



# **PLANNING COMMITTEE REPORT**

**TO:** Planning Committee South

**BY:** Head of Development and Building Control

**DATE:** 15<sup>th</sup> November 2022

**DEVELOPMENT:** Demolition of 2No. residential dwellings and all ancillary structures.  
Construction of 14No. 2 bedroom apartments with secure and covered cycle storage, car parking provision and refuse enclosure.

**SITE:** 141 Shooting Field Steyning West Sussex BN44 3SW

**WARD:** Steyning and Ashurst

**APPLICATION:** DC/21/2394

**APPLICANT:** **Name:** Mr Joe Lean **Address:** 141 Shooting Field Steyning West Sussex BN44 3SW

**REASON FOR INCLUSION ON THE AGENDA:** To enable further consideration subsequent to the resolution of Planning Committee (South) on 21.06.2022 to defer determination.

**RECOMMENDATION:** To approve full planning permission subject to appropriate conditions and the completion of a Section 106 Legal Agreement. In the event that the legal agreement is not completed within three months of the decision of this Committee, the Director of Place be authorised to refuse permission on the grounds of failure to secure the obligations necessary to make the development acceptable in planning terms.

## **1. THE PURPOSE OF THIS REPORT**

To consider the planning application.

### **APPLICATION SITE AND DESCRIPTION:**

- 1.1 This application concerns the existing dwellings of No.141 and 143 Shooting Field and the respective residential curtilage of both dwellings. The application site is located within the defined built-up area of Steyning, towards the northern extent of Shooting Field within an area predominantly characterised by mid/late 20<sup>th</sup> century residential development.
- 1.2 Full planning permission is sought for the demolition of Nos 141/143, and the erection of a single building comprising of 14x flats. A full site and application description is contained within the previous Planning Committee Report included as Appendix A to this report.

### **APPLICATION HISTORY**

- 1.3 This application was previously heard at Planning Committee (South) on 21.06.2022, where Planning Committee resolved to defer determination to enable further consideration in relation to water-neutrality, to enable the applicant to explore opportunities to provide additional on-site parking and to consider disabled-access to the proposed building.
- 1.4 The formal resolution of Planning Committee on 21.06.2022 was to:- *"Defer to allow for further consideration of a revised water-neutrality strategy and associated effects upon Arun Valley habitat sites, to explore opportunities to provide up to 14x parking spaces on-site and to explore opportunities to improve accessibility of the proposed development to disabled users within the proposed ground floor layout."*
- 1.5 Subsequent to the previous resolution, amended plans have been received seeking to demonstrate that all proposed units and communal spaces are fully accessible to disabled occupiers in accordance with the Housing Quality Indicator (HQI) system, and that the number of on-site parking spaces has been increased to 12, representing an uplift in 2x spaces relative to the proposal as previously considered by Planning Committee.
- 1.6 Several revisions to the water-neutrality statement/strategy have been made subsequent to that previously presented to Planning Committee, with the current water-neutrality statement being version 7 of this document. This document has been reviewed by Officers and has been made subject of a formal Habitats Regulations Assessment, included as Appendix B to this report.

## **2. INTRODUCTION**

### STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

### RELEVANT PLANNING POLICIES

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

#### **National Planning Policy Framework**

#### **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 7 - Strategic Policy: Economic Growth
- Policy 9 - Employment Development
- Policy 10 - Rural Economic Development
- Policy 11 - Tourism and Cultural Facilities
- Policy 12 - Strategic Policy: Vitality and Viability of Existing Retail Centres
- Policy 13 - Town Centre Uses
- Policy 14 - Shop Fronts and Advertisements
- Policy 15 - Strategic Policy: Housing Provision
- Policy 16 - Strategic Policy: Meeting Local Housing Needs
- Policy 17 - Exceptions Housing Schemes
- Policy 18 - Retirement Housing and Specialist Care
- Policy 19 - Park Homes and Residential Caravan Sites
- Policy 20 - Rural Workers Accommodation
- Policy 21 - Strategic Policy: Gypsy and Traveller Sites Allocations
- Policy 22 - Gypsy and Traveller Sites
- Policy 23 - Strategic Policy: Gypsy and Traveller Accommodation
- 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 28 - Replacement Dwellings and House Extensions in the Countryside  
Policy 29 - Equestrian Development  
Policy 30 - Protected Landscapes  
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  
Policy 42 - Strategic Policy: Inclusive Communities  
Policy 41 - Community Facilities, Leisure and Recreation

### **Steyping Neighbourhood Plan (2022)**

Subsequent to the previous report to Planning Committee the Steyping Neighbourhood Plan has now been formally adopted such as to attract full material weight within this determination.

The following policies of the Neighbourhood Plan are of relevant to this application:-

SNDP 1 – Green Infrastructure and Biodiversity  
SNDP 2 – Responsible Environmental Design  
SNDP 3 – Contribution to Character

### **3. OUTCOME OF CONSULTATIONS**

- 3.1 Where consultation responses have been summarised, it should be noted that Officers have had consideration of the full comments received, which are available to view on the public file at [www.horsham.gov.uk](http://www.horsham.gov.uk).
- 3.2 It should be noted that only comments received subsequent to the previous referral to planning committee have been summarised within this section.
- 3.3 **West Sussex County Council Highways** – Further Information Requested

Updated response 02.09.2022 - subsequent to the receipt of amended plans showing a revised parking arrangement the LHA reiterated its request for a Road Safety Audit in recognition of the scale of the proposed development. The LHA noted the addition of two parking spaces, one of which would remove the walkway which previously granted residents a designated path to the parking area and the use of an existing crossover as a parking space. The later of these arrangements was noted to not necessitate works on highway land, as a pre-existing arrangement.

- 3.4 **Natural England:** No objection.

### **PUBLIC CONSULTATIONS**

- 3.5 Letters of representation were received from 38 registered addresses in conjunction with the proposal. Of the letters received 25 sought to support the proposed development and

16 sought to object to the proposed development. It is noted that 4 letters of representation were received from addresses registered beyond the administrative area of the District.

3.6 The main material grounds for support subsequent to the previous referral to Planning Committee can be summarised as:-

- Additional parking and bike parking provision.

3.7 The main material grounds for objection received subsequent to the previous referral to Planning Committee can be summarised as:-

- Revisions would still appear to contravene requirements of Regulation 63 to the Conservation of Habitats and Species Regulations (2017);
- The two additional spaces are unlikely to make much of a difference, with no enough parking spaces on the roads for the amount of potential cars;
- The access to the flats should cause difficulties as a result of the road being a dead-end and with ambulances needing clear access.

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

4.1 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 this application, Consideration of Human rights forms part of the planning assessment below.

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

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

#### **6. PLANNING ASSESSMENTS**

6.1 This report, and recommendation, to Planning Committee is made subsequent to the previous resolution to defer determination to allow for additional consideration of the matters referenced at paragraphs 1.3 and 1.4 of this report.

6.2 The focus of this report shall be upon the amendments made to the proposal subsequent to the previous resolution to defer, and in relation to the matters of parking, disabled access and water-neutrality forming the primary matters discussed during the preceding Committee meeting and integral to the resolution to defer. For the purposes of brevity this report will not restate assessments previously made within the original officer's report which are unaffected by the amendments/further information received, and therefore, should be read in conjunction with the report included at Appendix A.

##### **Future Amenity and Accessibility Standards:**

6.3 Policy 32 of the Horsham District Planning Framework (HDPF) (2015) seeks to ensure that development affords future occupiers with a high standard of amenity, as a result of high-quality inclusive, accessible and adaptable design. This policy aligns with paragraph 179(f) to the NPPF, which seeks to promote safe, inclusive and accessible developments which promote health, well-being and a high standard of amenity for existing and future users.

6.3 The Development Plan does not set a delivery objective for accessible/adaptable homes as a percentage of overall market-dwellings, neither requires adherence to any of the optional technical standards for accessibility/adaptability defined at Part M4 to the Building Regulations (The Building Regulations 2010 – Access to and use of buildings. Approved Document Part M -

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_d](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_d)

[ata/file/540330/BR\\_PDF\\_AD\\_M1\\_2015\\_with\\_2016\\_amendments\\_V3.pdf](#)) as referenced at footnote 49 to the NPPF (which relates to NPPF paragraph 179(f)).

- 6.4 Whilst it is considered that adherence to the optional requirements defined at Part M4 to the Building Regulations could not be required, in the absence of an appropriate planning policy trigger, it is noted that the amended floorplans do suggest general adherence to the standards set within at Section 2, Category 2 for accessible and adaptable dwellings. Communal corridors are shown at 1.3m in width, with sufficient spaces (in excess of 1.5x1.5m) forward of elevator landings (which serve each floor). External accesses are shown to be level, not requiring an external ramp/staircase, and provide an external landing in excess of 1.2m. Doorways throughout the development are shown at ~86cm in width, and with sufficient circulation space shown within private bedrooms, bathrooms and kitchens to satisfy the 'Category 2' standard.
- 6.5 The proposed internal layout would not appear to satisfy the more stringent 'Category 3' standards for fully wheelchair user dwellings, though, it is considered that non-adherence to such standards would attract adverse weight in the absence of a relevant policy requirement for this optional requirement. Conversely, it is considered that the generous size of units described on the submitted floorplans together with the internal dimensions indicated sufficiently describes a high-quality and adaptable environment capable of meeting the needs of aging occupiers in accordance with the requirements of HDPF policy 32 and NPPF paragraph 172(f).

#### **Parking Provision:-**

- 6.6 Policy 41 of the HDPF provides that development should provide adequate parking facilities to meet the needs of anticipated users, including appropriate provision to support electric vehicles and to meet the needs of cyclists and motorcyclists.
- 6.7 Previous to initial consideration by Planning Committee the proposed development would have provided 10x parking spaces to serve the needs of future occupiers. The proposal has been amended to provide 12x total spaces, with one additional parking space being provided rear of the proposed building and one parking space retained off Shooting Field which currently serves No.143 Shooting Field.
- 6.8 Local Highways Authority (LHA) guidance sets an expectation for 14x parking spaces to service the needs of occupiers (11.34x spaces) and visitors (2.8x spaces) in relation to a development of this scale and location. The previous resolution of Planning Committee was to defer to enable further consideration in relation to parking provision and to explore opportunities for 14x spaces to be delivered on-site.
- 6.9 The current proposal would not deliver a sufficient number of spaces to satisfy LHA guidance, though, to a lesser degree than the initial proposal previously considered by Planning Committee. The proposed provision, however, is sufficient to meet the anticipated demand for future occupiers in accordance with the LHA calculator (11.34x spaces) with residual underprovision largely considered to be a result of the underprovision of visitor spaces (2.8x spaces).
- 6.10 The possibility of additional provision within the site (beyond 12x spaces) has been discussed with the applicants, though, it is understood that the necessity to provide sufficient turning space to the rear of the proposed building realistically constrains the maximum number of spaces to 10x in this position. Sufficient land is available along the frontage of Shooting Field and/or Toomey Road does exist to provide additional off-street parking capacity, however, except where spaces 11 and 12 are currently located, would necessitate the formation of additional accesses over the maintained highway verge and would diminish the availability of land for landscaping purposes.

- 6.11 Whilst a detailed landscape strategy has yet to be prepared, the indicative visuals suggest new-tree planting along the frontage of the site to Shooting Field and Toomey Road, which would represent a noticeable enhancement to the quality of the street-scene and is capable of being secured by way of appropriately worded condition. The availability of open-space in these locations, therefore, is important to the character benefits which could be derived from the proposal in this regard, and which could stand to be compromised from parking provision in the alternative. It is, therefore, considered that the benefits of additional landscaping would outweigh the minor under provision of parking spaces, especially where the evidence before the Authority suggests that sufficient capacity for additional on-street parking is available in the vicinity of the site (see paragraphs 6.50-6.51 of the previous officer's report at Appendix A).
- 6.12 The resolution of committee was that the applicant explore opportunities to provide 14x parking spaces in response to member concerns. It is considered that the 12x parking spaces now proposed represents the maximum number which can realistically be accommodated with regard to the dimensions of the site, and whilst still maintaining the availability of open land for character and/or biodiversity benefit.

