WSCC prior to the submission of the application.

A detailed assessment of the highways considerations is set out below; but in summary, subject to conditions (including the re-submission of a Travel Plan), the Highway Authority is satisfied that the proposal would not result in any severe highway impact in terms of capacity, and would not result in highway safety concerns. The Highways Authority do not identified any issues with the proposed access to the site or visibility splays, and do not therefore object to the application. As such, it is considered that the access arrangements and impact on the surrounding highway network are in accordance with Policy 40 of the HDPF and paragraph 109 of the NPPF, and are acceptable.

Access

Vehicular access to the site is proposed to be via a new priority junction onto the B2135 (Church Road). It is acknowledged that many of the objections received in connection to the proposal cited highway safety concerns with the proposed access and its positioning close to the brow of the road. Having assessed the proposal in detail, and in light of the scale of the development proposed, WSCC are of the view that this form of access is appropriate and raise no objection to it. Since the submission of the 2014 and 2016 applications, the speed limit along the site frontage has been reduced from 40mph to 30mph. The recorded stopping sight distances (85th percentiles) and visibility splays on the approach to the new junction have been used to inform the access design. The speeds were recorded prior to the COVID-19 pandemic, therefore are considered to represent average speeds in the locale. The recorded speeds averaged at less than 40mph in both northbound and southbound directions, therefore this in combination with the residential context of this part of the B2135, led to the use of guidance contained within Manual for Streets (MfS) to be applied to the access design, an approach which is accepted by WSCC. Whilst the site of the access is constrained by the horizontal and vertical alignments of the B2135 in this location (i.e. the brow of the hill), WSCC has confirmed that the access has been designed to achieve the required stopping sight distances as set out in MfS Guidance.

Separate pedestrian access points are proposed towards the north and south of the site, and WSCC have confirmed that adequate visibility can also be achieved for pedestrians crossing the B2135 based on the recorded traffic speeds. Overall, the proposed vehicular and pedestrian access points satisfy the guidance within Manual for Streets, and in light of no problems raised in the submitted Stage One RSA, WSCC raises no objection to the proposed site access.

Trip Generation and Highway Capacity

Trip generation has been estimated using TRICS database (which WSCC accepts as a standard approach in forecasting traffic increases). The development of up to 81 units on this site is anticipated to generate 65 two-way vehicle trips in the AM peak hour (8-9am), and 52 two-way vehicle trips in the PM peak hour (5-6pm). WSCC has confirmed that this projected increase would not significantly increase traffic flows across the local highway network, and would not result in traffic impacts that could be considered severe (paragraph 109 of the NPPF).

Access by Sustainable Modes

The TA identifies a number of local services within Partridge Green that could be used by residents on a daily basis (including shops, doctors, post office, village hall, school/nursery, church, pub, bus stops etc). These services are considered to be within a reasonable walking or cycling distance from the application site, and there is acceptable existing infrastructure to accommodate an increase in

walking/cycling trips generated by the development. Whilst there is a reasonable range of services available in the village, it is acknowledged that these would not satisfy all needs of future residents – especially employment needs. For trips beyond the village there are three existing bus routes that run between the village and Horsham, Burgess Hill and Brighton. The site is therefore considered to be in a reasonably sustainable location, which would enable a reduced reliance on the private car to some degree. It is accepted however, that the majority of trips outside the village would probably rely on the private car (as is the case for existing residents), but the TA shows that reasonable alternative travel options are available.

A Travel Plan has been submitted in support of the application. The measures contained within it are largely based on informing new residents of alternative (non-car) travel options, but WSCC are of the view that achieving the identified travel targets based on this approach alone may not be possible. Given that there are other elements of the submitted Travel Plan that do not accord with the WSCC Travel Plan guidance (including monitoring), it is recommended that if the application were to be considered for approval, a revised Travel Plan should be submitted.

Road Layout, Parking and Pedestrian Linkages

Given the application is proposed in Outline, it is acknowledged that the internal road layout is only shown indicatively, with the intention that the formal layout would be reserved for future approval. WSCC have made no specific comment on the proposed internal layout, but note that it would need to take account of appropriate design guidance available at the time. Officers are of the initial view that based on the indicative site plan, the internal road layout does not pose any major concerns. Section 4.3 of the Transport Assessment discusses parking provision, and references the 2019 WSCC Parking Guidance. The parking demand generated by the WSCC Calculator suggests that 181 spaces are required for this 81-unit development (taking into account the proposed mix, and an allocation for visitor parking). The TA suggests that the site proposes 180 car parking spaces which largely meets the demand generated by the calculator.

