



TO: Planning Committee

BY: Head of Development and Building Control

DATE: 19 December 2023

DEVELOPMENT: Erection of a new dwelling.

SITE: Lavender Cottage Blackstone Gate Farm Henfield Road Albourne Hassocks West Sussex BN6 9JJ

WARD: Bramber, Upper Beeding and Woodmancote

APPLICATION: DC/23/1595

APPLICANT: **Name:** Mrs Caroline Jones **Address:** Lavender Cottage Henfield Road Albourne Hassocks BN6 9JJ

REASON FOR INCLUSION ON THE AGENDA: The Applicant is an immediate relation to an employee of the Council

RECOMMENDATION: To refuse planning permission

1. THE PURPOSE OF THIS REPORT

1.1 To consider the planning application.

DESCRIPTION OF THE APPLICATION

1.2 The application seeks full planning permission for the erection of a 3-bed residential dwelling. The dwelling has been constructed and is currently occupied. The development is therefore retrospective.

1.3 The dwelling is located to the north of the site, having replaced a former stable building (previously subject of planning permission for conversion to a 3-bed holiday-let unit) and is finished in timber cladding with a shallow pitched roof.

DESCRIPTION OF THE SITE

1.4 The application site is located to the west of Henfield Road, outside of any designated built-up area boundary. The site is therefore located within a countryside location in policy terms.

1.5 The site comprises an unauthorised residential dwelling known as Lavender Cottage located to the north of the site. A number of other buildings are located within proximity to this dwelling, and utilised for a mix of equestrian, dog day care, and dog grooming purposes (subject to planning application DC/23/1594). The site is bound by trees and hedging to the north, with the eastern boundary defined by close-boarded fencing.

- 1.6 Several residential properties are located to the north and east of the application site, with the wider surroundings comprising open fields and woodland.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT PLANNING POLICIES

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

2.3 National Planning Policy Framework

2.4 Horsham District Planning Framework (HDPF 2015)

Policy 1 - Strategic Policy: Sustainable Development
Policy 2 - Strategic Policy: Strategic Development
Policy 3 - Strategic Policy: Development Hierarchy
Policy 4 - Strategic Policy: Settlement Expansion
Policy 15 - Strategic Policy: Housing Provision
Policy 16 - Strategic Policy: Meeting Local Housing Needs
Policy 20 - Rural Workers Accommodation
Policy 24 - Strategic Policy: Environmental Protection
Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
Policy 26 - Strategic Policy: Countryside Protection
Policy 31 - Green Infrastructure and Biodiversity
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
Policy 35 - Strategic Policy: Climate Change
Policy 36 - Strategic Policy: Appropriate Energy Use
Policy 37 - Sustainable Construction
Policy 38 - Strategic Policy: Flooding
Policy 40 - Sustainable Transport
Policy 41 - Parking

RELEVANT NEIGHBOURHOOD PLAN

2.5 Woodmancote Parish Neighbourhood Plan

Policy 1 – A Spatial Plan for the Parish
Policy 3 – Design
Policy 5 – Local Employment
Policy 7 – Broadband

PLANNING HISTORY AND RELEVANT APPLICATIONS

WK/19/92	Conversion of milking parlour into 2 semi-detached cottages Site: Blackstone Gate Farm Henfield Rd Woodmancote	Application Permitted on 19.11.1992
DC/20/1019	Conversion of existing stables to holiday let together with construction of replacement stables	Application Permitted on 30.09.2020

3. OUTCOME OF CONSULTATIONS

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

INTERNAL CONSULTATIONS

- 3.2 **HDC Environmental Health:** Comment

Noise Assessment required to address noise arising from the dog day care/boarding business.

OUTSIDE AGENCIES

- 3.3 **WSCC Highways:** Advice

The site is located on Henfield Road, a B-classified road subject to national speed limit in this location.

The site is accessed from an existing vehicular access point on Henfield Road. The addition of one dwelling is not anticipated to give rise to a material intensification of use of the existing access point.