#### **Water Neutrality:-**

- 6.13 The previous officer recommendation was to refuse planning permission in response to the requirements of the Conservation of Species and Habitat Regulations (2017) and the likelihood of adverse impact upon the Arun Valley SAC, SPA and Ramsar sites subsequent to receipt of the Natural England Position Statement of September 2021. The previous recommendation of Officers and assessment in relation to water-neutrality, however, was predicated upon the water-neutrality strategy and statement previously available to the Authority at the time, which has since been superseded by version 7 (October 2022) of the water-neutrality strategy (WNS).
- 6.14 The latest WNS proposes a combination of on-site measures and off-site measures in order to achieve a water-neutral development. On-site measures include the incorporation of efficient installations and rainwater collection and harvesting to service non-potable demand associated with the use of W/C installations. The Authority's full Habitats Regulations Assessment in respect of the proposed mitigations is included at Appendix B to this report.
- 6.15 It is considered that the scale of anticipated savings to be derived from the specified efficiency measures and re-use of rainwater are credible, with appropriate water-calculation tables (pursuant to Part G of the Building Regulations) included at Appendix D to the WNS and specifications for individual appliances/installations provided at Appendix F to the WNS. Yield calculations for rainwater have been provided pursuant to BS EN 16941-1:2018 ('On-site non-potable water systems') at Appendix H to the WNS, with appropriate inputs applied for the differing roof surfaces of the proposed development. These on-site measures are capable of being secured by way of appropriately worded condition.
- 6.16 The evidence available to the Authority does suggest, however, that on-site measures on an individual basis are insufficient to achieve net-neutrality in relation to a development of this scale. In order to eliminate residual usage, therefore, the WNS incorporates off-site mitigation in the form of measures to offset consumption elsewhere within the Supply Zone.
- 6.17 Off-site mitigation involves offsetting measures to be secured at two separate sites. The first comprises of the introduction of efficient installations and a rainwater collection/re-use system to serve a single dwelling under construction at Robins Wood, Horsham Road, Steyning (consented pursuant to ref: DC/20/1470). The second comprises of the retrofitting of efficient installations to changing facilities contained within Steyning Town Football Club.
- 6.18 As assessed in detailed within the Council's Habitats Regulations Assessment (Appendix B) it is considered that the scale of anticipated savings expected elsewhere within the Supply

Zone are credible, appropriately evidenced and sufficient to achieve net-neutrality in respect of the use of mains water. The submitted WNS contains memorandums of understanding at appendices J and K confirming agreement between the applicant and relevant parties for the proposed retrofitting works to be undertaken and funded by the developer. This understanding is sufficient to form the basis of a legal agreement pursuant to S.106 of the Town and Country Planning Act 1990, which would formally secure the delivery of necessary mitigations. Subject to a S.106 agreement being entered into, therefore, it is considered that the proposal would comply with the requirements of HDPF Policy 31 and Regulation 63 of the Conservation of Species and Habitats Regulations (2017). The latest water-neutrality strategy/statement, which supersedes that previously available at the time of initial referral to Planning Committee, is deemed sufficient to overcome the original concerns of officers and initial recommendation of refusal on this ground. Natural England have also commented that they have no objection to the proposal subject to securing the proposed mitigation measures in the water neutrality statement.

#### **Other Matters:-**

- 6.19 It is not considered that the amendments or additional information received subsequent to the previous referral to Planning Committee materially influences assessment in respect of anticipated impacts upon highway safety, biodiversity and protected species or the living conditions of neighbouring occupiers/users of land, further to initial consideration in relation to these matters. Similarly, the principle of development is considered to remain acceptable, with performance against relevant affordable housing and drainage policy deemed to remain acceptable for the reasons set-out within the initial officer report to Planning Committee (Appendix A).
- 6.20 The proposed habitats-related mitigations within the submitted WNS would deliver general sustainability benefits above and beyond those initially considered, reducing demand for the use of water-resources to a greater degree and attracting minor additional beneficial consideration in this regard in relation to the provisions of HDPF policies 35, 36 and 37.

#### **Conclusions and Planning Balance:-**

- 6.21 The previous recommendation to Planning Committee was to refuse planning permission solely on the ground of anticipated adverse impacts upon the Arun Valley SAC, SPA and Ramsar sites, contrary to the requirements of HDPF policy 31 and Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended).
- 6.22 The resolution of Planning Committee at the previous meeting of 21.06.2022 was to defer determination to enable the consideration of additional information pertaining to water-neutrality and to seek further information/amendments relating to accessibility standards and the provision of additional on-site parking provision.
- 6.23 Subsequent to the receipt of amendments/further information it is considered that proposed on-site parking arrangements are acceptable, where balanced against other material benefits to be derived from the proposal, and that the proposed development would be constructed to a high-standard of accessibility such as to satisfy the relevant requirements of HDPF policy 32 in this regard.
- 6.24 A revised water-neutrality strategy has been provided subsequent to the previous meeting of Planning Committee, which is deemed to provide for a water-neutral development such as to overcome the previous recommendation of refusal in this respect. As proposed mitigations include off-site measures not capable of being secured by way of appropriately worded condition, a legal agreement pursuant to S.106 of the Town and Country Planning Act 1990 is necessary in order to ensure the delivery of proposed mitigations and to establish water-neutrality. Subject to such an agreement being entered into, it is considered that planning permission can be granted.

## COMMUNITY INFRASTRUCTURE LEVY (CIL)

Horsham District Council has adopted a Community Infrastructure Levy (CIL) Charging Schedule which took effect on 1<sup>st</sup> October 2017.

**It is considered that this development constitutes CIL liable development.**

Use Description	Proposed	Existing	Net Gain
Residential – District Wide Zone 1	1,101	0	863.35
		<b>Total Gain</b>	863.35
		<b>Total Demolition</b>	<b>237.65</b>

Please note that the above figures will be reviewed by the CIL Team prior to issuing a CIL Liability Notice and may therefore change.

Exemptions and/or reliefs may be applied for up until the commencement of a chargeable development.

In the event that planning permission is granted, a CIL Liability Notice will be issued thereafter. CIL payments are payable on commencement of development.

## **7. RECOMMENDATIONS**

- 7.1 To grant planning permission subject to the completion of a legal agreement pursuant to S.106 of the Town and Country Planning Act 1990 and the following conditions:

### Conditions:

- 2 **Standard Time Condition:** The development hereby permitted shall begin before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

- 3 **Pre-Commencement Condition:** No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for, but not be limited to:

- i.) the parking of vehicles for site operatives and visitors;
- ii.) the loading and unloading of plant and materials;
- iii.) the storage of plant and materials;
- iv.) the erection and maintenance of security hoarding;
- v.) the provision of wheel washing facilities;
- vi.) measures to control the emission of dust and dust during demolition and construction;

Reason: As this matter is fundamental in order to moderate potential impacts on the amenity of adjoining occupants during construction and in accordance with Policies 24 and 33 of the Horsham District Planning Framework (2015).

- 4 **Pre-Commencement Condition:** Prior to the commencement of development, with the exception of works of demolition, full details of proposed foul and surface water drainage infrastructure shall be submitted to, and approved in writing by, the Local Planning Authority. Drainage infrastructure shall be designed with regard to the recommendations of

the approved Flood Risk Assessment, Ardent Consulting Engineers, ref: 2105150-02, February 2022. Drainage infrastructure shall be implemented as approved unless the Local Planning Authority consents to any variation in writing.

Reason: To ensure that the development is adequately served by drainage infrastructure and does not materially increase the risk of flooding beyond the application site in accordance with Policy 38 of the Horsham District Planning Framework (2015).

- 5 **Pre-Commencement Condition:** With the exception of works of demolition, no development shall commence until full details of the proposed means of access onto Toomey Road have been submitted to and approved in writing by the Local Planning Authority. The developer shall undertake a formal Road Safety Audit, in consultation with the Local Highways Authority, prior to the submission of relevant access details and shall ensure that the access design takes account of the recommendations and conclusions of the Road Safety Audit. The access shall, subsequently, be implemented as approved prior to the first occupation of any of the residential units hereby permitted, unless the Local Planning Authority consents to any variation in writing.

Reason: To ensure that the proposed development is serviced by a safe and convenient means of access, and that the safety of existing highways is preserved in accordance with Policy 40 of the Horsham District Planning Framework (2015).

- 6 **Pre-Commencement Condition:** With the exception of works of demolition, no development shall commence unless and until confirmation has been received that the residential units hereby approved are fully accessible at an internal distance of 45m from the public highway, such as to be internally accessible to a fire-tender, or unless a strategy detailing alternative measures for the supply of water for firefighting purposes is submitted to and approved by the Local Planning Authority in writing.

Reason: In the interests of fire safety and to ensure future occupiers are afforded with a safe living environment in accordance with Policy 32 of the Horsham District Planning Framework (2015).

- 7 **Pre-Commencement (Slab Level) Condition:** With the exception of works of demolition, no development above ground floor slab level of any part of the development hereby permitted shall take place until a schedule of materials and finishes and colours to be used for external walls, windows and roofs of the approved building have been submitted to and approved by the Local Planning Authority in writing. All materials used in the construction of the development hereby permitted shall, thereafter, conform to those approved, unless the Local Planning Authority consents to any variation in writing.

Reason: As this matter is fundamental to enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 8 **Pre-Occupation Condition:** No part of the development hereby permitted shall occupied until a scheme for the provision of electrical vehicle charging points has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be installed prior to first occupation of the development and shall thereafter remain as such.

Reason: To provide sufficient electric vehicle car charging spaces for the approved development in accordance with Policies 35 and 41 of the Horsham District Planning Framework (2015) and the WSCC Parking Standards (2019).

- 9 **Pre-Occupation Condition:** No part of the development hereby permitted shall occupied until the necessary in-building physical infrastructure and external site-wide infrastructure to

enable superfast broadband speeds of 30 megabytes per second through full fibre broadband connection has been provided to the premises.

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

- 10 **Pre-Occupation Condition:** Prior to the first occupation of any of the residential units hereby permitted, full details of all hard and soft landscaping works shall have been submitted to and approved, in writing, by the Local Planning Authority. The details shall include plans and information addressing the following:

- i.) Details of all existing trees and planting to be retained;
- ii.) Details of all proposed trees and planting, including schedules specifying species, planting size, densities and plant numbers and tree pit details;
- iii.) Details of all hard surfacing materials and finishes;
- iv.) Details of all boundary treatments;
- v.) Details of all external lighting;

The approved landscaping scheme shall be fully implemented in accordance with the approved details within the first planting season following the first occupation of any part of the development. Unless otherwise agreed as part of the approved landscaping, no trees or hedges on the site shall be wilfully damaged or uprooted, felled/removed, topped or lopped without the previous written consent of the Local Planning Authority until 5 years after completion of the development. Any proposed or retained planting, which within a period of 5 years, dies, is removed, or becomes seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure a satisfactory development that is sympathetic to the landscape and townscape character and built form of the surroundings, and in the interests of visual amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 11 **Pre-Occupation Condition:** Prior to the first occupation of any of the residential units hereby permitted, a Biodiversity Enhancement Strategy for Protected and Priority Species shall be submitted to and approved in writing by the Local Planning Authority. The Biodiversity Enhancement Strategy shall include plans and details addressing the following:-

- i.) Purpose and conservation objectives for the proposed enhancement measures;
- ii.) Detailed designs to achieve stated objectives;
- iii.) Locations of proposed enhancement measures by way of appropriate maps and plans;
- iv.) Timetable for implementation demonstrate that works are aligned with proposed construction and occupation phases;
- v.) Persons responsible for implementing relevant enhancement measures;
- vi.) Details of initial aftercare and long-term maintenance (where relevant);

The strategy shall, subsequently, be implemented in accordance with the approved details prior to the first occupation of any of the residential units hereby approved and maintained as approved, unless the Local Planning Authority consents to any variation in writing.

Reason: To deliver a proportionate biodiversity gain in accordance with Policy 31 of the Horsham District Planning Framework (2015), and to deliver material enhancements for Protected and Priority species such as to enable the Authority to discharge its duties pursuant to S.40 of the NERC Act 2006 (Priority habitats and species).

- 12 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until the vehicular parking and turning facilities detailed on plan ref: 405-211 003 C 01B have been implemented and made available for use. The approved vehicular parking and turning facilities shall, subsequently be retained as such, unless the Authority consents to any variation in writing.

Reason: To ensure adequate parking, turning and access facilities are available to serve the development in accordance with Policy 41 of the Horsham District Planning Framework (2015).

- 13 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied unless and until the refuse and recycling store detailed on plan ref: 405-211 003 C 01B has been constructed and made available for use. This facility shall thereafter be retained for use at all times.

Reason: To ensure the adequate provision of refuse and recycling facilities in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 14 **Pre-Occupation Condition:** Units 05 and 10 hereby approved shall not be occupied unless and until the south-west facing windows serving these units (indicated to service a bathroom space) has been fitted with obscure glazing. Obscure glazing shall, thereafter, be permanently retained.

Reason: To protect the privacy of adjacent occupiers in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 15 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until the cycle parking facilities detailed on plan ref: 405-211 003 C 01B have been implemented and made available for use. The approved cycle facilities shall, subsequently be retained as such, unless the Authority consents to any variation in writing.

Reason: To ensure adequate parking facilities are available to serve the development in accordance with Policy 41 of the Horsham District Planning Framework (2015).

- 16 **Pre-Occupation Condition:** The development hereby permitted shall be undertaken in full accordance with the Water Neutrality Statement (Arden Consulting Engineers, ref: 2105150-04, October 2022) and the relevant mitigations set-out within. No dwelling hereby permitted shall be first occupied unless and until evidence has been submitted to and been approved in writing by the Local Planning Authority that the approved water neutrality strategy for that dwelling has been implemented in full. The evidence shall include the specification of fittings and appliances used, evidence of their installation, and completion of the as built Part G water calculator or equivalent. The installed measures shall be retained as such thereafter.

