

Response ID ANON-JGZW-J4UU-A

Submitted to Planning Reform Working Paper: Reforming Site Thresholds
Submitted on 2025-07-07 20:10:32

Respondent Details

About You

Name:

Matthew Porter

Organisation (if applicable):

Horsham District Council

Position in organisation (if applicable):

Senior Planning Officer Development Management (Major Applications)

Email address:

matthew.porter@horsham.gov.uk

Postal address (including postcode):

Horsham District Council, Albery House, Springfield Road, Horsham, West Sussex RH12 2GB

Please state whether you are responding as an individual or on behalf of the organisation stated above

Organisation

Please indicate in what capacity you are responding to this consultation (please only select one)

Local planning authority

If other, please specify:

Reforming Site Thresholds

1 Would a medium-sized site threshold help reduce barriers and accelerate delivery for SMEs, if linked to the proposed changes to regulatory requirements set out in the working paper?

Yes

Please provide further information:

Horsham District Council agrees creation of a medium-size threshold would not of itself accelerate delivery; and to achieve this would be assisted by delivering on regulatory requirement change, namely, the delegation to officers, contingent upon a Requirement for a Code of Practice and guidance from MHCLG on local schemes of delegation, following assessment of existing local schemes that allows for local planning authority delegated agreements responsive to local circumstance (rather than a mandatory national scheme of delegation), as advocated by the District Council Network to main local democratic input in the planning process. To be clear on this point, Horsham District Council does not support the abolishment of local Member powers to call-in applications to accelerate delivery; this is an important part of local democracy. The committee level decision-making can add short delay to the determination processes, but this is not significant overall compared with other delays that are encountered.

The creation of medium-sized site threshold has potential to streamline the application process for developers of non-typical housing models (such as housing co-operatives, community land trusts, and self-builders) who often cite the complexities of the planning system and the upfront resourcing to an application submission as significant difficulties to delivering on these important components to housing choice and local need and demand.

Additionally, certain proposed changes to regulatory requirements may have the opposite outcome to accelerated delivery, at least short term. For example, developers are now more accustomed to using the Statutory Biodiversity Metric which many ecologists prefer and are competent to use. Changing this now would cause greater confusion and will lead to more delays in the planning process. Medium-sized site development would also be more likely to impact protected species and priority habitats such as hedgerows and watercourse, in which case the use of the Small Sites Metric is not permitted.

2 Should the threshold be 10–49 units, or could other size ranges provide a better balance of simplicity and impact?

Text box for comments:

Horsham District Council considers the medium-sized site threshold definition used in the Working Paper as 'where the number of dwellings to be provided is between 10 and 49; and the site is less than 1 hectare (and if there is no known number of dwellings, the site is between 0.5 and 1 hectares)' to be reasonable balance of simplicity and impact.

3 Should the medium threshold apply to commercial and other non-residential development and how should mixed uses be reflected?

Text box for comments:

There is potential to explore a medium threshold for other development types.

4 If the medium-sized site threshold were introduced, should the exemption from paying the proposed Building Safety Levy for fewer than 10 dwellings be extended to align with medium-sized development sites?

No

Text box for comments:

This is not supported as it represents a loss of income to Local Planning Authorities.

5 Should there be solely area-based size thresholds (ha) given the different contexts and densities, particularly for very small, small and medium-sized sites? Or would it be more appropriate to also specify a unit size threshold?

Text box for comments:

The Working Paper thresholds specify both units and size, and this approach is considered effective.

6 Are the proposed streamlining options the right ones for government to consider?

Text box for comments:

Yes.

7 Are there further changes that could and should be linked to new or existing thresholds? Are there wider changes that could be made through national planning policy that would be beneficial?

Text box for comments:

No.

8 Is the planning application process for small sites more challenging on brownfield land than greenfield land? If so, then what are these challenges or barriers?

Text box for comments:

Yes, for Brownfield sites; challenges and barriers include sites being subject to remediation and land assembly costs, and reliance upon off-site infrastructure provision in third party control to deliver, and limitations imposed on building form and scale and internal layouts, by proximity to adjacencies (such as neighbouring built form).

9 Are the determination periods detailed in this working paper the correct ones? Would shorter determination periods be appropriate for a particular site size once wider reforms to planning fees have been implemented - including those set out in the Planning and Infrastructure Bill (<https://www.gov.uk/government/publications/the-planning-and-infrastructure-bill/factsheet-local-fee-setting>)?

No

Text box for comments:

Whilst the proposed medium-sized site threshold determination period maintains the existing major planning application determination period, this period (13 weeks) already presents significant challenges to Local Planning Authorities (as commentary on planning performance and the widespread use of Extensions of Times nationally testifies). Such challenges are likely to continue to be encountered even with outcomes to the MCHLG review of statutory consultees.

Horsham District Council advocates a more responsive determination period that recognises the complexities of medium scale developments where timescales often require extension to allow for proactive resolution on external consultants or statutory consultee proportionate recommendations. A shorter determination period would certainly not be appropriate; and is not supported by Horsham District Council. It risks premature refusal of applications, which would only serve to frustrate accelerated delivery.

10 What are the specific barriers SMEs face during s.106 agreements and what would be the most effective action for government to take, in line with its manifesto commitments on affordable housing?

Text box for comments:

Registered Providers of affordable housing are facing significant funding challenges, impacting the delivery of new homes. These challenges include rising costs, reduced grant funding, and difficulties securing finance, leading to stalled or reduced development projects, as modification is sought to previously agreed affordable provision. Whilst standardised s. 106 templates for medium sites as set out in the working paper and guidance on calculating commuted sum payments would be useful (provided these allow for some flexibility to local circumstance), the most effective action for government to take is to address funding challenges.

Horsham District Council advocates that in addressing these challenges, incentives could be legislated or set out in guidance for all parties to engage and work harder to find solutions in circumstances where the delivery of new homes would be impacted. This could include developers being required to meet part of the funding gap for affordable provision where a scheme was presented (and planning permission granted) on the premise of a viable development.

11 What are the barriers to developing very small sites as defined above and what parameters could be helpfully addressed in a design code?

Text box for comments:

Qualifying sites under the Very Small Sites threshold (less than 0.1 hectares), such as unused garages, are often highly constrained; Design Coding would introduce more certainty and reduce disputes but should allow for flexibility as bespoke design solutions are often necessary, to avoid the unforeseen consequence of the Coding itself serving as a barrier.

12 What types of rules set out in design codes would be most beneficial in unlocking development?

Text box for comments:

Internal and external daylight and sunlight standards and separation distances between buildings. From local experience in Horsham District, there would be benefit from design codes that enable good design at higher building densities than the Council typically see in suburban developments, e.g. would be mews-style schemes with shared parking, narrower access servicing, constrained private amenities (including gardens) and communal outdoor amenity space.

13 Are there other issues or opportunities to consider for ensuring the success of these proposals?

Text box for comments:

Like any other planning application, a medium threshold application would be subject to influence by external factors outside the control of simply legislating for a new threshold.

14 Do you anticipate any environmental impacts from these proposals that the government must consider under the Environmental Principles Policy Statement?

Text box for comments:

No comment.

15 Do you have any views on the impacts of the above proposals for you, or the group or business you represent and on anyone with a relevant protected characteristic? If so, please explain who, which groups, including those with protected characteristics, or which businesses may be impacted and how. Is there anything that could be done to mitigate any impact identified?

Text box for comments:

No comment.