An inspection of collision data provided to WSCC by Sussex Police from a period of the last five years reveals no recorded injury accidents attributed to road layout within the vicinity of the site. Therefore, there is no evidence to suggest the existing access has been operating unsafely or that the proposals would exacerbate an existing safety concern.

The WSCC Car Parking Demand Calculator indicates that a dwelling of this size and location would require three car parking spaces. From inspection of the plans, there appears to be suitable space within the site for this parking demand to be accommodated, with space for on-site turning to be achievable.

No details of cycle parking have been provided, although the LHA acknowledge the rural site location whereby cycling may not be a viable option. If the LPA believe cycle parking is justifiable for this application, the applicant should demonstrate secure and covered cycle parking provision for at least two bicycles.

The LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 111), and that there are no transport grounds to resist the proposal.

- 3.4 **WSCC Fire and Rescue:** Comment

The nearest fire hydrant for the supply of water for fire fighting is 615 metres away, 440 metres further than the 175 metres required for a domestic premises. If an alternative supply of water for firefighting is to be considered, it will need to conform with the details identified in Approved Document – B (AD-B) Volume 1 2019 edition: B5 section 14.

Evidence is also required to show suitable access for a fire appliance to the site. Sections of the access road appear to be too narrow for the appliance to gain access in an emergency.

- 3.5 **Southern Water:** Comment

It is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.

PUBLIC CONSULTATIONS

- 3.6 **Woodmancote Parish Council:** No Objection

3.7 1 letters of objection were received from 3 separate households, and these can be summarised as follows:

- Noise impacts
- Disturbance
- Inappropriate location
- No right of access to land
- Non-compliance with conditions
- Significant increase in level of activity within the countryside
- Impact on tranquillity
- Increased traffic

3.8 9 letters of support were received from 7 separate households, and these can be summarised as follows:

- In keeping with the surroundings and sympathetic
- No different to what would be expected within a rural area
- Minimal traffic
- No noise
- Extra planting of trees

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

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

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

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

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 The application seeks full planning permission for a 3-bed residential dwelling. The dwelling has been constructed and is currently occupied. The development is therefore retrospective.

Principle of Development:

6.2 The application seeks full planning permission for the erection of a 3-bed residential dwelling. The application site previously benefitted from planning permission for the conversion of an existing stable building to a holiday-let. Following this permission, the existing building was demolished, and the building subject of the current application erected on site. The development therefore represents new build residential development within the countryside.

- 6.3 As the site is located outside of any defined built-up area boundary, Policies 3 and 4 of the Horsham District Planning Framework (HDPF) are of relevance in the determination of the application. As stated within Policy 3 of the HDPF, development will be permitted within towns and villages that have defined built-up areas; with development in the countryside more strictly controlled through the provisions of Policy 4. This policy states that development outside of built-up areas will only be supported where the site is allocated in the Local Plan or in a Neighbourhood Plan and adjoins a settlement edge. The application site is not identified in the Local Plan and is not allocated within an adopted Neighbourhood Plan. The proposed development would not therefore accord with the spatial strategy expressed through Policies 3 and 4 of the HDPF.
- 6.4 Policy 1 of the Woodmancote Parish Neighbourhood Plan states that development proposals within the Parish will be supported and the re-use of previously-developed sites will be encouraged provided they accord with other provisions of the Neighbourhood Plan and development plan; that the proposals are of high quality design and appropriate in scale, massing and character; where appropriate they preserve the significance of the Blackstone Conservation Area; and, they will not undermine the landscape and character of the Parish nor the setting of the South Downs National Park.
- 6.5 Paragraph 79 of the NPPF states that "to promote development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby."
- 6.6 Paragraph 80 of the NPPF continues that "planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:
- a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside;
 - b) the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets;
 - c) the development would re-use redundant or disused buildings and enhance its immediate setting;
 - d) the development would involve the subdivision of an existing residential dwelling; or
 - e) the design is of exceptional quality, in that it:
 - is truly outstanding or innovative, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and
 - would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area.
- 6.7 The term "isolated" is not defined within the National Planning Policy Framework, but case law has confirmed that it should be given its ordinary objective meaning of remote and far away from other places, buildings and people, and separate or remote from a settlement, services, and facilities. It was concluded in the Braintree Judgement that a settlement would not necessarily exclude a cluster of dwellings. The application site is located within close proximity to a number of residential dwellings and other buildings, and given this spatial context is not considered to be "isolated" in its truest sense, and does not therefore engage the considerations of paragraph 80.
- 6.8 In this countryside location, the proposal is also considered against Policy 26 which seeks to protect the countryside against inappropriate development unless it is considered