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

- 17 **Regulatory Condition:** The residential units hereby approved shall be constructed to achieve an Energy Efficiency Rating and Environmental Impact Rating of A, as classified pursuant to EU Directive 2002/91/EC, and as set out within the submitted Predicted Energy Assessment provided in respect of each proposed residential unit.

Reason: In the interests of environmental sustainability, to reduce demand for the use of energy resources and to minimise the contribution of the approved development to climate change in accordance with Policies 35 and 36 of the Horsham District Planning Framework (2015) and Policy SDNP2 of the Steyning Neighbourhood Development Plan (2022).

Background Papers:

DC/21/2394

Appendix A – Initial Officers Report to Planning Committee

Appendix B – Habitats Regulations Assessment

# APPENDIX A – INITIAL OFFICERS REPORT



Horsham  
District  
Council

## PLANNING COMMITTEE REPORT

**TO:** Planning Committee South

**BY:** Head of Development and Building Control

**DATE:** 21<sup>st</sup> June 2022

**DEVELOPMENT:** Demolition of 2No. residential dwellings and all ancillary structures.  
Construction of 14No. 2 bedroom apartments with secure and covered cycle storage, car parking provision and refuse enclosure.

**SITE:** 141 Shooting Field, Steyning, West Sussex, BN44 3SW

**WARD:** Steyning and Ashurst

**APPLICATION:** DC/21/2394

**APPLICANT:** **Name:** Mr Joe Lean **Address:** 141 Shooting Field Steyning West Sussex BN44 3SW

**REASON FOR INCLUSION ON THE AGENDA:** More than eight persons in different households have made written representations within the consultation period raising material planning considerations that are inconsistent with the recommendation of the Head of Development and Building Control.

**RECOMMENDATION:** To refuse planning permission

### 1. THE PURPOSE OF THIS REPORT

To consider the planning application.

#### DESCRIPTION OF THE SITE

- 1.1 This application concerns the existing dwellings of No.141 and 143 Shooting Field and the respective residential curtilage of both dwellings. The application site is located within the defined built-up area of Steyning, towards the northern extent of Shooting Field within an area predominantly characterised by mid/late 20<sup>th</sup> century residential development.
- 1.2 The site occupies a position west of the junction between Shooting Field and Toomey Road, with Nos 141/143 presently accessed via Shooting Field. Toomey Road extends the full length of the site along its north-eastern boundary leading to a number of bungalows constituent of the Dingemans Court development found to the north-west of the application

site. A number of small single-storey bungalows are located to the adjacent south-west of the site, with three storey flatted development located opposite to the site to the south east on Shooting Field. Two storey terraced dwellings and flatted development is found to the north-east of the application site, opposite on Toomey Road.

- 1.3 The site and its surroundings possess a suburban character, though, variety in building heights, the set-back between roads and buildings together with the separation between buildings and retention of grassed verges does act to provide a sense of spaciousness within the public realm.
- 1.4 Parking in the vicinity of the site is varied, divided between on-street parking, private off-street parking and private car-parks to flatted developments. Bus services are available on Shooting Field with a bus stop/shelter present at the nearby junction between Shooting Field and Reads Walk.
- 1.5 The site is not subject of any statutory or non-statutory environmental, ecological, landscape or heritage designations.

#### DESCRIPTION OF THE APPLICATION

- 1.6 Planning permission is sought for the demolition of Nos 141 and 143 Shooting Fields, and associated ancillary structures, and the erection of 14 market dwellings contained within a single three-storey building. The proposed building would, roughly, be arranged to occupy a staggered 'L' shaped footprint presenting its main frontages to the north-eastern and southern eastern boundaries of the site towards Toomey Road and Shooting Field respectively.
- 1.7 The proposed building would be provided to a flat-roofed form and broadly consistent height, though, with a small reduction in height towards the eastern and northern parts of the proposed building, providing for a minor degree of articulation. Full details as to material types and colours have not been provided at this stage, though, the submitted elevations and visuals contained within the submitted Design and Access Statement do suggest an intended mix of white engineering brick and red-facing brick, which may be textured in part, in addition to the use of dark framed fenestrations and a living sedum and wildflower roof.
- 1.8 The proposed building would feature large and uniformly arranged openings to its main frontages, with some reduction in the amount of fenestration within proposed rear elevations. Each proposed flat above ground floor level would benefit from an external balcony, with balconies to be provided to the main frontages and the main rear facing elevation.
- 1.9 The main vehicular access is proposed to be provided off Toomey Road, with access provided by way of undercroft to 9 parking spaces provided to the rear of the proposed building. A further disabled parking space would be provided off Shooting Field. A communal waste and bicycle store, accommodating 8 bikes, would be provided at ground floor level within the footprint of the building accessed via the proposed undercroft.
- 1.10 The submitted plans indicate the intended provision of 111 roof-mounted solar PV panels, while standard Building Regulation calculations for energy use have been submitted indicating that high standards of energy efficiency could be achieved. Within a submitted 'water-neutrality' statement the proposal would incorporate rainwater collection and re-use systems, which in combination with specified efficiency and offsetting measures proposed to be undertaken on third party land, are intended to achieve a standard of net-neutrality in respect of the use of mains-water.

## 2. INTRODUCTION

### STATUTORY BACKGROUND

#### 2.1 The Town and Country Planning Act 1990.

### 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 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 30 - Protected Landscapes
- Policy 31 - Green Infrastructure and Biodiversity
- Policy 32 - Strategic Policy: The Quality of New Development
- Policy 33 - Development Principles
- 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
- Policy 42 - Strategic Policy: Inclusive Communities

##### **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)

##### **Steyning Neighbourhood Plan (2020) (Regulation 16)**

The Steyning Neighbourhood Plan has recently undergone Regulation 16 consultation and has been submitted for independent examination. The examination remains at an early stage and is presently paused in response to the Natural England Position Statement of September 2021, in response to which, an updated Habitat Regulations Assessment has been prepared in accompaniment to the Neighbourhood Plan and is subject to further consultation with Natural England. Given the current stage of preparedness, and with a number of unresolved objections in respect of individual Neighbourhood Plan policy, it is currently considered that the provisions of the Regulation 16 Neighbourhood Plan would be assigned moderate weight in this assessment in accordance with Paragraph 48 of the NPPF (2021).

The following policies of the emerging Neighbourhood Plan are deemed of relevance to this application:-

- SNDP 1 – Green Infrastructure and Biodiversity
- SNDP 2 – Responsible Environmental Design
- SNDP 3 – Contribution to Character

## PLANNING HISTORY AND RELEVANT APPLICATIONS

No previous or relevant planning history.

### 3. OUTCOME OF CONSULTATIONS

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

3.2 **HDC – Drainage:** No objection:-

3.3 **Place Services – Ecology:** No objection (subject to conditions):-

The Council's consultant ecologists sought to raise no objection to the proposed development. It was considered that the submitted ecological documents were sufficient to provide certainty to the Authority as to the ecological impacts of proposed development in respect of biodiversity and protected species, which could be made acceptable through the incorporation of appropriate mitigation measures. A measurable net-gain for biodiversity as required by the National Planning Policy Framework, furthermore, could be secured by way of appropriately worded condition requiring the submission and approval of a Biodiversity Enhancement Strategy.

3.4 **WSCC – Surface Water Drainage:** Advice:-

The Lead Local Flood Authority (LLFA) considered that the site was at a low risk of surface water flooding and a high risk of groundwater flooding with reference to standard mapping and modelling. The LLFA officer noted that no drainage strategy or detail had been provided and recommended that the Council seek the expertise of its own engineers in order to identify specific considerations relevant to a review of drainage systems.

3.5 **WSCC – Highways:** Further Information Requested

The Local Highways Authority (LHA) considered that a material increase in vehicle movements resulting from a development of this scale would not materially affect highway operation.

The LHA officer noted that proposed levels of parking provision were below adopted LHA standards, though, evidence and assessment provided within a submitted transport statement and parking capacity study was deemed to provide sufficient justification for a departure from standards. Further information pertaining to the provision of electric vehicle charging apparatus and the conduct of a Road Safety Audit was, however, requested.

3.6 **WSCC – Fire and Rescue:** Further information requested

The Fire and Rescue service invited the submission of evidence demonstrating that all points inside of the proposed dwellings are within 45m of a fire-appliance as required under the Building Regulations. Any areas beyond the requirements of the Building Regulations should see the installation of a domestic sprinkler or water-mist system compliant with the relevant British standard.

3.7 **Southern Water:** Standing advice received (no objection).

3.8 **Steyning Parish Council:** No objection.

PUBLIC CONSULTATIONS

3.9 Letters of representation were received from 37 registered addresses in conjunction with the proposal. Of the letters received 24 sought to support the proposed development and 13 sought to object to the proposed development. It is noted that 4 letters of representation were received from addresses registered beyond the administrative area of the District.

3.10 The main material grounds for support can be summarised as:-

- The proposal would increase the amount and range of housing available within Steyning;
- The proposals would provide smaller, more affordable, dwellings for which there is a local need;
- The increase in housing would provide economic benefits to local business;
- The proposal makes good use of previously developed land;
- The proposals would not look out of place with other blocks of flats in the immediate surroundings;
- The proposal would provide energy efficient homes;
- The site is within walking distance of local services and amenities;
- The local area requires regeneration and the proposal would provide for an updated appearance;
- The impact of the proposal on light and character would not prove much greater than that of existing buildings;
- There is always plenty of parking available locally;
- Proposed parking provision is sufficient and adequate to minimise impact on existing occupiers;
- Small infill developments should be supported;
- The proposals would not result in the loss of undeveloped land or green space;
- The proposals would provide a type of accommodation accessible to young people and first-time buyers;
- The proposals would achieve high environmental standards;

3.11 The main material grounds for objection can be summarised as:-

- Concern regarding the adequacy of proposed parking provision and potential for increased pressure for on-street parking in the vicinity of the site;
- Concern regarding the increase in traffic associated with the proposed development and resultant effects upon the highway network;
- Concern regarding the acoustic effect of the proposals and detrimental effects upon local character and nearby occupiers;
- The proposals would represent an overdevelopment of a small site;
- The proposals, and inadequate parking provision, would disrupt bus services and access by emergency service/utility vehicles;
- The proposed development would not reflect existing buildings in the vicinity;
- The proposals would detrimentally influence the visual quality of this location;
- The proposals would adversely influence the privacy of neighbouring occupiers;
- The proposals would adversely influence the receipt of natural light by neighbouring occupiers;
- The proposals would detrimentally influence local safety and security;
- The proposals would give rise to an increase in pollution;
- On-street parking in the vicinity of the site is already at capacity;
- The disruption caused by proposed development would prove detrimental to the living conditions of nearby occupiers and nearby vulnerably occupiers;
- There is no need for further flats in this area;
- The proposed design and use of materials is not sympathetic to this location;
- The proposals would provide flats close to the pavement on Toomey Road and close to the houses opposite;
- The amount of landscaping forward of the frontage of the building is lesser than that otherwise present to other buildings in the vicinity;

- Concern with the representation of surrounding features on the submitted plans and traffic surveys, including the amount of 'undesigned parking' shown available locally;
- Trees were removed prior to the ecology and environmental surveys;
- The proposals would adversely influence local protected species and general biodiversity;
- Construction operations would prove disruptive to local residents and adversely influence local highway conditions and character;
- Concern that the submitted traffic survey does not take account of the operational pattern of local bus services and waiting;
- Concern that the submitted traffic survey was undertaken a time not representative of usual traffic/parking conditions;
- Concern that the water efficiency survey does not take account of the installation of washing machines or dishwashers and water efficiency opportunities are not realised;
- Displaced demand for on-street parking will adversely influence the living conditions of disabled and vulnerable occupiers;
- Concern regarding the proposed siting of bin-stores and resultant acoustic/olfactory disturbance to neighbouring occupiers;

3.12 Concerns regarding a loss of outlook as a result of the proposed development as expressed within a number of representations are acknowledged, though, the effects of development upon private views does not represent a material consideration in the determination of this application.

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

4.1 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 this application, Consideration of Human rights forms part of the planning assessment below.

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

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

#### **6. PLANNING ASSESSMENTS**

##### **Principle of Development**

6.1 Policy 3 of the Horsham District Planning Framework (HDPF) (2015) provides that development will be permitted within towns and villages which benefit from defined built-up areas. Any infilling and redevelopment will be required to demonstrate that it is of an appropriate nature and scale to maintain the settlement characteristics of its respective setting in accordance with the defined settlement hierarchy.

6.2 Steyning is characterised as a small town/larger village within policy 3 of the HDPF, with such settlements deemed to benefit from a good range of services and facilities, strong community networks, local employment provision and reasonable public transport services. Such settlements act as 'hubs' providing services to smaller settlements within the District, but also rely on larger settlements and other small towns/larger villages in order to access a full range of services/amenities.