In addition to the main vehicular access into the site at the new priority junction, two additional pedestrian access points are proposed from Church Road into the site. Within the site, a network of paths are shown, including a link directly to the Downs Link bridleway (ROW 3566) which marks the western boundary of the site. This network of pedestrian links within the site are welcomed, and are considered to benefit both new and existing residents nearby. If the application were considered to be acceptable, it would be expected at Reserved Matters stage for these links to be shown in detail, and for the main link between Church Road to the Downs Link at the south of the site to be designed and surfaced appropriately in order to accommodate a likely increase in cyclists and pedestrians.

It has been noted by the Public Rights of Way officer at WSCC that as a result of the development, the use of PROW 1840 (located outside the site boundary, to the north-east) is likely to increase, largely because it provides a direct access to the local Primary School which would be used by residents of the development. The PROW Officer has therefore requested for a contribution to be made by the developer for improvement works to a 160m section of this route. In the event of an approval, this would need to be secured within a legal agreement, and given no such agreement has yet been drafted there is no guarantee at present that the developer will agree to these works, or that the works can be secured.

Affordable Housing and Housing Mix:

Policy 16 of the HDPF requires that residential development should provide a mix of housing sizes, types and tenures to meet the needs of the District's communities as evidenced in the latest Strategic Housing Market Assessment (SHMA). Policy 16 requires that on sites providing 15 or more dwellings, or on sites over 0.5 ha, the Council will require 35% of dwellings to be affordable with a tenure split of 70% affordable rented and 30% intermediate tenure.

The application proposes 29 of the 81 units to be made available for affordable housing which (at 35%) is policy compliant, and therefore acceptable. Chapter 8 of the submitted Planning Statement shows an indicative breakdown of the mix of dwelling tenure proposed (market / affordable). With the exception of an absence of any 1-bed market homes, the proposed indicative mix and tenure split appears to be largely in line with the Council's latest Strategic Housing Market Assessment (SHMA, 2019). The precise tenure split of affordable units (rent / shared ownership) is unknown at this stage, and no

details have been provided with regard to an agreement with a local Registered Provider. In the event that the application was acceptable, given it is proposed in Outline form, these details could reasonably be secured at Reserved Matters stage.

Despite this, whilst the applicant has proposed an appropriate level of affordable housing; no legal agreement has yet been entered into to secure the required 35% affordable units, therefore at present it cannot be demonstrated that this obligation can be fulfilled. As such, and until such time as an appropriate agreement is in place, the proposal is contrary to Policy 16 of the Horsham District Planning Framework (2015).

Layout:

The detailed layout of the site is a matter that would be reserved for subsequent approval should the application be successful at Outline stage, therefore it is not for consideration now. However, Officers are of the view that the proposal for up to 81 units on this site (as shown on the indicative site plan and parameter plans) including appropriate densities, orientations, amenity space, parking, landscape buffers, open space, internal linkages, and water attenuation - can be satisfactorily accommodated on the site without causing unacceptable harm to the wider landscape character or local amenity. In addition, the illustrative layout maintains a sufficient separation to the north and a set-back position from the eastern boundary, which works to preserve the individual character of the settlements of Jolesfield and Partridge Green, thereby preventing any perceived or actual settlement coalescence. Overall, for these reasons, the indicative layout of the site is considered to be acceptable for the purpose of this Outline proposal.

Heritage and Archaeology:

The Council recognises that the historic environment is an irreplaceable resource which should be conserved for its own sake for the benefit of future generations. Section 66 of the Town and Country (Listed Buildings and Conservation Areas) Act 1990 provides a statutory requirement for decision makers to have special regard to the desirability of preserving a listed building or its setting. Chapter 16 of the National Planning Policy Framework (NPPF) follows this statutory provision and seeks to positively manage changes to the historic environment to ensure sufficient flexibility whilst conserving the important and irreplaceable nature of the designated asset. Chapter 16 requires decision-makers to consider whether a development proposal would lead to 'substantial' or 'less than substantial' harm to a designated heritage asset, and if so, describes how decisions should be steered in order to preserve the asset whilst allowing some flexibility for change, where appropriate.