essential and appropriate in scale; whilst also meeting one of four criteria. These criteria includes: supporting the needs of agriculture or forestry; enabling the extraction of minerals or the disposal of waste; providing for quiet informal recreational use; or enabling the sustainable development of rural areas. The development does not meet any of this criteria, nor is it considered to be essential to the countryside location, and does not therefore comply with Policy 26 of the HDPF.

- 6.9 The development would provide 1no. private market dwellings on a site located outside of a built-up area boundary, where such development would be contrary to the overarching spatial strategy as expressed through Policies 1, 2, 3, 4, and 26 of the Horsham District Planning Framework (2015).
- 6.10 Notwithstanding this, it is noted that the site represents Previously Developed Land, where this is a material consideration of some weight in the consideration of the application.
- 6.11 Policy 2 of the HDPF states that the effective use of land by reusing land that has been previously developed (brownfield land) will be encouraged provided that it is not of high environmental value. The aim of this policy is to encourage the appropriate re-use of brownfield sites in sustainable locations, locating new development in sustainable locations that respect environmental capacity and which have appropriate infrastructure, services and facilities in place, or in places where these can be realistically provided.
- 6.12 Paragraph 119 of the NPPF states that "planning policies and decisions should promote an effective use of land in meeting the needs for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions." Paragraph 120 continues that planning policies should encourage multiple benefits from both urban and rural land; recognise that some undeveloped land can perform many functions; give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs; and promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained.
- 6.13 While it is acknowledged that the application site comprises previously developed land, the spatial strategy and directive from the NPPF guides development to previously developed land within settlements, where it is considered to be more sustainable. The application site would be located outside of a designated settlement boundary and would be located at a distance from amenities, facilities, and services. While the development would contribute to an identified housing need (as discussed in more detail in the following section) the development is not considered to be located within a sustainable location. The weight to be afforded the re-use of previously developed land is therefore considered to be limited.
- 6.14 Whether this policy conflict is outweighed by other material considerations is considered in the 'Conclusions and Planning Balance' section of this report.

Design and Appearance:

- 6.15 Policy 25 of the HDPF states that the natural environment and landscape character of the District, including landscape, landform and development pattern, together with protected landscapes, will be protected against inappropriate development. Proposals should protect, conserve and enhance the landscape character, taking into account areas identified as being of landscape importance. In addition, Policies 32 and 33 of the HDPF promote development that is of a high quality design, which is based upon a clear understanding of the local, physical, social, economic, environmental, and policy context. Development will be expected to provide an attractive, functional, and accessible environment that complements locally distinctive characters and heritage of the District. Development should contribute to a sense of place both in the buildings and spaces themselves and in the way they integrate with their surroundings and the historic landscape in which they sit. Development should ensure that

the scale, massing and appearance of the development relates sympathetically with the built surroundings, landscape, open spaces and routes within and adjoining the site.

- 6.16 Policy 3 of the Woodmancote Parish Neighbourhood Plan states that the scale, density, massing, height, landscape design, layout and materials of all development proposals, including alterations to existing buildings, will be required to reflect the architectural and historic character and scale of the surrounding buildings, and is appropriate to the plot size. Development proposals will be expected to use high quality, local vernacular building materials and finishes.
- 6.17 The dwelling as constructed comprises a single storey building finished with horizontal timber cladding and a shallow pitched roof. The building is of a similar form to the previous stable building on the site, and has been designed to reflect the utilitarian character of similar buildings within the site and surroundings. The development is not therefore considered to result in adverse visual impact. In addition, the building retains its relationship with other buildings on the site and it is not considered that the development would result in harm to the wider rural landscape.
- 6.18 For these reasons, the dwelling is considered to accord with the above policies.

