



Horsham
District
Council

Facilitating Appropriate Development

October 2022

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1. Introduction

Horsham District Planning Framework and Local Plan Review

- 1.1 Horsham District Council (HDC) adopted its Local Plan, known as the Horsham District Planning Framework (HDPF)¹, on 27 November 2015. The HDPF contains a set of policies and strategic allocations, which are used in the determination of planning applications in Horsham District².
- 1.2 All local planning authorities are required³ to review and, if necessary, update their Local Plan five years from its adoption. Furthermore, the Inspector who examined the HDPF stated that the Council must commence an early review within 3 years of adoption. As a consequence, HDC commenced its review of the HDPF in 2018, consulting on a Local Plan Review: Issues and Options document that concentrated on matters related to employment, tourism and sustainable rural development. The Council subsequently consulted on a draft version of its Local Plan between 17 February and 30 March, 2020⁴.
- 1.3 A draft version of the Regulation 19 document was considered by Cabinet on 15 July 2021, but following legal advice obtained in light of the Government's revisions to the National Planning Policy Framework (NPPF) on 20 July 2021, the document did not progress to the programmed meeting of Full Council in September 2021 and thus was not published for a representation period. The subsequent receipt of a Position Statement from Natural England regarding water neutrality (see section 4 of this document) on 14 September 2021, has resulted in further delays to the Local Plan's progress. The Council will seek to update its Local Development Scheme to identify timescales for the progress of the Local Plan – including the publication of the Regulation 19 – when it is in a position to do so.

Housing Land Supply

- 1.4 The HDPF will continue to form part of the Council's development plan until the adoption of the new Local Plan. The HDPF sets an annualised housing target of 800 homes to be provided in Horsham District until 2031, to which the housing land supply and housing delivery tests can be measured against. However, given that over five years has lapsed since the HDPF was adopted, the HDPF's housing target can no longer be used for calculating HDC's Housing Land Supply. NPPF Paragraph 74 stipulates that the figure calculated using the Government's standard method for assessing housing need should instead be utilised and therefore the annual housing target for HDC using this method is currently 948⁵.

¹ https://www.horsham.gov.uk/data/assets/pdf_file/0016/60190/Horsham-District-Planning-Framework-November-2015.pdf

² Excluding the part of Horsham District located in the South Downs National Park

³ Regulation 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended)

⁴ Under Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended)

⁵ Correct at the time of writing. This figure is likely to change when new datasets are released or should the methodology be updated

- 1.5 Using a target of 897⁶, the Council's Authority Monitoring Report (AMR) 2020/21⁷ indicates that HDC can only demonstrate a four-year housing land supply, less than the five-year supply required by Government. The consequences of not having a five year housing land supply is set out in section 2 of this report.
- 1.6 As described above, the Council has been disrupted in efforts to produce a Local Plan and cannot currently demonstrate that it has a five-year housing land supply. Though the Council will seek to progress a revised Local Plan as quickly as possible, and regularly monitors its housing land supply, it recognises that it is unlikely to be able to report a five-year housing land supply until a new Local Plan is adopted, and there is uncertainty as to when adoption will occur. Because of this situation, and notwithstanding issues relating to the current position on water neutrality, it expects to receive planning applications proposing housing development in locations not supported by the HDPF or in Neighbourhood Plans.
- 1.7 Against this background, the NPPF⁸ is clear that an objective of Government policy is to significantly boost the supply of homes and in combination with guidance set out in Planning Practice Guidance (PPG), makes clear that Councils should be proactive in this endeavour. The Council has been proactive in discharging its planning responsibilities in both plan-making and determining planning applications. This is demonstrated by its excellent record in housing delivery as measured against the Government's Housing Delivery Test, which shows that the housebuilding over the last three monitoring years has been at 147%⁹ of that which was required to be built.
- 1.8 HDC will continue to act in a proactive manner to deliver housing by supporting sustainable development that both delivers the requisite number of houses and ensures that other objectives are met. To demonstrate this, HDC has produced this document to provide clarity as to its approach and guidance to those who engage with the planning system in Horsham District.
- 1.9 The remaining sections of this document are structured as follows:
- Section 2 provides guidance as to how much weight may be given to the existing Horsham District Planning Framework 2015 and the Regulation 19 Local Plan that was considered by HDC's Cabinet in July 2021.
 - Section 3 covers Neighbourhood Plans produced by Parish and Neighbourhood Councils in Horsham District
 - Section 4 discusses the impact of Natural England's Position Statement regarding water neutrality on housing applications
 - Section 5 provides advice as to how the Council will continue to facilitate appropriate development
- 1.10 HDC may seek to withdraw or alter the advice contained within this document to reflect the most up to date position in respect of planning and housebuilding in Horsham District. In stating the above, HDC is particularly conscious that the Government is seeking to reform the planning system, which is likely to impact on housing