6.3 Paragraph 4.7 of the HDPF confirms that development within built-up areas is accepted in principle, with land beyond such areas considered to be countryside where development will be more strictly controlled. Paragraph 4.8 of the HDPF confirms that the priority of spatial

policy is to locate appropriate development, including infilling, redevelopment and conversion, within built-up areas in order to maintain the rural qualities of the District and to ensure appropriate access to services and facilities in accordance with HDPF paragraphs 4.6 and 4.7.

- 6.4 The application site falls within a defined built-up area where the principle of development is established, and where the policies of the development plan would operate to support infilling and redevelopment of an appropriate scale.
- 6.5 In this instance the proposed development would provide 14x total dwellings in replacement of 2x existing dwellings. It is considered that the proposed development is of an appropriate scale which would preserve the settlement characteristics of Steyning, and its respective positioning within the defined settlement hierarchy. Subject to consideration in all other material regards it is considered that the principle of development is acceptable in this instance.

#### **Character, Design and Appearance:**

- 6.6 Policy 25 of the HDPF seeks to protect the townscape and landscape character of the District, including the landform, development pattern, together with protected landscapes and habitats. Development will be required to protect, conserve and enhance landscape and townscape character, taking account of areas or features identified as being of landscape importance, individual settlement characteristics and settlement separation.
- 6.7 Policies 32 and 33 of the HDPF require development to be of a high standard of design and layout. Development proposals must be locally distinctive in character and respect the character of their surroundings. Where relevant, the scale, massing and appearance of development will be required to relate sympathetically with its built-surroundings, landscape, open spaces and to consider any impact on the skyline and important views.
- 6.8 Policies 2 and 3 of the Regulation 16 Steyning Neighbourhood Development Plan (SNDP) (2019) provides that development must be designed responsibly with regard to its lifetime environmental impact and incorporate built and landscape features to increase standards of sustainability, respond to the scale mass, height, materials and form of neighbouring properties and positively contribute towards Steyning's character.
- 6.9 The site falls within Local Character Area 2, as classified within the Steyning Character Appraisal (2019). As noted within the Character Appraisal this area is predominantly comprised of post-war residential development, becoming increasingly urban in character towards its northern extent and within the vicinity of Toomey Road given the quantum and presence of three-storey flatted development together with reliance on on-street parking. The Character Appraisal notes at paragraph 4.37 that the presence of green-spaces to the side of the highway course provides for an open-feeling, which reduces towards the northern extent of the character area owing to the increased sense of enclosure created by taller buildings. Paragraph 4.40 of the Character Appraisal notes the northern extent of the character area to be more mixed in character, with no noteworthy views in or out of the estate except at the end of Church Lane at paragraph 4.47.
- 6.10 As observed during the officers site visit, buildings surrounding the site vary in terms of type and height. Buildings to the south of the site on Toomey Road comprise 3-storey flat-blocks with additional 2-storey flat-blocks also evident. Development opposite the site to the north on Toomey Road comprises of terraced 2-storey development, with single-storey terraced dwellings present to the adjacent south-west and north of the site. As noted within the Character Appraisal this section of Shooting Field is more urban in character relative to the prevailing suburban character evident moving southwards on Shooting Field. The absence of tall-boundary treatments forward of principal elevations, together with the width of the grassed highway verge does allow for a sense of spaciousness within the public realm,

notwithstanding the greater sense of enclosure provided by flatted and terraced development.

- 6.11 The prevailing material palette in the vicinity of the site is the use of facing red-brick, together with clay and/or concrete tile to roof surfaces. Given the variety in local building types and heights, with the exception of predominant red-brick and shallow pitched roofs, there is not considered to be a consistent vernacular in this location.
- 6.12 Nos 141 and 143 are of an identical design, though, No.143 has been extended to the side and rear. This existing development is not considered of any particular architectural or aesthetic merit such as to warrant preservation by reason of existing contribution to local character and/or appearance.
- 6.13 The proposed development would be provided to 3-storeys and a total height of 9.3m, broadly consistent with flatted development opposite on Shooting Field. A minor reduction (of 60cm) in parapet height towards the south-western and northern extents of the proposed block would provide for some minor articulation at roof level, which would be further reflected within the staggered footprint of the building. In light of the more urban character which exists in this section of the local character area, and at the junction between Shooting Field and Toomey Road, it is not considered that a flatted development of the proposed height would appear uncharacteristic to its respective surroundings.
- 6.14 The proposed block is set back a minimum distance of 4.8m to the pedestrian footway on Shooting Field and a minimum distance of 2.3m to Toomey Way, which increases towards the junction between these roads given the staggered footprint of the proposed development. This degree of set-back is consistent with development to the adjacent southwest of the site on Shooting Field and would be considered to preserve a sense of spaciousness which currently exists within the public realm, notwithstanding the increased sense of enclosure which a 3-storey development would provide. The degree of set-back relative to Shooting Field and Toomey Road, further, would allow for additional soft-landscaping and tree-planting within the street-scene, as indicated on the submitted visuals and layout plans, of benefit to local character and appearance.
- 6.15 The proposed building would make use of a contrasting brick and detailing intended to provide relief within vertical faces, which would be further reinforced by a favourable solid-void ratio given the presence of large fenestrations within the building. Though section plans showing intended reveals and detailed plans of intended detailing (such as textured brick) have not been provided at this stage, such details can be secured in conjunction with appropriately worded conditions, subject to which the proposed development would be considered to satisfy a standard of high quality design required by HDPF policies 32 and 33.
- 6.16 The flat-roofed form of the proposed development does not reflect the shallow-pitched form of surrounding buildings, though, this is not considered to diminish the design quality of the proposed development and is necessary to accommodate the scale of proposed solar PV provision and the incorporation of a wildflower/sedum roof of significance to standards of environmental sustainability promoted by HDPF policies 31 and 37 in addition to policies 2 and 3 of the emerging SNDP.
- 6.17 Overall it is considered that the proposed development is of an acceptable siting, height, scale and standard of design which would preserve the character and appearance of its surroundings in compliance with HDPF policies 25, 32 and 33 in addition to policies 2 and 3 of the emerging SNDP.

## **Amenity:**

### Neighbouring Occupiers:

- 6.18 Policy 33 of the HDPF, *inter alia*, seeks to ensure that development avoids unacceptable harm to the amenities of nearby occupiers/users of land, including by way of overshadowing, a loss of privacy and/or disturbance resulting from proposed development.
- 6.19 The proposed block is designed and orientated so as to maintain a separation in excess of 22m between dwellings opposite on Toomey Road and those present within an existing block of flats opposite on Shooting Field (Nos 37-47 Toomey Road). A minimum separation of 12.15m would separate the south-western extent of the proposed block and adjacent bungalows to the west (Nos 133-137 Shooting Field), increasing to ~19m moving northwards through the site accounting for the staggered layout of the 'L' shaped footprint of the proposed block.
- 6.20 It is expected that the proposed development, by reason of the length of its respective proposed frontages, three-storey height and nature as a flatted development, would result in a change in relationship with dwellings opposite on Shooting Field and Toomey Road relative to the existing condition of Nos 141 and 143 at present. Nonetheless, it is considered that 22m does represent a healthy degree of separation, sufficient to prevent an unacceptable loss of natural light and would not be untypical of a cross-street relationship between respective opposite principal elevations, even between flatted and non-flatted development. While it is accepted, therefore, that neighbouring occupiers opposite on Shooting Field and Toomey Road would experience a loss of privacy, by reason of increased potential for mutual overlooking, it is not considered that such impact would amount to unacceptable harm contrary to the requirements of HDPF policy 33.
- 6.21 A terrace of four bungalows at 133-137 Shooting Field abut the site to the adjacent south-west and are located in closer proximity to the proposed development relative to other dwellings opposite on Shooting Field and Toomey Road. These bungalows are orientated 'back-to-front', being accessed by a private footpath which runs adjacent to the south-western boundary of the application site. The main living room space to each bungalow sits to the rear southwest and opens onto a large open communal grassed area. The bungalows are otherwise accessed via a small private amenity space to their front that faces northeast towards the application site, separated only by their access footpath and 1.8m close boarded fencing to the application site boundary. The proposal would retain the boundary fencing with new soft-landscaping and the proposed car-parking areas beyond within the application site.
- 6.22 It is expected that those neighbouring bungalows within closest proximity to the southernmost component of the proposed block (Nos 137 and 139) would experience some degree of overshadowing given the proposed degree of separation to the three-storey block, though, this block is located at broadly the same separation as the existing two storey dwelling, and would include only obscure glazed windows to bathrooms. Whilst the extra height at this point and continuation of the building around to the northwest would increase bulk and massing to the outlook of all four bungalows, the separation of some 19m and orientation to the north east is such that no harmful loss of daylight or sunlight would result.
- 6.23 The size of the building and the additional windows and balconies to its recessed southern elevation facing the four bungalows would though undoubtedly lead to an increased sense of enclosure and a loss of privacy for occupiers of these bungalows. Whereas currently the front outlook to the four bungalows is predominantly towards the boundary fence and undeveloped rear garden of 141 Shooting Field, the proposed outlook would be towards a much large building across the full width of the site with the first and second floors each providing windows to three bedrooms alongside two large windows and balconies serving the main living areas to two of the flats. The closest wall-wall separation distance from these

windows to the bungalows would be some 19m, with the separation from the edge of the balconies to the edge of the small gardens to the bungalows being some 13.7m.

- 6.24 This increased impact would though be only to the small front amenity spaces and a single room to each bungalow, affecting primarily nos 135 and 137 given no. 135 has an additional westerly aspect and no.139 largely faces the side elevation to the south-eastern wing. Having carefully considered the nature and extent of this impact, including how the bungalows function with their main living room aspect facing southwest away from the site, on balance it is not considered that the privacy of occupiers of the bungalows would be so compromised as to warrant the refusal of permission.
- 6.25 The submitted plans do not currently indicate the intended provision of external lighting for access and/or security purposes. It is considered that details pertaining to the provision of external lighting, and control over the future introduction of lighting, could be secured by way of appropriately worded condition such as ensure lighting appropriate to local character and without detriment to the living conditions of nearby occupiers.
- 6.26 It is considered that conditions requiring the submission and approval of a construction management plan, together with appropriate controls in relation to construction hours, would prove sufficient to avoid an unacceptable level of disturbance associated with construction activity.

#### Future Occupiers:

- 6.27 Policy 32 of the HDPF, *inter alia*, seeks to promote high-quality, attractive, functional, accessible, safe and adaptable development.
- 6.28 The proposed development would provide for 14x 2-bed market flats, each benefiting from a gross-internal area (GIA) of ~62m<sup>2</sup>. Each flat would be designed so as to benefit from a dual-aspect, with flats to be provided at first and second floor levels to benefit from a private balcony space. The footprint and layout of the proposed flats, further, has been designed so as limit opportunities for mutual overlooking between flats and between external balconies, partly due to the staggered footprint of the proposed block.
- 6.29 Neither the HDPF or emerging SNDP endorse nationally described space standards such as to require adherence with such standards, though, it is noted that the proposed dwellings are designed exceed minimum space standards for a 2-bedroom (single-storey) dwelling type, such as to indicate that future occupiers would benefit from an adequate level of internal space. In addition, given the dual-aspect nature of proposed flats and absence of a significant risk of overshadowing resulting from the orientation and layout of the proposed development, it is considered that future occupiers would benefit from adequate access to natural light and ventilation. It is not considered that the proposed development would fail to afford an adequate standard of general amenity to future occupiers.

#### **Affordable Housing and Housing Mix:**

- 6.30 HDPF policy 16 provides that development should provide a mix of housing sizes, types and tenures to meet the needs of the District as assessed within Strategic Housing Market Assessment documents in order to create sustainable and balanced communities. HDPF policy 16 recognises that the mix of housing types and sizes will depend upon the established character and density of the site together with the viability of the scheme.

#### Affordable Housing:

- 6.31 HDPF policy 16 sets out an expectation, for development providing 5-14 dwellings, that 20% of units will be delivered as affordable housing, or where on-site provision is not achievable, a financial contribution is sought in-lieu on on-site provision.

- 6.32 The Council's adopted 'Planning Obligations and Affordable Housing Supplementary Planning Document' (2017) (SPD), confirms that the Council will assess the viability of developments which depart from adopted policy, and expect the delivery of the appropriate amount of affordable housing on qualifying sites unless the applicant can provide sound evidence that this cannot be achieved without making the scheme unviable.
- 6.33 In this instance no affordable housing is proposed, on the basis that the provision of affordable housing would render the development unviable. In support of this proposition the applicant has provided an 'open-book' viability assessment which includes all financial information and evidence relevant to the proposed development in accordance with the provisions of the viability Planning Practice Guidance document. The submitted financial viability report has been reviewed by an independent assessor on the Council's behalf.
- 6.34 With regard to relevant financial parameters, including gross-development value, development timescale, build costs, professional fees, CIL charges, sales, marketing, and finance costs in relation to a reasonable profit margin the independent assessor considers that the scheme would prove unviable and may prove undeliverable in a manner which provides for a commercially acceptable return. The independent assessor, further, advises that it would not prove economically viable for the scheme to provide any affordable housing, or an equivalent contribution in-lieu.
- 6.35 The conclusions of the financial viability report and independent assessment provide a clear rationale for a departure from relevant policy in respect of the delivery of affordable housing. In its determination the Local Planning Authority must balance harm arising from the non-provision of affordable housing, in conflict with HDPF policy 16, against the inability of the proposed development to accommodate such development and in relation to other material benefits which may be derived from an entirely market-based housing scheme.