Amenity Impacts:

- 6.19 Policy 32 of the HDPF states that development will be expected to provide an attractive, functional, accessible, safe, and adaptable environment that contributes a sense of place both in the buildings and spaces themselves. Policy 33 continues that development shall be required to ensure that it is designed to avoid unacceptable harm to the amenity of occupiers/users of nearby property and land.
- 6.20 Policy 5 of the Woodmancote Parish Neighbourhood Plan states that development proposals should be laid out to avoid harming the amenities of adjoining residential properties.
- 6.21 The application site is located to the west of several residential properties, including Blackstone Gate Farm to the north, Old Dairy West and Old Dairy East Cottage to the east, and South Oaks to the south-east. The subject building is positioned to the north of the site, separated by an ancillary building serving Blackstone Gate Farm to the north, and associated hardstanding and closeboarded fencing separating the site from Old Dairy West to the east.
- 6.22 Matters of amenity were considered as part of an earlier planning permission to convert the stable to holiday-let accommodation. It was concluded that given the single storey nature of the and the retention of the northern boundary hedge, the proposed development would not cause harmful loss of privacy. Given the generous separation distance to the neighbouring properties to the east and south-east, it was considered that the development would not cause any loss of amenity to these neighbouring occupiers. Furthermore, it was not anticipated that the activities associated with the proposal would cause any significant noise disturbance to the occupiers of neighbouring properties.
- 6.23 The dwelling as constructed replaced the stable building approved for conversion, with the resulting dwelling sited to a similar position as the former stable building, and of a similar scale and form. The separation distances have remained similar, albeit that the hedging along the northern boundary has been removed. It is however considered that the separation distances are sufficient to limit loss of privacy and amenity.
- 6.24 When considered alongside the dog day care/boarding/grooming/equestrian activities undertaken on the wider site, it is not considered that the resulting level of activity would be of an intensity or level that would result in adverse harm to the amenities of neighbouring properties.

- 6.25 The dwelling subject of the current application is located within close proximity of the land associated with the dog day care, boarding, and grooming operation (subject of planning reference DC/23/1594). The physical relationship between the dwelling and these activities has the potential to result in noise and disturbance to future occupiers. No detailed Noise Assessment has been submitted, and no mitigation measures have been proposed to address potential impacts in this regard. It has not therefore been demonstrated to the satisfaction of the Local Planning Authority that the dwelling would not be adversely impacted by noise and associated activity.
- 6.26 While a condition could be imposed to restrict the occupation of the dwelling to a person employed by the dog day care/boarding/grooming business, this would only be reasonable if a need for such accommodation had been demonstrated. In the absence of such a need, it would not be reasonable to impose such a condition.
- 6.27 For these reasons, it has not been demonstrated to the satisfaction of the Local Planning Authority that the development would not be adversely impacted by noise and disturbance arising from the activities on the wider site, contrary to Policy 32 of the Horsham District Planning Framework (2015) and paragraphs 174, 185 and 187 of the NPPF.

Highways Impacts:

- 6.28 Policies 40 and 41 of the HDPF promote development that provides safe and adequate access, suitable for all users.
- 6.29 Policy 5 of the Woodmancote Parish Neighbourhood Plan states that development should provide adequate off-road car parking in line with the WSCC residential parking standards and the amount and method of parking provision should not adversely affect road safety, or result in unacceptable levels of on-road parking demand.
- 6.30 The application site benefits from an existing access from Henfield Road. The access track passes the residential properties of Blackstone Gate Farm House, Old Dairy East Cottage, and Old Dairy West, with the latter properties positioned immediately to the south of the access.
- 6.31 It is noted that parking for 3no. vehicles is available on-site, which the Local Highways Authority considers is suitable for the development. On-site turning appears to be achievable, allowing vehicles to exit the site in forward gear. The Local Highways Authority do not therefore consider that the proposal would have an unacceptable impact on highway safety or result in severe cumulative impacts on the operation of the highway network.
- 6.32 It is however noted that this parking area would be shared between the dwelling subject of this application and the dog day care/boarding/grooming business operating from the wider site. When considered cumulatively, the area available for parking is considered to be limited, particularly given the likelihood that cars associated with the residential dwelling would likely be present at the site during drop off and pick up times. It has not therefore been demonstrated to the satisfaction of the Local Planning Authority that sufficient parking would be available to meet the needs of anticipated users.