Heritage Assets

There are three Grade 2 listed buildings located within 250m of the application site ('Little Hatch' located around 220m to the south; 'Eastcot' located around 250m to the north; and 'Joles Farmhouse' located around 240m to the north-east). In support of the application, a Heritage Impact Assessment has been submitted. This has been reviewed by the Council's Senior Conservation Officer, who notes that whilst these three listed buildings are located within reasonable proximity to the application site, none are readily visible from the site, and as such, is of the view that any impact on the three closest listed buildings would be neutral.

A residential dwelling known as 'Jolesfield House' (located to the direct north of the application site) is not listed as a heritage asset, but having studied the historic maps of the application site and its surrounds, it is the view of the Conservation Officer that this dwelling could be considered a non-designated heritage asset if it retains much of its early nineteenth century fabric and appearance. Notwithstanding the absence of a formal designation of this building as a non-designated heritage asset, the Conservation Officer is satisfied the impact of the proposed development to the south as shown on the indicative site plan, will not result in harm to the building or its setting. If the Outline application was to be considered acceptable, upon submission of a detailed site layout at Reserved Matters stage the site layout must continue to respect the setting of Jolesfield House as a small country house, in order for the Conservation Officer to maintain support the proposal.

Archaeology

As the development site lies within a sensitive area of archaeological potential, a Geophysical and Walkover Survey and Desk-Based Assessment have been submitted to support the application. The Walkover Survey identified a number a features not recorded in the Geophysical Survey, including

possible field boundaries, and positive/negative earthworks. As such, the Council's consultant Archaeologist has recommended that if the application is approved, a condition is imposed to secure a programme of archaeological works in accordance with a Written Scheme of Investigation (WSI).

Amenity Impact:

It is acknowledged that some objections received in relation to this proposal cited concerns about the impact of the development on the privacy and general amenity of existing residents. The proposed development is located to the north of existing properties in The Rosary, opposite properties to the east of Church Road, to the south of Jolesfield House, and to the west of the Downs Link long distance walking and cycling route. Given the application is made in Outline, and does not seek approval for the precise layout, design and scale of the development; it is not possible at this stage to make a sound judgement on the acceptability of the specific amenity impact on existing neighbouring residents or users of the Downs Link. Notwithstanding this, the submitted (albeit indicative) site plan shows that the development parcels are set back from the eastern boundary of the site (Church Road) with the retention of all existing mature trees. This will help to obscure the development when viewed from Church Road, and will help to protect the amenity and privacy of neighbours in houses opposite. The set back of the development from the southern boundary is less pronounced, and the boundary screening here (as well as along the western boundary) appears to be less dense. Despite this, the illustrative layout allows sufficient space for additional planting to be included in these locations, and it is considered that detailed design at Reserved Matters stage is the appropriate place for this to be addressed to ensure that neighbouring amenity is protected. As such, it is not considered that a reason for refusal on the basis of unknown amenity impact can be justified at Outline application stage.

Due to ground levels, it is acknowledged that a foul water pumping station is proposed to be located within the site, fairly close to proposed dwellings in the northern half. It is understood that the pumping station would be set underground, with perimeter fencing surrounding it. A 15m separation distance has been shown between the pump station and the nearest residential dwelling, which is welcomed. Detailed layout and design at Reserved Matters stage will determine whether the proximity of the pumping station to residential dwellings is acceptable in terms of visual appearance, noise and odour. In addition, as recommended by the Council's Environmental Health Officer, if the application was to be approved, an assessment of the acoustic impact arising from the operation of both the pumping station and the proposed air source heat pumps, should be secured by condition. The Locally Equipped Play Area is shown to be located over 60m from the nearest dwelling which will help to reduce noise and disturbances within the site, and is considered to be acceptable.

As with all major developments, it is acknowledged that the construction phase of the development has the potential to impact existing neighbours (and users of the Downs Link) through noise, lighting and air quality effects. It is considered that, should the application be approved, potential impacts to the amenity of neighbours that might arise during the construction phase could be controlled by suitable conditions including requiring the submission and approval of a construction mitigation plan; restrictions on site floodlighting and working times on site.