#### Housing Mix:

- 6.36 All 14x proposed dwellings are to be provided as 2-bed units. This proposed provision would provide 9x additional 2-bed units relative to the assessed demand for larger market homes set out within the Northern West Sussex Strategic Housing Market Assessment (SHMA) (2019) referenced within HDPF policy 16, which sets out an expectation that 65% of market dwellings are respectively delivered across the District as 3 and 4+-bed units in response to assessed demand.
- 6.37 The conclusions of the 2019 SHMA, however, relate to the housing needs of the District as a whole, with the promoted housing mix not necessarily appropriate to replicate exactly on each and every site. HDPF policy 16, further, recognises the need to consider the established character and density of an individual site surroundings in determining an appropriate mix of units.
- 6.38 In this instance the site surroundings do consist of a mix of flatted and terraced building typologies, with a number of smaller units evident within single-storey terraces to the adjacent west of the site and within existing flat blocks to the south. Furthermore, notwithstanding conclusions as to strategic assessed demand reflected within the 2019 SHMA at table 71, the SHMA does identify a need for smaller housing types in order to address issues of affordability for younger persons at paragraphs 8.96 together with the need to make available smaller housing types in order to allow downsizing at paragraph 11.7, representing a general recognition of the need for smaller housing types balanced with traditional family-sized housing across the District. On balance, therefore, notwithstanding the absence of larger housing types in this instance, it is not considered that there is an absence of demand for smaller 2-bed units as proposed, or that the proposed housing mix would fail to promote sustainable growth within Steyning.

### **Parking, Highway Safety and Operation:**

- 6.39 Policy 40 of the HDPF states that transport access and ease of movement is a key factor in the performance of the local economy. The need for sustainable transport and safe access is vital to improve development across the district.
- 6.40 NPPF paragraph 111 confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 6.41 Policy 41 of the HDPF provides that development should provide adequate parking facilities to meet the needs of anticipated users. Consideration should be given to the needs of cycle parking, motorcycle parking and charging facilities for low-emission vehicles.
- 6.42 The proposed development is to benefit from two vehicular accesses, the primary being via Toomey Road to the north east of the proposed development serving 9x parking spaces accessed via undercroft to the rear of the proposed building. The secondary access would serve a single disabled space accessed via the existing crossover serving No.141 to be retained following the proposed development.
- 6.43 Toomey Road, at the point where the primary access would connect to the public highway is a no-through D class road serving the adjacent Dingemans Court and with good visibility along the course of the highway as observed during the Officer site-visit. It is expected that vehicles will be travelling below the posted 30mph limit in this location and that Toomey Road will be lightly trafficked. While the Local Highways Authority has sought to request a Road Safety Audit, given the 'major' classification of proposed development, there is no indication before the Authority that the proposal would unacceptably impact upon highway safety such as to warrant a refusal of planning permission on this ground. It is, instead, considered that an appropriately worded condition could be utilised to allow for the conclusion of the audit process prior to the commencement of development and to allow for the receipt of details in response to any necessary changes to access design in response.
- 6.44 The proposed retention of a secondary access onto Shooting Field to serve the single disabled space is not considered to unacceptably impact upon highway safety.
- 6.45 The Transport Statement provided in support of the proposed development, with regard to TRICS data, models a net increase in 2x vehicle movements during the AM peak and 4x vehicle movements during the PM peak. It is considered that the modelled increase in vehicle-movements would represent a modest change in the context of the publicly maintained highway network and which would not equate to a severe impact upon highway safety on an individual or cumulative basis contrary to NPPF paragraph 111.
- 6.46 The proposed development would provide 10x total vehicular parking spaces, inclusive of a single disabled space. The submitted Transport Statement recognises that proposed vehicular parking provision is below that expected in accordance with published West Sussex County Council Guidance (24x spaces), though, comments that County Council guidelines would appear excessive for a flatted development in this location, noting that 2011 Census data denotes 35% of flats, and similar accommodation types, reported no cars or vans in household.
- 6.47 The submitted Transport Statement advances an alternative demand of 11x vehicular spaces through the application of Department for Transport Trip End Model (TEMPro) growth rates to 2011 Census data. This results in a total expected demand of 11.34x spaces for the proposed development (0.81x spaces per dwelling) accounting for modelled increases in vehicular ownership. As commented at paragraph 3.8 of the submitted Transport Statement TEMPro growth rates do not distinguish between flats and houses, and therefore, such a

method of calculation likely inflates expected demand for flatted development with regard to greater levels of vehicular ownership typically seen to house typologies.

- 6.48 It is considered that the method of calculation for expected vehicular parking demand advanced within the submitted Transport Statement is robust, and does have regard to local levels of vehicular ownership through the application of local 2011 Census data. This method of calculation is noted to be comparable to that utilised within the preparation of the County Council's own guidance at paragraphs 5.1 and 5.2, with the main distinction being the difference in 'baseline' data, with the County Council guidance appearing to aggregate data for all 'Zone 1' Parking Behaviour Zones within the County and the applicants Transport Statement relying on data solely specific to this Census area. The consultation response provided by the Local Highways Authority in conjunction with this application considers that the proposed level of parking below County Council standards is justified on the application of Census data.
- 6.49 With regard to the anticipated demand of 11.34x vehicular spaces, and expected demand of 2.8x spaces for visitor parking (in line with WSCC Guidance), a small shortfall of spaces would be expected given the total number of spaces (10x) to be provided on-site which would result in increased demand for on-street parking in the vicinity.
- 6.50 The submitted Transport Statement does not specifically address demand for visitor parking, though, advances that any displaced demand for vehicular parking can be subsumed within capacity available in the surrounding street-network by means of on-street parking. In support of this proposition two site specific parking surveys were undertaken during night-time hours on 14<sup>th</sup> and 15<sup>th</sup> July 2021 in accordance with a method promoted by Lambeth London Borough Council, such as to establish on-street parking capacity available within a 2-minute walk of the site at times when on-street parking levels would be at their maximum. This survey identifies a total capacity for 111x vehicles, on-street, in the vicinity of the site and with a total 'stress' of 65% and 68% respectively between the first survey and second survey, showing capacity for 35-40 vehicles on-street.
- 6.51 It is acknowledged that a number of representations have sought to dispute the method and findings of the parking survey undertaken, however, West Sussex County Council do not promote an alternative method of calculation to the 'Lambeth' method, while the submitted survey clearly explains the parameters and assumptions employed in the survey. The Local Planning Authority does not possess any data of its own to dispute the findings of the parking survey undertaken, which would appear to reveal moderate on-street capacity in the vicinity of the site, consistent with the case officers own observations during a site-visit.
- 6.52 The under-provision of on-site vehicular spaces relative to expected demand does result in conflict with HDPF policy 41, which would presume in favour of sufficient parking provision to meet the needs of anticipated users. As noted within the Steyning Character Appraisal, however, on-street parking is characteristic of this area of Shooting Field with sufficient evidence available to demonstrate on-street capacity in the vicinity of the site. In combination with the general walkability of the site to locally available services and amenities, and the presence of bus-services in the immediate vicinity of the site on Shooting Field, it is considered that any degree of conflict with HDPF policy 41 is limited in this instance, and insufficient to warrant a refusal of planning permission.
- 6.53 The proposed level of cycle-parking provision (7 spaces) within a covered and secure store is compliant with standards set out within County Council Guidance, with details pertaining to the provision of electric-vehicle charging apparatus deemed capable of being secured in accordance with an appropriately worded condition.

## **Drainage and Flood Risk**

- 6.54 Policy 38 of the HDPF, *inter alia*, seeks to ensure that development within areas at significant risk of flooding is avoided, that development is adequately served by suitable drainage systems and that development does not exacerbate flood risk elsewhere.
- 6.55 The application site is located within flood-zone 1, constituting land not considered at strategic risk of fluvial, surface or groundwater flooding. Notwithstanding, the applicant has submitted a flood-risk assessment which considers and confirms the limited potential for a flood event within the site. The submitted flood-risk assessment, further, recognises that the underlying geology to the site may not prove suitable for drainage via infiltration, though, that the suitability of the site to support sustainable urban drainage systems (SuDS) in addition to the design of any drainage scheme be determined subsequent to hydraulic modelling and testing undertaken post-determination.
- 6.56 The site is not designated as at risk of flooding, with existing publicly maintained surface water sewers present in the immediate vicinity of the site. While it cannot presently be demonstrated that the proposal could support SuDS, as currently proposed, as set out within the submitted 'water-neutrality statement' the proposal does intend to incorporate rainwater collection and re-use systems. There is no evidence before the Authority that the proposal would exacerbate flood-risk elsewhere, or that drainage conditions are so inadequate that an appropriate means of disposal for surface-water drainage cannot be secured by way of appropriately worded condition. No conflict is considered with HDPF policy 38 in this instance, therefore.

## **Ecology:**

- 6.57 Policy 31 of the HDPF seeks to protect the natural environment and green infrastructure of the District. HDPF policy 31 confirms that protected habitats and species will be protected against inappropriate development while development resulting in the loss of green infrastructure will be resisted unless new opportunities to mitigate and/or compensate for loss are provided. Development will be required to contribute to the enhancement of existing biodiversity, including through the creation of new habitats where appropriate. Development which retains and/or enhances significant nature conservation features will be supported, or which improves linkages between habitats between local and regional ecological networks.
- 6.58 Policies SNDP 1 and 2 of the emerging Neighbourhood Plan, *inter alia*, require that development protects and enhances green infrastructure, natural capital and increases the potential for carbon sequestration, inclusive of identified valued landscape features such as green road verges, accessible green-space, hedgerows, trees, woodlands and river corridors. Development should provide opportunities for a biodiversity net-gain including through additional indigenous habitat provision and planting.

## **Biodiversity and Protected Species:**

- 6.59 In support of this application the applicant has provided a professionally conducted Preliminary Ecological Appraisal and Bat Survey. The submitted ecological documents considers the site to possess limited biodiversity value, and/or potential for protected species, by reason of the influence of existing residential activity, the distance of the site to relevant designated habitat sites and the condition of existing buildings/trees, deemed to possess limited roosting suitability for bats.
- 6.60 The conclusions of the Ecological Appraisal would appear consistent with the prevailing condition of the site, which is predominantly maintained as lawn, ornamental planting or as made hardstand. Some immature trees are present within the site to the rear of the garden serving No 143, with mature trees located beyond the rear (northern) site boundary.

6.61 The submitted Ecological Appraisal considers that the proposal would not unacceptably impact upon protected species, subject to relevant precautionary measures, and that the proposal is capable of delivering a proportionate ecological net-gain subject to the inclusion of additional planting, the creation of a sedum/wildflower roof, low impact (ecologically sensitive) lighting and integral bat-boxes. A detailed landscaping plan has not yet been made available in conjunction with the proposed development, though, the submitted plans do denote the formation of additional planting along the western and northern site-boundaries in addition to the introduction of hedging to the street-facing frontages of the site and a wildflower/sedum roof. It is considered that the ecological enhancements and measures outlined within the submitted Ecological Appraisal are capable of being secured by way of appropriately worded conditions, and that the development would, therefore, satisfy the requirements of HDPF policy 31 and SNDP policies 1 and 2 in respect of the delivery of a site-specific biodiversity net gain and in relation to expected impacts upon protected species.