Climate change:

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

- 6.34 Should the proposed development be approved, the following measures to build resilience to climate change and reduce carbon emissions would be secured by condition:
- Requirement to provide full fibre broadband site connectivity
 - Dedicated refuse and recycling storage capacity
 - Cycle parking facilities
 - Electric vehicle charging points
- 6.35 Subject to these conditions the application will suitably reduce the impact of the development on climate change in accordance with local and national policy.

Water Neutrality:

- 6.36 The application site falls within the Sussex North Water Supply Zone as defined by Natural England which draws its water supply from groundwater abstraction at Hardham. Natural England has issued a Position Statement for applications within the Sussex North Water Supply Zone which states that it cannot be concluded with the required degree of certainty that new development in this zone would not have an adverse effect on the integrity of the Arun Valley SAC, SPA and Ramsar sites.
- 6.37 Natural England advises that plans and projects affecting sites where an existing adverse effect is known will be required to demonstrate, with sufficient certainty, that they will not contribute further to an existing adverse effect. The received advice note advises that the matter of water neutrality should be addressed in assessments to agree and ensure that water use is offset for all new developments within the Sussex North Water Supply Zone.
- 6.38 The Applicant has submitted a Water Neutrality Statement received on 17.11.2023 by Plainview. The Statement refers to the both the subject development and a separate application for the dog day care and boarding facilities, dog grooming facilities, and equestrian activities. under reference DC/23/1594 (also to be considered at the Planning South Committee meeting).
- 6.39 Specific to this current application, the Water Neutrality Statement outlines the proposed baseline arising from the 3-bed dwelling. The Water Neutrality Statement outlines that the requirements of Building Regulations limited the water usage of the dwelling to 110 litres per person per day. Based upon the average occupancy for a 3-bed dwelling of 2.47, the Statement outlines that the demand arising from the development is 271.1 litres per day.
- 6.40 No Part G Water Calculator has been provided to demonstrate that the dwelling as built complies with the suggested 110 litres per person per day water demand. Furthermore, no specification of the fixtures and fittings as installed has been provided. On this basis, insufficient information has been provided to demonstrate the demand arising from the development.
- 6.41 The Water Neutrality Statement refers to a former equestrian use of the site to demonstrate an existing baseline, where it is stated that 8 horses (including a stallion) were kept at the site. It is outlined that each horse kept at the site drank between 1 and 2no. 40-litre buckets of water per day. The Statement uses a conservative estimate of 50 litres per day per horse to establish the baseline, with the drinking water needs of the horses stated to be "at least 400 litres per day". The Statement continues that in addition to drinking water, horses were washed down and stables regularly cleaned using a hose. A conservative estimated flow rate of a hose is stated to be between 5 and 10 litres per minute. The Statement concludes that the estimated daily water consumption from previous equestrian demand on the site was 450 litres per day or 3,150 litres per week for the 8 horses kept at the site.
- 6.42 As outlined above, the figures presented within the Water Neutrality Statement have not been supported by evidence, with a number of assumptions made, and insufficient

information has been provided to address all water consuming activities. For these reasons, it is considered that insufficient information has been provided to demonstrate the overall water demand arising from the development.