Drainage and Flooding:

The application site falls within Flood Zone 1 as defined in the Environment Agency flood maps. This means the site has a '*less than 1 in 1,000 annual probability of river or sea flooding*'. However, due to naturally falling land levels and the presence of a culverted stream in the north-west corner of the site, it is recognised that this area may be prone to flooding. Consequently, a Flood Risk Assessment has been submitted in support of the application. The FRA notes that the proposed development will increase the impermeable area on site, resulting in an increase in surface water if left unmanaged. It is proposed that surface water within the development will be attenuated and discharged into the existing watercourse at a restricted rate. Attenuation is proposed to include an attenuation basin, swales and areas of permeable paving; and will be designed to store the volume of water associated with a 1 in 100 year rainfall event (plus an increase to account for climate change). The SuDS features have been located within the site to take account of the natural topography (i.e. the location of the attenuation basin in the northwest corner), and has been designed to provide for associated recreational, amenity and biodiversity benefits.

The Council's Drainage Engineer has reviewed the submitted FRA and (subject to conditions) has not raised an objection to the drainage strategy proposed. Similarly, the details have been reviewed by the

Local Lead Flood Authority at WSCC, and no objection has been raised. As such, if the application were to be considered acceptable at Outline stage, it is considered reasonable that the submission of a detailed drainage strategy and SuDS verification report could be secured by condition.

Ecology:

In support of the application a Preliminary Ecology Appraisal (PEA), Protected Species Report, Landscape and Biodiversity Management Strategy Report, and an Updated Ecological Walkover Report have been submitted. The submitted ecology information has been reviewed by the Council's consultant Ecologist, who has confirmed that enough information is available for the application to be determined.

The mitigation measures specified in the ecology reports include: replacement hedgerow planting, protection of retained trees and hedgerow, creation of hedgerow 'hop-overs', sensitive lighting strategy, no external night-time working between April-October, any site clearance to be overseen by a licenced Great Crested Newt Ecologist, clearance timings to avoid impact on breeding birds, and provision of gaps under any new fencing (for hedgehog movement).

Other ecological enhancements within the site are proposed in order to provide a net-gain in biodiversity, these include: 10x bee bricks in building fabric, 4x insect hotels, a number of bat boxes within buildings or on trees, 10x bird boxes of varying sizes, hedgehog friendly fencing, and native species planting within wetlands and landscaped areas.

The Ecologist recommends that the above mentioned mitigation measures and ecological enhancements should be secured and implemented in full (to be secured by condition of an approval). A construction plan for biodiversity should also be secured, including details of any lighting needed during construction. The proposed measures to secure net gains for biodiversity (as listed above) are supported by the Council's Ecologist, and these should be outlined in a Biodiversity Enhancement Strategy to be secured prior to slab level construction. A Wildlife Sensitive Lighting Design Strategy should also be secured. In summary, no objection is raised, subject to these conditions being secured; which in the view of Officers, would be reasonable.

Other Matters:

Trees:

The application site is bounded on all sides by existing mature trees. Several Oak trees along the eastern boundary (Church Road) are protected by Tree Preservation Orders (TPOs), some confirmed in 1987 and some in 2014. A number of mature Oak trees are also present within the centre of the site, which is likely to have been a former field boundary. Several of these are also protected under TPO. The development proposal largely respects the presence of these individual trees, and does not propose that any tree of significant amenity, historic or ecological value (including any protected trees) are to be removed. The partial removal of two groups of trees (30m stretch of G1, and 32m stretch of G5) is however proposed in order to facilitate the access to the development from Church Road (to accommodate the bell-mouth and required visibility splays).

It is noted that a previously protected Oak tree (T10) (TPO/0582) fell in a storm in October 2019 and is not required by the Order or within statute to be re-planted. The location of this fallen tree is where the site access is proposed. The Council's Senior Arboricultural Officer has reviewed the proposed plans (including the Arboricultural Implications Report, Tree Survey, and Tree Protection Plan) and has raised no objection to the proposals on the grounds of tree impact.