#### Effects Upon Habitat Sites – (Water Neutrality)

- 6.62 The application site falls within the Sussex North Water Supply Zone where mains-water is supplied by groundwater abstraction within the Arun Valley. The Local Planning Authority received a 'Position Statement' from Natural England in September 2021, advising that the effects of existing groundwater abstraction cannot be objectively demonstrated to be compatible with the conservation objectives of a number of habitat sites. The habitat sites named within the Natural England position statement include the Arun Valley SAC, SPA and Ramsar sites.
- 6.63 Within its Position Statement of September 2021, Natural England advise that decisions on planning applications should await the development of a water-neutrality strategy on a strategic basis. In the current absence of a strategic solution to achieving water-neutrality, Natural England advise that individual plans and projects, where it is critical that these proceed, must demonstrate net-neutrality in respect of the use of mains-water such as to avoid contribution to the known adverse effect upon the integrity of Arun Valley habitat sites by reason of water-use.
- 6.64 The proposed development would involve the provision of a 14x flat development in replacement of 2x existing dwellings. It is expected that the proposed development would give rise to an increased level of residential occupancy, with regard to census data available to the Local Planning Authority, relative to the existing dwellings which would be replaced by the proposed development. It is, therefore, considered that the development would give rise to a net-increase in the use of mains-water, in the absence of any mitigation measures, such as to contribute to the adverse effect upon Arun Valley habitat sites associated with the use of groundwater resources within the Supply Zone identified within the Natural England Position Statement of September 2021.
- 6.65 It is not considered that the proposed development would result in any other significant effect upon the Arun Valley sites, other than by way of the use of groundwater resources, or upon any other designated habitat site.
- 6.66 In response to the Position Statement of September 2021, the applicant has submitted a water-neutrality statement, intended to demonstrate that the proposed development would achieve net-neutrality in respect of the use of mains-water resources, through reliance on specified mitigation measures. These measures include the provision of efficient installations to reduce water-use, the incorporation of rainwater collection and re-use systems to provide an alternative source of water to mains-water supply and the provision of similar systems to a dwelling currently under construction at 'Robins Wood, Horsham Road, Steyning', such as to offset 153 litres/day.
- 6.67 The Local Planning Authority has undertaken an appropriate assessment pursuant to Regulation 63 of the Conservation of Habitats and Species Regulations (2017) which

represents a detailed consideration of the proposed mitigations and the resultant effects of development upon the integrity of habitat sites.

- 6.68 In summary, with regard to the primary data of meter readings made available to the Authority, it is considered that a 'baseline' of 1,337.1 litres/day can be assumed, representing existing mains-water use associated with the occupancy of both existing dwellings and swimming pool facilities currently present to No.141. It is, however, not considered that the proposed mitigation measures can be demonstrated to result in a development which would achieve an equivalent, or lesser, level of mains-water use with the requisite degree of certainty for the purposes of Habitat Regulations Assessment.
- 6.69 As explained within the Council's appropriate assessment, in particular, concern is held in respect of the method of calculation for water-use within the development, with a standard metric of 5 litres/person/day (equivalent to 131.6 litres/day total) for external usage excluded from the submitted calculations. Inclusive of expected demand for external usage, which is deemed reasonable to include given the inclusion of balconies, landscaped areas and to account for car-washing, a shortfall of 284.85 litres/day is expected relative to anticipated demand on the basis of the applicant's own calculations. It is, further, noted that the applicant has utilised a 'yield-co-efficient' of 0.8 (80% yield) in calculating total expected rainwater-collection, deemed to represent an inappropriate metric for a flat-roof featuring sedum and wildflower components in relation to the provisions of BS EN 16941-1:2018 ('On-site non-potable water systems') at paragraph 6.1.2, which recommends co-efficient of 0.3-0.5 (30%-50%) for green roofs. It is not considered, therefore, that the Authority can conclude that proposed on-site mitigations would prove as effective as represented within the submitted water-neutrality statement such as to achieve a standard of net-neutrality in respect of the use of mains-water.
- 6.70 Where net-neutrality in respect of the use of mains-water cannot be demonstrated, with a sufficient degree of certainty, it is considered that the proposal would adversely impact the integrity of Arun Valley sites by reason of contribution to the use of groundwater resources within the Supply Zone. It is, therefore, considered that the Authority is unable to demonstrate that the proposal would maintain the integrity of habitat sites pursuant to the requirements of the Conservation of Habitat and Species Regulations 2017 at Regulation 63(5), HDPF policy 31 and NPPF paragraphs 179 and 180.

### **Climate Change:**

- 6.71 HDPF policies 35, 36 and 37, in addition to policies SNDP 1 and 2 of the emerging neighbourhood plan require that development mitigates against the impacts of climate change. These policies, collectively, provide that development is designed to a high standard of energy efficiency, promotes the use of non-motorised or zero-emission transport, reduce flood risk and reduce water-consumption. These policies reflect the requirements of Chapter 14 of the NPPF that local plans and decisions seek to reduce the contribution of development towards, and vulnerability to, climate change.
- 6.72 The proposed development does seek to introduce a total of 111 roof-mounted solar PV panels, with heating to be provided by electric air-source heat pumps. In combination with the specified standards of thermal efficiency indicated within the submitted 'predicted energy assessments' the proposed development would achieve a high-level of energy efficiency in excess of existing building-regulations requirements and achieving a '100' efficiency and environmental impact rating when assessed in accordance with the Standard Assessment Procedure (SAP) 2012 Methodology. It is, therefore, considered that the proposed development would satisfy the requirements of HDPF policies 35-37 in addition to policies SNDP 1 and 2 of the emerging Neighbourhood Plan in respect of energy use.
- 6.73 As assessed in detail within the preceding sections of this report it is not considered that the proposed development would exacerbate flood-risk elsewhere, or that adequate provision

for electric vehicles and/or cycles could not be secured by way of appropriately worded condition.

- 6.74 The expected performance of proposed rainwater harvesting systems and efficiency measures is assessed in detail within the preceding section of this report. While it is considered that the proposed measures are insufficient to demonstrate that a standard of water-neutrality would be achieved, and therefore, that development would avoid contribution to adverse effects upon habitat sites by way of the use of groundwater resources, it is nonetheless considered that the proposed development would likely achieve a standard of efficiency in excess of 110 litres/person/day as required by HDPF policy 37, representing a general metric of sustainable construction.

#### **Other Matters:**

- 6.75 It is noted that the Fire and Rescue service have sought confirmation that all parts of the proposed building are within 45m of the public highway such as to ensure access to fire-appliance in the event of fire. All parts of the site are within 45m of the public-highway, with internal accesses positioned such as to allow access to all parts of the proposed building within a maximum distance of 45m from the public-highway.

#### **Conclusions and Planning Balance**

- 6.76 The application site is located within a defined built-up area boundary where the principle of development is established in accordance with the adopted spatial strategy of the development plan.
- 6.77 The proposed development is considered to be of an acceptable scale, siting, height and design which would preserve the character and appearance of its surroundings and provide for an acceptable standard of environmental sustainability. Whilst some harm to neighbouring amenity to the rear of the site would result, this is on balance considered acceptable. The proposals are therefore in accordance with the requirements of HDPF policies 25, 32, 33, 35, 36 and 37 in addition to policies SNDP 2 and 3 of the emerging neighbourhood plan. It is, similarly, considered that the proposed development would not unacceptably impact upon highway safety and/or operation, or that a minor underprovision of parking spaces in relation to assessed demand would warrant a refusal of planning permission against the provisions of HDPF policies 40 and 41.
- 6.78 The proposed development would provide socio-economic benefits through the provision of additional housing, by way of a permanent demand for services and temporary construction employment. These benefits attract positive weight in relation to the provisions of HDPF policy 15, and in relation to NPPF paragraphs 60 and 69.
- 6.79 The proposal would not deliver a policy-compliant level of affordable housing, or an equivalent financial contribution, though, it has been established through a viability assessment exercise, undertaken in accordance with the Council's adopted Affordable Housing SPD and the national published Planning Practice Guidance document in respect of viability, that the proposed development would be unable to achieve policy-compliance in a manner which would maintain overall development viability. A departure from the provisions of HDPF policy 16, in this regard, therefore, is deemed justified on viability grounds and would not outweigh the material socio-economic benefits associated with the delivery of market housing and the minor contribution to overall housing supply which the proposed development would provide.
- 6.80 Subject to the inclusion of appropriately worded conditions it is considered that the proposed development would achieve a biodiversity net-gain and would be supported by appropriate drainage infrastructure, without exacerbating flood-risk elsewhere. Compliance with the

requirements of HDPF policies 31 and 38 in these regards, however, is considered neutral and does not weigh in favour of, or against, a grant of planning permission.

- 6.81 Overall, without regard to the likely effects of development upon the integrity of designated habitat sites, therefore, it is considered that the overall benefits of development would weigh in favour of a grant of planning permission.
- 6.82 NPPF paragraph 182, however, confirms that the presumption in favour of sustainable development does not apply where a plan or project is likely to have a significant effect on a habitats site, unless an appropriate assessment has concluded that the integrity of the site would not be adversely affected. This provision reflects the requirements of the Species and Habitat Regulations at Regulations 63(1) and 63(5), that a competent Authority must not consent a plan or project likely to result in a significant effect unless an appropriate assessment concludes the integrity of a relevant site would not be adversely affected.
- 6.83 In this instance the Authority has undertaken an appropriate assessment which considers that the proposed mitigations are insufficient to demonstrate that a standard of water-neutrality would be achieved beyond reasonable scientific doubt, such as to ensure that development avoids contribution to the adverse effect upon habitat sites associated with the use of groundwater resources within the Supply Zone by way of increased demand.
- 6.84 Conflict with the provisions of Regulation 63 of the Conservation of Habitats and Species Regulations (2017), and equivalent provisions at NPPF paragraph 179 and HDPF policy 31, is considered to attract substantial and overriding weight in this determination, irrespective of the benefits of proposed development considered in other material regards. It is, therefore, recommended that planning permission be refused accordingly, for the reasons set out below.

#### COMMUNITY INFRASTRUCTURE LEVY (CIL)

Horsham District Council has adopted a Community Infrastructure Levy (CIL) Charging Schedule which took effect on 1<sup>st</sup> October 2017.

**It is considered that this development constitutes CIL liable development.**

Use Description	Proposed	Existing	Net Gain
Residential – District Wide Zone 1	1,101	0	863.35
		<b>Total Gain</b>	863.35
		<b>Total Demolition</b>	<b>237.65</b>

Please note that the above figures will be reviewed by the CIL Team prior to issuing a CIL Liability Notice and may therefore change.

Exemptions and/or reliefs may be applied for up until the commencement of a chargeable development.

In the event that planning permission is granted, a CIL Liability Notice will be issued thereafter. CIL payments are payable on commencement of development.

## **7. RECOMMENDATIONS**

### Reason for Refusal:

1. Insufficient information has been provided to demonstrate with a sufficient degree of certainty that the proposed development would not contribute to an existing adverse effect upon the integrity of the internationally designated Arun Valley Special Area of Conservation, Special Protection Area and Ramsar sites by way of increased water abstraction, contrary to policy 31 of the Horsham District Planning Framework (2015), Paragraphs 179 and 180 of the National Planning Policy Framework (2021), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

# APPENDIX B – HABITATS REGULATIONS ASSESSMENT

## Horsham District Council Habitats Regulations Assessment (HRA) Screening Matrix and Appropriate Assessment

**PLEASE NOTE:** This screening relates only for potential impacts from water resources on the Arun Valley SAC/ SPA/Ramsar sites and does not consider impacts on any other designated habitat sites. A separate HRA screening will be required for development affecting other SPAs, SACs, or Ramsar sites.

It is the responsibility of the Competent Authority (in this case Horsham District Council) to prepare a HRA report and it is the responsibility of the applicant to provide information to support this process.

This HRA Appropriate Assessment template is for use where a planning application will result in additional demand for mains water being created in the Sussex North Water Supply Zone that is predicted to adversely impact the Arun Valley SAC/ SPA/Ramsar sites. The purpose of this HRA screening record is to assess the need for appropriate assessment in relation to the project detailed below.

The Conservation of Habitats and Species Regulations 2017 (as amended) requires that a Habitats Regulations Assessment screening is carried out in relation to any plan or project which is likely to have a significant effect on Habitats (European) sites, either alone or in combination with other plans or projects. Habitats sites are Special Protection Areas and Special Areas of Conservation. Ramsar sites should also be given the same level of protection, as stated within the National Planning Policy Framework.

In line with the Court judgement (CJEU *People Over Wind v Coillte Teoranta C-323/17*), mitigation measures cannot be taken into account when carrying out a screening assessment to decide whether a development is likely to result in significant effects on a Habitats site.

Where an Appropriate Assessment is carried out a project may only be authorised after having ascertained that it will not adversely affect the integrity of the site(s) concerned.