⁶ This was based on applying the 2021 figures to the standard housing method.

⁷ <https://www.horsham.gov.uk/planning/planning-policy/authority-monitoring-report>

⁸ Paragraph 60

⁹ <https://www.gov.uk/government/publications/housing-delivery-test-2021-measurement>

requirements. However, at the time of writing this document it is clear that this will be subject to further consultation and the exact timeframe in which this would be introduced is not known.

2. Weight of current and emerging Local Plans

Horsham District Planning Framework

- 2.1 The Horsham District Planning Framework 2015 (HDPF) sets out the Council's planning policies to be used in the determination of planning applications. Alongside Neighbourhood Plans produced by communities, it forms the central component of the development plan for Horsham District.
- 2.2 As explained in Paragraph 47 of the NPPF and in legislation¹⁰, applications for planning permission must be made in accordance with the development plan, unless material considerations indicate otherwise. Such material considerations include national policy and guidance contained in the NPPF and PPG.
- 2.3 As discussed in the introductory section of this document, the Council is unable to demonstrate a five-year housing land supply. Policy contained in NPPF Paragraph 11, an excerpt of which is shown below, sets out the impact on existing development plan policies where a five-year housing land supply cannot be demonstrated:

“Plans and decisions should apply a presumption in favour of sustainable development...

For decision-taking this means: ...

d) where there are no relevant development plan policies, or the policies which are most important for determining the application out-of-date⁸, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed⁷; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole”

[Footnotes taken from NPPF page 6]

“7 The policies referred to are those in this Framework (rather than those in development plans) relating to: habitats sites (and those sites listed in paragraph 181) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 68); and areas at risk of flooding or coastal change.

¹⁰ 38(6) of the Planning and Compulsory Purchase Act 2004

8 This includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph 74); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years.”

- 2.4 The above is a key material consideration in applications for housing applications in Horsham District. This is as, in the absence of a five-year housing land supply, it indicates that policies that affect that supply of housing may be considered out-of-date. This has the effect of reducing the weight that may be afforded such policies and engages the ‘presumption in favour of sustainable development’ where there is an expectation that planning applications for housing should be approved. As such, the relevant policies of the HDPF are unlikely to be sufficient to justify refusals.
- 2.5 There are exceptions that would disengage ‘the presumption in favour of sustainable development’ and support refusals. NPPF Paragraph 11d)i. would be in force if development cannot demonstrate water neutrality in order to protect a designated habitats site – the Arun Valley SAC (see section 4 of this report for more details). The application of NPPF Paragraph 11d)ii. will depend on the circumstances of an individual planning application and the judgment of the decision maker but ultimately this is a deliberately high bar and the refusal of applications on this basis is unlikely to be common.

Emerging Horsham District Local Plan

- 2.6 A draft version of a Regulation 19 Horsham District Local Plan was considered by HDC’s Cabinet in July 2021. Paragraph 48 of the NPPF explains that *“local planning authorities may give weight to relevant policies in emerging plans according to:*
- a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);*
 - b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given);*
and
 - c) the degree of consistency of the relevant policies in the emerging plan to this Framework [NPPF] (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given)”*
- 2.7 Alongside the preparation of the Local Plan, it will therefore be necessary for the Council to consider the degree of weight that should be attached to policies in the emerging Local Plan when determining relevant planning applications based on the above criteria. Given that the criteria relate to factors that will change over time, the weight will be dependent on when an application is determined. An indicative assessment of the weight to be applied at the time of writing has been undertaken below, in order to provide clarity on the degree of weight to be applied by the Council to policies in its emerging Local Plan.