Contaminated Land:

In support of the application, a Phase 1 Desk Study and Site Reconnaissance Report (by LEAP Environmental) has been submitted. The report identifies some potential sources of contamination associated with the site's historic use including contamination from agricultural activities, rubbish/bonfires at the southern end of the site, and potential contamination from the historic railway embankment along the western boundary. The report notes that the site is not affected by radon gas. The main contaminants of concern include PAH and asbestos derived from the rubbish at the south of the site, and potentially pesticides and heavy metals from fertiliser. The report concludes that it is

unlikely that significant or widespread contamination will be present, but that some localised areas of contamination may be possible.

The Council's Environmental Health Officer has reviewed the LEAP report and is of the view that a ground investigation, including chemical testing of soils, will need to be undertaken to confirm ground conditions on the site and fully quantify the risks from contamination to future site users. Accordingly, conditions have been recommended by the EHO, which (if the application was to be recommended for approval) Officers agree would be reasonable and necessary.

Minerals Safeguarding:

The proposal is within the Weald Clay Mineral Safeguarding Area (as defined in the WSCC Joint Minerals Local Plan (JMLP), 2018). The applicant has not provided an assessment of how the residential development of the site would impact access to this identified safeguarded resource. Despite this, given the limited extractable size of the site, its locality on the edge of the built-up-area, and the relative abundance of the safeguarded brick clay resource throughout the county; the safeguarding of the resource in this particular instance is considered a low priority. Notwithstanding this, Policy M9 (iii) of the West Sussex Joint Minerals Local Plan requires that for non-mineral development (such as residential development), the decision-maker must determine whether the overriding need for the development outweighs the safeguarding of the mineral. In addition, the applicant must demonstrate that prior extraction is not practicable or environmentally feasible.

Whilst the Council can demonstrate a 5-year supply of housing land, and therefore do not consider that there is an overriding need for the proposed residential development in this location; given the 'low priority' that is attributed to the necessity to safeguard brick clay resources on this site, it is considered on balance that it would be unreasonable to prevent development in this location for the purpose of safeguarding an abundant resource with a low priority to safeguard. As such, it is not considered that the sterilisation of minerals can be justified as a reason for refusal in this instance.

Air Quality:

The application site is not located within or close to any of the District's defined Air Quality Management Areas (AQMAs). However, in support of the application, and as required by the Council for any development classed as 'major', an Air Quality Assessment has been submitted. The assessment notes that the development will generate additional traffic on the local road network, but concludes that that future residents of the proposed development will experience acceptable air quality, with the effects judged to be 'not significant'. As is required for all major developments, the air quality damage costs resulting from the development have been calculated, and requires a damage cost of £11,194. Appropriate mitigation will be required to offset these costs in accordance with Sussex Air Quality Partnership's '*Air quality and emissions mitigation guidance for Sussex*' (2020). The Council's Air Quality Officer has reviewed the Air Quality Assessment and has confirmed that the conclusions (including the damage cost calculation of £11,194) are agreed with.

If the development on this site was to be considered acceptable in principle, appropriate (and costed) air quality mitigation measures would be required to be included within the development - the details of which would be secured by condition. Provided these measures are implemented, it is considered that the development would accord with the requirements of Policy 24 of the HDPF, and Paragraphs 170, 180 and 181 of the NPPF.

Climate change:

Policies 35, 36 and 37 of the HDPF 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.

Submitted in support of the application is an Energy and Water Statement (by Daedalus Environmental Ltd). Whilst the application is only submitted in Outline, several measures are proposed within the Energy Statement for this development, which seek to build resilience to climate change and reduce carbon emissions, including:

- Orientate dwellings to maximise solar gain;
- Energy efficient building envelopes (including thermal glazing, air tight building fabric);
- Use of energy efficient fixtures and fittings (including A+/A++ rated appliances, LED lighting);
- External street lighting/bollards to be LED lighting;
- Installation of Air Source Heat Pumps (Mitsubishi Ecodan) to all properties for heating and hot water;
- Installation of Waste Water Heat Recovery units where feasible;
- Water saving - low/dual flush WCs, low capacity baths, taps with low/aerated flows;
- Provision of rain water butts;
- Integration of SUDS and green infrastructure to manage flood risk;
- EV charging points on at least 50% of units (and ducting on remaining for future connection);
- Cycle storage for every property;
- Implementation of Travel Plan recommendations;
- Minimising construction waste (use local suppliers where possible, re-use of materials);
- Homes to be M4(2) compliant (to facilitate future adaptation); and
- Enhancements to biodiversity.