**Table 1: HRA Screening matrix for water neutrality**

Stage 1 HRA screening	
Brief description of the development project	<p>Planning Application: DC/21/2394</p> <p>Development Description: Demolition of 2No. residential dwellings and all ancillary structures. Construction of 14No. 2 bedroom apartments with secure and covered cycle storage, car parking provision and refuse enclosure.</p> <p>Location: 141 and 143 Shooting Field, Steyning, West Sussex, BN44 3SW</p> <p>Type of application: Full</p>
Details of the development project	<p><b>Proximity to Arun Valley SAC / SPA / Ramsar:</b></p> <p>Is the application site:</p> <p>A) Within the Sussex North Water Supply Zone (WSZ)</p> <p><b>Yes</b></p> <p>B) Arun Valley SAC / SPA / Ramsar potentially impacted by the planning application:</p>

	<p><b>Yes there is credible evidence of a real risk that the proposal will, without measures to minimise water use and water offsetting, result in an increase in water demand.</b></p> <p>C) Is the planning application directly connected with or necessary to the management of the Arun Valley SAC/SPA/Ramsar site? <b>No</b></p>
<p>Brief description of the Habitats sites within scope of this assessment</p>	<p>Arun Valley SAC, SPA and Ramsar site supports rare and diverse plant, invertebrate and bird assemblages as qualifying features. It consists of low-lying grazing marsh, largely on alluvial soils, but with an area of peat derived from a relict raised bog. Variation in soils and water supply lead to a wide range of ecological conditions and hence a rich flora and fauna.</p> <p>Further details are provided in Appendix 1.</p>
<p>Key vulnerabilities / factors affecting site integrity</p>	<p>For applications where increased demand for water resources is the only pathway for impacts, Natural England's substantive advice (Position Statement Interim Approach, September 2021) is that such applications - without mitigation - will result in a likely significant effect on the Arun Valley SAC/SPA/Ramsar site either alone or in combination with other developments in the Sussex North WSZ. As it cannot be concluded that the existing abstraction within Sussex North Water Supply Zone is not having an impact on the Arun Valley sites, developments within this zone must not add to this impact. Therefore, such applications, even where mitigation is proposed, must progress to Appropriate Assessment (AA).</p> <p>Natural England's Position Statement (September 2021) is that the Sussex North Water Supply Zone includes supplies from a groundwater abstraction which cannot, with certainty, conclude no adverse effect on the integrity of;</p> <ul style="list-style-type: none"> <li>• Arun Valley Special Area Conservation (SAC)</li> <li>• Arun Valley Special Protection Area (SPA)</li> <li>• Arun Valley Ramsar Site</li> </ul>
<p><b>HRA Screening Assessment Criteria</b></p>	
<p>The individual elements of the project (either alone or in combination with other plans or projects) likely to give rise to impacts on the Arun Valley SAC, SPA and Ramsar site</p>	<p>Based on the threat from water demand identified by Natural England's Position Statement, the development proposals need assessment for hydrological changes to the Arun Valley SAC/ SPA/ Ramsar site.</p> <p>For applications, does the evidence show any likely significant effect on Arun Valley SAC/SPA/Ramsar site, without mitigation measures (either alone or in-combination with other plans or projects)? <b>Yes.</b></p> <p><b>Explanation: Anticipated demand for the use of mains-water associated with the occupancy of the proposed 14x residential units would exceed that anticipated in connection with the occupation of the existing 2x dwellings present within the site.</b></p> <p>Test 1 the significance test below has been completed as the evidence shows a likely significant effect on Arun Valley SAC/SPA/Ramsar site, without mitigation measures (in-combination with other plans or projects).</p>

<p>Test 1 the significance test:          – Can a judgement be made as to whether there could be any potential significant impacts of the development on the integrity of the Arun Valley SPA/ SAC/Ramsar.</p>	<p>Following the CJEU ruling People over Wind, it is no longer lawful to take into account any avoidance and mitigation measures as part of the application at this stage of HRA.</p> <p>For applications where increased demand for water resources is the only mechanism of impact, Natural England’s advice is that such applications - <b>without mitigation</b> - will have a likely significant effect on the Arun Valley SAC/SPA/Ramsar site in combination with other developments in the Sussex North WSZ.</p> <p>Therefore, such applications, even where mitigation measures (minimise water use and water offsetting) are proposed, will progress directly to Stage 2 Appropriate Assessment to consider, with mitigation, the impacts of the development on mains water usage on the above designated sites, either alone or in combination with other plans and projects.</p> <p><b>Explanation:</b> All development likely to increase the demand for mains water usage, is predicted to result an identifiable impact on the Arun Valley SAC/SPA/Ramsar sites.</p> <p>After mitigation has been embedded into the project design, Test 2 – the integrity test then needs to be applied.</p>
<p><b>Stage 2 Appropriate Assessment</b></p>	
<p>The above Stage 1 HRA screening has determined that a Likely Significant Effect is predicted at Arun Valley SAC/SPA/Ramsar site as a result of impacts on water quantity. This pathway has been screened in, and the potential for adverse effects on site integrity, either alone or in-combination will be assessed.</p> <p>Therefore, this section of the report to inform HRA Stage 2 only discusses the potential for impacts on water quantity as a result of the proposed development.</p>	
<p>Potential for Adverse Effects On the Integrity (AEOI) of a Habitats site from the development alone or in combination.</p>	<p>Supplementary advice on conserving and restoring site features for Arun Valley SAC/SPA sets a number of targets for the site under the supporting the Conservation Objectives in order that the integrity of the sites is maintained or restored as appropriate, and ensure that the sites contribute to achieving the Favourable Conservation Status of the Qualifying Features.</p> <p>The targets cover hydrology and flow, water quantity, area depth and water quality. The hydrology of the river Arun is the major factor affecting these targets and this is turn is affected by the abstraction at Hardham for the supply of drinking water. Continued or increased levels of groundwater abstraction at Hardham reduces water quantity in the Arun Valley sites and adversely affects water levels and flow within the sites (in combination with other plans and projects in the Sussex North WRZ).</p> <p>Without an alternative sustainable water supply or mitigation measures, the hydrology of the sites will be unable to maintain the types and extents of habitats required to maintain the Qualifying Features.</p>
<p>Details of Water usage for the development</p>	<p><b><u>Summary of Water-Use and Proposed Mitigations:-</u></b></p> <p><b><u>Existing (baseline) water consumption</u></b></p> <p>Existing (baseline) water-consumption is considered to be <b><u>1,337 litres/day</u></b>.</p> <p><b><u>Proposed Water Consumption (without mitigation)</u></b></p>

	<p>It is anticipated that the proposed development would give rise to a total consumption of <b><u>3,553 litres/day</u></b> without any mitigation measures.</p> <p><b><u>Proposed Water-Consumption (with on-site mitigations)</u></b></p> <p>Subject to the inclusion of efficiency measures and rainwater harvesting and re-use systems within the proposed building it is considered that total mains water consumption can be demonstrated to be reduced to <b><u>2,021 litres/day</u></b>.</p> <p><b><u>Off-Site Mitigation (Offsetting):-</u></b></p> <p>The proposed WNS advances offsetting at two nearby premises in the form of fitting/retrofitting efficient installations and rainwater harvesting and re-use systems.</p> <p>It is considered that these measures can be demonstrated to deliver a saving of litres/day elsewhere within the Supply Zone, such as to achieve a total reduction to <b><u>1,234 litres/day</u></b> once proposed 'offsetting' measures are secured.</p> <p><b><u>Net-Difference:-</u></b></p> <p>Subject to the implementation of the proposed mitigation measures, it is anticipated that the proposed development would result in a net-decrease in demand for mains-water supply of <b><u>103 litres/day</u></b> against the baseline position. It is considered, therefore, that net-neutrality in respect of demand for the use of mains-water has been demonstrated with a sufficient degree of certainty in this instance.</p> <p>The efficacy of proposed mitigations is discussed in detail within the subsequent section of this report.</p>
<p>Proposed mitigation for the project to secure the mitigation as a condition of any consent or by way of legal agreement pursuant to S.106 of the Town and Country Planning Act 1990</p>	<p><b><u>Detailed Consideration:-</u></b></p> <p><b><u>Calculation of Baseline Consumption:-</u></b></p> <p>The submitted WNS advances a consumption figure of 1,337 litres/day in connection with the existing occupancy of No.141 and No.143, both of which would be demolished in order to accommodate the proposed development. No.141 is a 3-bed dwelling and No.143 is a 4-bed dwelling.</p> <p>Confirmation from Southern Water has been provided (Appendix C to the WNS) that No.141 consumed an average of 951 litres/day for the period of June 2021 to March 2022 on the basis of meter readings. This period of ~9-months is considered sufficient to provide a reliable depiction of water-use at No.141 over time, and taking account of the presence of swimming pool on the premises.</p> <p>No meter data is available in respect of No.143, as such the submitted WNS advances a figure of 386 litres/day on the basis of a standard occupancy rate of 2.86 for a 4-bedroom dwelling (extrapolated from Census data) and with regard to average consumption of 135 litres/person within the District. This calculation, therefore, follows the Council's preferred methodology for the calculation of residential baseline consumption rates and where no primary data is available.</p> <p>Baseline usage advanced in respect of No.141 and No.143 is deemed reliable, as is the total baseline 1,328 litres/day (taking account of consumption associated with both existing dwellings).</p> <p><b><u>Calculation of Anticipated Consumption:-</u></b></p> <p>The submitted WNS advances a consumption figure of 3,553 litres/day in connection with the proposed development of 14x flats and without any mitigations. Each proposed unit would be 2-bedrooms, with an occupancy rate of 26.32 persons</p>

expected for a development of this scale and type as extrapolated from Census data in accordance with the Council's preferred method.

The submitted WNS models an average consumption of 135 litres/person/day (without mitigations), though, a more conservative assumption of 110 litre/person/day (in accordance with the optional Part G Building Regulations) is deemed more credible for a contemporary new-build development. Anticipated consumption (without mitigations), therefore, could be reasonably expressed as 2,895.2 litres/day.

As mitigations are proposed to achieve greater standards of efficiency, beyond the 110 litre/person/day standard, either figure is illustrative in this instance.

## **Proposed Mitigations (On-site):-**

### **Efficiency Measures:-**

The submitted WNS includes calculation tables pursuant to Part G of the Building Regulations at Appendix E modelling that the proposed development would achieve a standard of 97.15 litres/person/day on the basis of efficiency savings alone. These savings would be achieved by the installations specified (which are deemed reflective of the scale and type of units proposed) and with regard to specifications provided at Appendix F to the WNS.

The proposed standard of efficiency is deemed achievable, and would be secured by way of appropriately worded condition. A reduction to 2,557 litres/day would be expected subsequent to the inclusion of specified efficiency measures.

### **Rainwater Harvesting:-**

The submitted WNS explains that proposed development would incorporate rainwater harvesting and re-use systems to service non-potable demand associated with the use of W/Cs and external usage, as modelled at Appendix E to the WNS. The submitted water calculation tables model a reduction to 71.8 litres/person/day subsequent to the inclusion of rainwater harvesting/re-use measure to service W/Cs and external usage, which would deliver a reduction in usage to 1,890 litres/day as a further 667 litres/day reduction relative to the incorporation of efficiency measures alone.

In accordance with the standard 'Part G' figure of 5 litres/person/day for external usage, it is expected that external usage would equate to 131.6 litres/day in this instance with regard to the occupancy rate of 26.32 persons. While the incorporation of systems to service external usage by rainwater would be expected to reduce mains-water consumption, it is not considered that rainwater can be reliably and realistically be utilised to service all external usage associated with development, encompassing the maintenance of private balcony spaces and washing of private cars, for example. It is not considered that the 5 litre/person/day saving (131.6 litre/day total saving) currently modelled within the WNS, therefore, can be assumed with a sufficient degree of certainty or adequately controlled.

It is, therefore, considered that the scale of reduction associated with the introduction of rainwater-harvesting systems would be 536 litres/day and subsequent to the incorporation of the proposed efficiency measures.

### **Rainwater Yield:-**

The submitted WNS includes rainwater-yield calculations pursuant to BS EN 16941-1:2018 'On-site non-potable water-systems' at page 18 and at Appendix E. Different yield co-efficients have been applied to the various roof areas servicing the rainwater system (which differ in area), and are considered appropriate to apply to the various proposed collection surfaces comprising of solar PV, sedum and non-sedum flat-roofs. The specified filter efficiency of 0.95 is, similarly, deemed expected and appropriate for the purposes of the yield calculation.

A total rainwater yield of 561.82 litres/day is modelled by way of the BS EN 16951-1:2018 calculation, sufficient to service anticipated demand of 480.6 litres/day to service W/C installations and external usage (notwithstanding the concerns raised above), and with a sufficient margin for error. As demonstrated at Appendix E to the WNS, a storage tank with sufficient capacity to provide 35 days supply is to be incorporated, and is considered sufficient to afford a robust alternative source of supply to mains water and which would endure recent drought events within the District.

The proposed rainwater systems and relevant capacities are capable of being secured by way of appropriately worded condition.

### **Summary of On-Site Measures**

Subject to the proposed on-site mitigations it is anticipated that proposed usage would be reduced to 2,021 litres/day. These measures alone, therefore, are not sufficient to achieve net-neutrality in respect of the use of mains-water, with a residual 684 litres/day considered in relation to the baseline position of 1,337 litres/day.

### **Proposed Mitigations (Off-Site):-**

In order to eliminate residual demand the WNS proposes to reduce supply elsewhere within the water-supply zone as a form of offsetting. Offsetting measures are proposed at two premises within Steyning, namely a single dwelling at Robins Wood, Horsham Road, Steyning, BN44 3AA, and at Steyning Football Club, Shooting Field, Steyning, BN44 3RQ.

### **Offsetting at Robins Wood:-**

Robins Wood is a 4-bedroom dwelling presently under construction in conjunction with the grant of planning permission pursuant to ref: DC/20/1470. Structural works have commenced, though, the dwelling is not yet capable of occupation, being due for completion early/mid 2023.