Table 1: Indicative assessment of emerging Local Plan against NPPF Paragraph 48

NPPF Paragraph 48 criterion	Assessment
<p>a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given)</p>	<p>A draft Regulation 19 document was prepared and considered by Cabinet in July 2021. It did not progress as intended to Full Council and was not approved for a representation period. It is not therefore Council policy and its policies could change, including to reflect different Council objectives, changed circumstances, including updates to local evidence, changes to national policy, and to respond to issues relating to water neutrality. As such, the draft Local Plan is considered to be at an early stage of preparation and there is uncertainty as to when it will progress to a more advanced stage of development.</p>
<p>b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given)</p>	<p>The draft Regulation 19 document has not been subject to a representation period, however over 6,000 comments were received on the latest (February 2020) Regulation 18 document. Most of the comments received objected to either the level of housebuilding proposed across the district/in specific settlements and/or development on sites identified with potential for allocation. As such, it is considered that there remain unresolved objections to elements of the emerging Local Plan, in particular to policies relating to housing. Formal consultation on the Regulation 19 documentation has yet to take place and the final level of objection is as yet unknown.</p>
<p>c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given)</p>	<p>The draft Regulation 19 Local Plan fully reflected the NPPF at the time it was written. Subsequent to the meeting of Cabinet, the NPPF was subsequently updated and legal advice obtained by the Council suggests that elements of the draft Regulation 19 Local Plan required further consideration to ensure they reflected the requirements of the updated NPPF (July 2021).</p>

2.8 In summary, the above concludes that the plan is at an early stage of preparation, that there remains a significant amount of unresolved objections to policies relevant to planning applications and that the plan has not been independently assessed against the NPPF in order to examine its consistency with national policy. In the longer term the consideration of any objections made on the Regulation 19 Local Plan will be considered

by an Independent Local Plan inspector as part of the Local Plan Examination. As a consequence, it is assessed that at the time of writing, little weight can be given to policies within the emerging Local Plan.

- 2.9 It therefore follows that policies contained within the draft Regulation 19 Local Plan are unlikely to be able to be an important factor in the determination of planning applications. In advance of the adoption of the Council's emerging Local Plan, it should not be assumed that applications for development on sites identified in the draft Regulation 19 Local Plan will be approved. Conversely, there is a risk that applications for development on sites that were not proposed for allocation in the draft Regulation 19 Local Plan could be approved in line with the presumption in favour of sustainable development, taking account of the specific circumstances in relation to each site at the time the application is received.
- 2.10 Notwithstanding the above, the considerable evidence base undertaken as part of the preparation of the emerging Local Plan may still be used to support decisions on planning applications. This will include in situations where it reinforces existing policy in the HDPF or where it justifies decisions that depart from policies set out in the HDPF, in the event that circumstances have changed. This is further explained in Section 5 of this document. The same section also discusses the issue of applications being premature in the context of plan-making.

3. Neighbourhood Plans

- 3.1 Neighbourhood Plans allow local communities to help shape the future of their locales. When 'made' by local authorities the Neighbourhood Plans prepared by Parish Councils and other qualifying bodies become part of the statutory development plan and together with the Local Plan are the starting point for determining planning applications.
- 3.2 HDC has an excellent record in relation to Neighbourhood Plans and at the time of writing this document, 17 Neighbourhood Plans have been made, with other Neighbourhood Plans being at an advanced stage of preparation¹¹.
- 3.3 As Neighbourhood Plans form a part of the development plan, they are however not immune from the requirements of NPPF Paragraph 11d) (see paragraphs 1.6 and 1.7 of this document) and as such policies may be considered out-of-date due to HDC being unable to demonstrate a five-year housing land supply.
- 3.4 Notwithstanding the above, Neighbourhood Plans benefit from extra support in national policy where particular circumstances are met, even if a local authority is not able to demonstrate a five-year housing land supply. In the scenario outlined below (NPPF para 14) planning permission is unlikely to be granted where a proposal conflicts with policies in a Neighbourhood Plan. This is outlined in NPPF Paragraph 14, which states that:

"In situations where the presumption (at paragraph 11d) applies to applications involving the provision of housing, the adverse impact of allowing development

¹¹ <https://www.horsham.gov.uk/planning/neighbourhood-planning>

that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits, provided all of the following apply:

- a) the neighbourhood plan became part of the development plan two years or less before the date on which the decision is made;*
- b) the neighbourhood plan contains policies and allocations to meet its identified housing requirement;*
- c) the local planning authority has at least a three-year supply of deliverable housing sites (against its five-year housing supply requirement, including the appropriate buffer as set out in paragraph 74); and*
- d) the local planning authority's housing delivery was at least 45% of that required over the previous three years."*

3.5 It will therefore be necessary at the time of determination of a relevant planning application, for the Council to consider whether the conditions exist that allow NPPF Paragraph 14 to be engaged. An indicative assessment below, based on the situation at the time of writing, has been undertaken.

Table 2: Indicative assessment of Neighbourhood Plans against NPPF Paragraph 14

NPPF Paragraph 14 criterion	Assessment
a) the neighbourhood plan became part of the development plan two years or less before the date on which the decision is made	Ten Neighbourhood Plans became part of the development plan less than two years prior to the publication of this document, all of which were made on 24 June 2021. They cover the parishes of Ashington, Billingshurst, Bramber, Henfield, Rudgwick, Rusper, Shipley, Southwater, Upper Beeding and West Grinstead.
b) the neighbourhood plan contains policies and allocations to meet its identified housing requirement	Of the Neighbourhood Plans adopted within the last two years, those covering Ashington, Henfield, Southwater and Upper Beeding contain policies and allocations to meet its identified housing requirement.
c) the local planning authority has at least a three-year supply of deliverable housing sites (against its five-year housing supply requirement, including the appropriate buffer as set out in paragraph 74)	As reported in the Council's latest AMR, it has a four-year supply of deliverable housing sites.
d) the local planning authority's housing delivery was at least 45% of that required over the previous three years	Latest figures, reported by Government, show that 147% of the Council's required amount of housing was delivered.

- 3.6 The table above indicates that based on the circumstances at the time of writing¹², NPPF Paragraph 14 would be engaged in the parishes of Ashington, Henfield, Southwater and Upper Beeding. Thus, applications would be unlikely to be granted that conflict with the policies and allocations of their respective Neighbourhood Plans in these locations.
- 3.7 Paragraph 14 would not be engaged for Neighbourhood Plans covering other parishes. This would mean that the presumption in favour of sustainable development would be engaged, reducing the weight to be applied to respective neighbourhood plan policies that relate to the supply of housing. In these instances, the expectation will be that planning applications for housing are approved, unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF when taken as a whole, unless exceptions apply (see paragraph 2.5 of this document for more details).

4. Water Neutrality

- 4.1 Horsham District is supplied with water by Southern Water from its Sussex North Water Resource Zone. The supply is sourced from abstraction points in the Arun Valley, which include sites afforded environmental protection. On 14 September 2021, the Council received a Position Statement from Natural England stating that it cannot be ruled out that the abstraction of water for drinking supplies is having a negative impact on the environmental sites in the Arun Valley. They have therefore advised that any new development must not add to this impact and therefore must not increase the amount of water that is abstracted. Such development is described as 'water neutral'.
- 4.2 HDC recognise that the need for development to be water neutral is a relatively new ask for applicants and has published comprehensive information about the subject on the Council's website¹³. Such information includes Natural England's Position Statement, legislative background and FAQs, as well as general advice to applicants. As detailed information will continue to evolve advice is contained online and will be regularly updated to reflect the latest position. It is anticipated that further advice and a mitigation strategy will be created by the Council and its partners to demonstrate how developments can achieve water neutrality. Such details are not covered in this document and prospective applicants and other interested parties are advised to check the Council's website for the most-up-to date information.
- 4.3 Notwithstanding the above and regardless of any other guidance contained within this document, it is the current position that all applications that increase the demand for mains (drinking) water will need to demonstrate that their proposed development is water neutral. If an application cannot demonstrate water neutrality, it will not be determined positively.