- 6.43 An Appropriate Assessment has been carried out, where it has been concluded that insufficient information has been provided to demonstrate with certainty the existing and proposed baseline. In addition, there are some concerns with the mitigation measures proposed. When considered in totality, it cannot therefore be concluded that the mitigation measures would be sufficient to address the water demands arising from the development as a whole. Natural England have been consulted on the Appropriate Assessment, where they have concurred with the conclusions of the Appropriate Assessment.
- 6.44 For the reasons outlined above, insufficient information has been provided to demonstrate with certainty the existing and proposed baseline. In addition, there are some concerns with the mitigation measures proposed. When considered in totality, 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), thus the Local Planning Authority is unable 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).

Conclusions and Planning Balance:

- 6.45 The application proposes housing development on a rural site not allocated for development within the HDPF or made Neighbourhood Plan. The proposal in principle therefore runs contrary to Policies 2, 4 and 26 of the Horsham District Planning Framework (2015). It has also not been demonstrated to the satisfaction of the Local Planning Authority that the development would not be adversely impacted by noise and disturbance arising from nearby commercial activities, nor that sufficient parking to meet the needs of anticipated users would be available on site. This harm runs contrary to Policies 32, 33, and 41 of the Horsham District Planning Framework (2015) and weighs significantly against the grant of planning permission. Furthermore, insufficient information has been provided to demonstrate that the 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.
- 6.46 The Council cannot current demonstrate a five year supply of deliverable housing sites therefore for the purposes of decision making the presumption in favour of sustainable development within Paragraph 11(d) of the NPPF applies. Paragraph 11(d) states that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, planning permission should be granted unless the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. Footnote 7 confirms that the policies referred to in the Framework are those relating to, among others, habitat sites. In this instance, insufficient information has been provided to demonstrate that the 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. Paragraph 11(d) is not therefore engaged in this instance.
- 6.47 Policies 2, 4 and 26 are considered out of date and as determined by recent appeal inspectors now carry only moderate weight in decision-making.

- 6.48 While the current housing shortfall is a material consideration of significant weight, it has not been demonstrated that the development would not be adversely impacted by noise and disturbance arising from nearby commercial activities, nor that sufficient parking to meet the needs of anticipated users would be available on site. These matters would not be significantly and demonstrably outweighed by the benefits arising from the modest contribution of the dwelling to the Council's housing supply. The benefit of the housing also does not outweigh the possible 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. The application is recommended for refusal on this basis.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 6.49 Horsham District Council has adopted a Community Infrastructure Levy (CIL) Charging Schedule which took effect on 1st October 2017.

It is considered that this development constitutes CIL liable development.

Use Description	Proposed	Existing	Net Gain
District Wide Zone 1	131.46		131.46
	Total Gain		
	Total Demolition		

- 6.50 Please note that the above figures will be reviewed by the CIL Team prior to issuing a CIL Liability Notice and may therefore change.
- 6.51 Exemptions and/or reliefs may be applied for up until the commencement of a chargeable development.
- 6.52 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 refuse the application for the following reasons:

- 1 The proposed development would be sited within an unsustainable location in the countryside, outside of a defined built-up area boundary, and on a site not allocated for housing development within the Horsham District Planning Framework, or a made Neighbourhood Plan. Furthermore, the proposed development is not essential to its countryside location. Notwithstanding the absence of a five-year land housing supply, and the provisions of the National Planning Policy Framework (2021) at paragraph 11(d), it is not considered that there are any material considerations in this instance which would outweigh harm arising from conflict with Policies 1, 2, 3, 4 and 26 of the Horsham District Planning Framework (2015).
- 2 It has not been demonstrated to the satisfaction of the Local Planning Authority that the development would not be adversely impacted by noise and disturbance arising from the activities on the wider site, contrary to Policy 32 of the Horsham District Planning Framework (2015) and paragraphs 174, 185 and 187 of the NPPF.
- 3 It has not been demonstrated to the satisfaction of the Local Planning Authority that sufficient parking to meet the needs of the development would be available on-site.

The development is therefore considered to be contrary to Policy 41 of the Horsham District Planning Framework (2015).

- 4 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), thus the Local Planning Authority is unable 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).

Background Papers: DC/23/1595