Officers welcome the proposed measures, and if the application were to be recommended for approval, the inclusion of these measures within the final details of the scheme would be secured by condition in order to suitably reduce the impact of the development on climate change in accordance with local and national policy.

Conclusion and Planning Balance:

Despite a reduction in the number of proposed dwellings compared to the previously refused proposal on this site (the 2014 scheme), a development of up to 81 residential units on this unallocated countryside site is contrary to the spatial strategy for growth set out in the HDPF (particularly Policies 1, 2, 3, 4 and 26) and therefore objectionable in principle. Whilst a policy compliant level of affordable housing of 35% is proposed, the absence of a legal agreement to secure this renders the proposal contrary to HDPF Policy 16. Furthermore, the absence of a s106 legal agreement means the require improvement works to PROW 1840 also cannot be secured.

The planning statement submitted in support of this application accepts that the principle of development is not in accordance with the Development Plan strategy, but sets out the applicant's view that material considerations exist (including the inability of the Council to demonstrate a sufficient 5-year housing land supply going forward) to justify a departure from the plan and to allow the development. However, as set out in this report, the Council are able to demonstrate a 5-year housing land supply of 108% (as reported in the 2020 AMR), and as such, the applicant's argument that the policies contained within the HDPF are out-of-date hold no weight. In accordance with paragraph's 2, 11, 12 and 47 of the NPPF, the proposal is in conflict with the strategy and policies contained within an up-to-date development plan, and at this time, there are no material considerations of such significant weight that would overcome this conflict.

In addition to the conflict with the Council's overarching development strategy (and notwithstanding the already established conflict with Policy 26 – Countryside Protection), some site-specific landscape harm has also been identified. This harm has however been assessed by the Council as 'not significant', and given the illustrative site plan shows an acceptable development layout which helps to mitigate against the harm, it is not considered on balance that landscape harm in its own right warrants a reason to refuse the application.

Overall, given the Council's sufficient 5-year housing land supply position, it is considered that the harm identified (namely the conflict with the adopted spatial strategy) outweighs the benefit of housing provision in this location. Whilst it is considered that other elements of the proposal are acceptable (including the overall quantum of development, the indicative site layout and the impact on highways, ecology and landscape); the proposal cannot be accepted as a departure from the development plan. The proposal therefore is considered to be contrary to Policies 1, 2, 3, 4, 16, and 26 of the Horsham District Planning Framework (November 2015) and is recommended for refusal.

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

Reasons for Refusal:

- 1 The proposed development would be located in the countryside, outside of a defined built-up area boundary, and on a site that is not allocated for development within the Horsham District Planning Framework, or a made Neighbourhood Plan. The Council is currently able to demonstrate a 5-year housing land supply, and consequently the proposed development would be contrary to the Council's overarching strategy for development. Furthermore, the proposed development is not essential to its countryside location. The proposed development is therefore contrary to Policies 1, 2, 4, 15 and 26 of the Horsham District Planning Framework (2015), and paragraphs 2, 11, 12, and 47 of the National Planning Policy Framework (2019).
- 2 The proposed development has not been accompanied by a completed s106 Legal Agreement, thereby does not secure the 35% of units required to be provided as affordable housing units, nor an agreement for improvement works to PROW 1840. The proposal is therefore contrary to Policy 16 and Policy 40 of the Horsham District Planning Framework (2015) as it has not been demonstrated how the affordable housing needs of the District would be met, nor how the development can be appropriately integrated with the wider network of routes.

NOTE TO APPLICANT

The reason for refusal (no.2) in respect of affordable housing provision and PROW improvement works could be addressed by the completion of a Legal Agreement. If the Applicant is minded to appeal the refusal of this application, they are advised to liaise with the Local Planning Authority prior to the submission of an appeal with a view to finalising an acceptable agreement.

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/20/1697

(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
Location & Site plan		10 REV D	07.09.2020
Site plan	Site Layout Plan	29644A_100ZA	09.02.2021
Site plan	Red Line Boundary	29644A_101B	07.09.2020