Planning conditions attached to ref: DC/20/1470 required adherence to the optional Part G standard of 110 litres/person/day. A water-calculations table pursuant to Part G of the Building Regulations, in respect of Robins Wood, has been provided at Appendix M to the WNS, demonstrating that (prior to proposed retrofitting works), the approved dwelling would achieve a standard of 108.6 litres/person/day.

A total consumption of 310 litres/day would be anticipated at Robins Wood with regard to the standard of efficiency evidenced at Appendix M and with reference to the average anticipated occupancy of 2.86 persons

The proposal would seek to improve upon standards of efficiency within the approved dwelling by way of the incorporation of the same installations specified at Appendix E to the WNS, namely the incorporation of rainwater systems to service W/C installations and external usage.

Water-calculations tables included at Appendix M to the WNS anticipate a reduction to 97.15 litres/person/day subsequent to the incorporation of efficiency measures and a rather reduction to 71.8 litres/person/day once rainwater collection systems are incorporated to service W/C installations and external usage. These measures are indicted to deliver a 105.2 litre/day total saving at Robins Wood, and with regard to the anticipated occupancy rate of 2.86 persons.

Consistent with the proposed servicing of external usage at the proposed development by rainwater supply, however, it is not considered that external usage at Robins Wood could be adequately controlled by way of legal agreement such as to ensure that the maintenance of private garden spaces and/or washing of private vehicles was solely

serviced by way of rainwater supply. With regard to the standard Part G figure of 5 litres/person/day, it is expected that external use at Robins Wood would equate to 14.3 litres/day on the basis of an anticipated occupancy rate of 2.86 persons.

Subsequent to the elimination of external usage, it would be expected that offsetting measures proposed at Robins Wood would deliver a 90.9 litre/day saving elsewhere within the supply zone, and which could be relied upon as an 'offset' against increased demand resulting from the proposed development. Subsequent to offsetting measures at Robins Wood, therefore, a 593.1 litre/day further saving is required to be achieved in order for neutrality to be demonstrated.

#### Rainwater Yield:-

Calculations pursuant to BS EN 16941-1:2018 'On-site non-potable water-systems' have been supplied in respect of Robin's Wood at Appendix I to the WNS. With the roof area of 200m<sup>2</sup>, indicated yield co-efficient and filter efficiency deemed appropriate to the approved dwelling and specified installation. A total rainwater demand of 52.2 litres/day would be expected with regard to the servicing of W/C installations and external usage. A rainwater yield of 308.2 litres/day would be expected at Robins Wood, sufficient to support such demand, notwithstanding concerns regarding control over the use of mains-water in the context of external usage. Specified storage at Appendix I, further, is sufficient to support 35 days storage and to provide a sufficiently robust alternative supply to the use of mains water.

#### Offsetting at Steyning Football Club:-

Steyning Football Club is an operational facility located a short distance from the application site. In order to eliminate residual usage (which would equate to 593.1 litres/day once other mitigations are applied), the submitted strategy proposes to retrofit existing W/Cs and hand-basin installations with more efficient installations, together with the fitting of flow restrictors to existing showers, such as to achieve a reduction in overall consumption. The submitted WNS includes an assessment of water-use and expected saving at Steyning Football Club (Appendix K), which concludes that the proposed offsetting measures at the Club would deliver a saving of 694.81 litres/day.

#### Calculation of Baseline:-

The survey period for the assessment included at Appendix K is confined to 06.12.2021-10.06.2022 (185 days) selected due to the availability of relevant data, including meter readings up to 10.06.2022. Separate registration and booking data made available in conjunction with the assessment at Appendix K confirms that the club was operational throughout the duration of the survey period, with the survey period of ~6 months (subsequent to the relaxation of Covid-19 restrictions) deemed a sufficient period of time such as to provide a reliable depiction of consumption associated with the Club operation.

The assessment at Appendix K notes that metered usage equates to 467m<sup>3</sup> over the duration of the survey period, equivalent to 2,524.32 litres/day.

#### Calculation of Anticipated Saving:-

In order to determine the scale of anticipated saving expected as a result of proposed offsetting measures the assessment at Appendix K seeks to advance a litre/person/day figure for the operation of the Club, together with an occupancy rate figure.

#### Existing Installations:-

The assessment at Appendix K includes a water-calculations table, which lists W/C installations, hand basins, showers, and kitchen facilities. The consumption specifications for W/C facilities have been ascertained via on-site inspection, with other

specifications advanced in accordance with the BREAAAM baseline standard, with such specifications deemed credible.

As explained within the assessment at Appendix K, usage figures for individual installations have been calculated in accordance with the BREAAAM standard for a public-building and with adjustments applied for known hours of use per-day and gender. This results in a figure of 8.19 litres/person/day for W/C, hand-basin and shower facilities and 576.43 litres/day associated with the use of kitchen appliances/installations.

The usage figures advanced are deemed reliable, having been calculated with regard to the specific demographic profile of the Football Club and known hours of use, as explained within the assessment at Appendix K.

#### Occupancy Rate Calculation:-

The assessment at Appendix K advances an average occupancy rate of 171 persons/day associated with the Club operation on an annual basis and with regard to the registration data available. This figure has been verified by the Officer on the basis of the registration data available, and is considered reliable – taking account of seasonal fluctuations in the intensity of use.

For survey period of December 2021 to June 2022 the assessment at Appendix K offers an occupancy rate figure of 210 persons/day. The registration data for this period does suggest a greater intensity of use relative to the autumn/winter period, however, the Officer considers the lesser figure of 184.7 persons/day to be correct on the basis of registration data made available.

With regard to the anticipated occupancy rate of 184.7 persons/day (for the survey period) and individual consumption figures provided within calculation tables, predicted usage (prior to mitigations being applied) varies from recorded usage by -18% across the same period. This is suggestive that the parameters of the BREAAAM model employed at Appendix K are sufficiently conservative, and do not overrepresent the contribution made by installations to be retrofit as part of the retrofitting strategy to overall consumption.

#### Proposed Retrofit:-

The submitted WNS proposes to retrofit more efficient W/C appliances and flow-restrictors to hand-basins within the Club. A water-calculations table for the proposed appliances is included at Appendix K to the WNS, with the litre specifications for new appliances deemed credible, assuming these are modern fittings.

The assessment at Appendix K models a reduction to 4.12 litres/person/day subsequent to the proposed retrofitting works being undertaken. With regard to an annual average occupancy of 171 persons/day, it is expected that consumption associated with hand-basins, showers and W/Cs would reduce to 704.52 litres/day, while consumption associated with the use of kitchen appliances/installations would remain consistent at 576.42. A total standard of 1,280.94 litres/day, therefore, would be achieved, representing a 695.98 litre/day saving relative to the modelled baseline position of 1976.92 litres/day, and which can be relied upon as an 'offset' against consumption associated with the proposed development.

As the modelled baseline is lesser than the scale of the recorded baseline advanced within meter readings, however, it is expected that the scale of saving would likely exceed 695.98 litres/day, though, to an unknown extent.

Subsequent to the introduction of proposed retrofitting measures at Steyning Football Club, and the 695.98 litre/day anticipated offset, the proposed development would achieve a standard of 1,234.12 litres/day, representing a 102.88 litre/day reduction relative to the on-site baseline of 1,337 litres/day.

	<p><b><u>Overall Conclusion;-</u></b></p> <p>The submitted WNS advances that the proposed development would achieve a reduction of 102.88 litres/day relative to the assessed baseline position of 1,337 litres/day subsequent to the adoption of all proposed mitigation measures.</p> <p>The proposed mitigation measures are capable of being secured by way of appropriately worded condition, or by way of legal agreement pursuant to S.106 of the Town and Country Planning Act 1990 (which would be required for off-site measures).</p> <p>It is considered that the anticipated reduction in consumption provides sufficient margin for error in respect of the overall neutrality conclusion, especially where taking account of no savings anticipated with the servicing of external usage by way of rainwater supply and with regard to the conservative assumptions relied upon within the model advanced at Appendix K.</p> <p>It has been demonstrated to the satisfaction of the Council, therefore, that the proposed development would achieve net-neutrality in respect of the use of mains-water such as to avoid contribution to the adverse effect upon the integrity of the Arun Valley SAC, SPA and Ramsar sites by reason of demand for public groundwater resources.</p>
Test 2 – the integrity test	<p><b>Conclusion:</b></p> <p>Horsham District Council concludes that, with mitigation, the project <b>will not</b> have an Adverse Effect on the Integrity of the Arun Valley SAC/ SPA /Ramsar site, either alone or in combination with other plan and projects.</p> <p>This development would therefore be in conflict with the conservation objectives for the Arun Valley SPA, SAC and Ramsar site which include ‘maintaining or restoring the population of Qualifying Features’. See Appendix 1.</p> <p>As the mitigation has been considered after HRA screening, this HRA Appropriate Assessment is in line with the People over Wind CJEU Court ruling and, being beyond reasonable scientific doubt concerning the effects of the work envisaged on the site concerned, is also in line with the Holohan and Others v An Bord Pleanála court ruling.</p> <p>Having prepared this Appropriate Assessment of the implications of the project for the Arun Valley sites in view of their conservation objectives, subject to consultation with Natural England and fully considered any representation received where necessary, the authority <b>can approve</b> the project under regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended).</p>

**Approving Planner:** Giles Holbrook

**Date:** 11.10.2022

**DISCLAIMER:** This information has been produced by Place Services's Ecology Team on behalf of Horsham District Council, at their request.

**Appendix 1 – details of Arun Valley SAC/SPA/Ramsar site**

Qualifying Features for SPA/SAC	<p><b>Arun Valley SPA</b></p> <p>A037 Bewick's swan, <i>Cygnus columbianus bewickii</i> (non-breeding). During the time of site notification, the SPA supported 115 individuals representing at least 1.6% of the wintering population in Great Britain (5 year peak mean 1992/93 - 1996/97).</p> <p>During the non-breeding season, the SPA regularly supports an assemblage of waterfowl with the area regularly supporting 27,241 individual waterfowl (5 year peak mean for 1992/93 to 1996/97) including: Shoveler <i>Anas clypeata</i>,</p>
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	<p>Teal <i>Anas crecca</i>, Wigeon <i>Anas penelope</i>, Bewick's Swan <i>Cygnus columbianus bewickii</i>.</p> <p><b>Arun Valley SAC</b>  4056 Little Whirlpool <a href="#">Ramshorn snail</a> <i>Anisus vorticulus</i>  <i>Anisus vorticulus</i> occurs across a range of sites in southern and eastern England. The Arun valley is one of the three main population centres for this species in the UK. This proposed site includes two of its core sites in the wash lands of the Arun floodplain (Pulborough Brooks and Amberley Wild Brooks SSSIs).</p>
<p>Qualifying Features for Ramsar</p>	<p><b>Arun Valley Ramsar</b></p> <p><b>Ramsar criterion 2</b>  The site holds seven wetland invertebrate species listed in the British Red Data Book as threatened. One of these, <i>Pseudamnicola confusa</i>, is considered to be endangered. The site also supports four nationally rare and four nationally scarce plant species</p> <p><b>Ramsar criterion 3</b>  In addition to the Red Data Book invertebrate and plant species, the ditches intersecting the site have a particularly diverse and rich flora. All five British duckweed (<i>Lemna</i> species), all five water-cress (<i>Rorippa</i> species), and all three British water milfoils (<i>Myriophyllum</i> species), all but one of the seven British water dropworts (<i>Oenanthe</i> species), and two-thirds of the British pondweeds (<i>Potamogeton</i> species) can be found on site.</p> <p><b>Ramsar criterion 5</b>  Assemblages of international importance: Species with peak counts in winter: 13774 waterfowl (5 year peak mean 1998/99-2002/2003)</p>
<p>Conservation Status of the relevant Qualifying Features</p>	<p><b>Arun Valley SAC, SPA and Ramsar</b></p> <p>In line with the national trend, the number of Bewick's swans wintering in the Arun Valley has declined since the time of designation and is now typically fewer than 50 birds. This may reflect an overall decline in the population of the species and/or be due to the effects of a milder climate in which more are able to winter in continental Europe (The Birds of Sussex, 2014). The waterfowl assemblage numbers fluctuate depending upon conditions in the valley but over the past five years have averaged 40,311, an increase from the five year mean of 27,241 at the time of designation.</p> <p>The Arun Valley is one of the remaining strongholds for the Little Whirlpool Ramshorn Snail.</p>
<p>Conservation Objectives (Only Relevant for SPA/SAC)</p>	<p><b>Arun Valley SAC &amp; SPA</b>  Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring;</p> <ul style="list-style-type: none"> <li>• The extent and distribution of the habitats of the qualifying features</li> <li>• The structure and function of the habitats of the qualifying features</li> <li>• The supporting processes on which the habitats of the qualifying features rely</li> <li>• The population of each of the qualifying features, and,</li> <li>• The distribution of the qualifying features within the site.</li> </ul>