¹² September 2022

¹³ <https://www.horsham.gov.uk/planning/water-neutrality-in-horsham-district>

5. Facilitating Appropriate Development

- 5.1 As detailed earlier in this document, HDC acknowledges that it is unable to demonstrate a five-year housing land supply and that in accordance with the NPPF, the presumption in favour of sustainable development is engaged where Water Neutrality can be demonstrated. In part of its commitment to act in a positive way to ensure that local housing needs are met, it has set out below advice to guide applicants in submitting applications that would deliver sustainable and appropriate development. In providing the advice below and elsewhere in this document, the Council is not altering the statutory decision-making framework.
- 5.2 NPPF Paragraph 219 explains that existing development plan policies should not be considered out-of-date because they were adopted or made prior to the latest NPPF's publication and that due weight should be given to such policies, according to their consistency with the NPPF. Therefore, and notwithstanding that policies relating to housing delivery targets, sites and location of development may be considered out of date, the HDPF and the district's Neighbourhood Plans are broadly up-to-date and compliant with the NPPF. As such it is expected that the policy requirements on most matters, including affordable housing provision, planning obligations, infrastructure and other on-site requirements must still be complied with in order for development to be considered favourably by the Council.

Pre-application Service

- 5.3 The Council provides pre-application advice and strongly encourages prospective applicants for major housing development to use this service. The service can be used to identify key issues regarding a proposal, highlight what information may be required to support an application and, ultimately, indicate whether a proposal is likely to gain planning permission or not. For larger and more complex proposals, a Planning Performance Agreement (PPA) may be appropriate. Full details are online¹⁴.

Site Allocations

- 5.4 Subject to water neutrality being demonstrated, the Council strongly encourages applications on site allocations contained within the HDPF and in Neighbourhood Plans. Applications on such sites have in-principle support, subject to schemes being consistent with other relevant policies and any site specific requirements contained within the relevant allocation policies – such as those that seek to protect important existing assets in or around a site or those that indicate the acceptable quantum of development for the site.

Locational Suitability and Scale

- 5.5 Policies 3 and 4 of the HDPF set out the Council's development hierarchy and approach to settlement expansion. The policies collectively seek to ensure that development is located in the most sustainable locations, whilst retaining the character and function of the District. Policy 3 categorises the primary settlements of the district into different settlement types based on the characteristics and function of each town and village. Settlements categorised within the development hierarchy (other than unclassified settlements) have a defined settlement boundary, also referred to as a Built-up Area

¹⁴ <https://www.horsham.gov.uk/planning/planning-applications/planning-permission-advice-services/pre-application-planning-advice>

Boundary (BUAB), as depicted on the Policies Map. Policy 4 relates to settlement expansion where there is a defined BUAB.

- 5.6 These policies are still relevant and relate well to the current settlement form of the district. This is shown by the inclusion in the draft Regulation 19 Local Plan of a similar development hierarchy based on updated evidence¹⁵, and is supported by paragraph 20 of the NPPF, which seeks to ensure that strategic policies identify an overall strategy for the pattern and scale of development, as well as NPPF paragraphs 79 and 80 that seek to promote sustainable development in rural areas and prevent isolate homes in the countryside, respectively. As such, and as set out in Policy 3 of the HDPF, the Council will generally support applications within BUABs where the nature and scale of development proposed does not affect the settlement's characteristics and function.
- 5.7 The Council recognises that it is likely to receive applications outside of defined BUABs and on unallocated sites as it is unable to demonstrate a five-year housing land supply. Given this position and the principles behind HDPF Policy 4, it will consider positively applications that meet all of the criteria below:
- The site adjoins the existing settlement edge as defined by the BUAB;
 - The level of expansion is appropriate to the scale and function of the settlement the proposal relates to;
 - The proposal demonstrates that it meets local housing needs or will assist the retention and enhancement of community facilities and services;
 - The impact of the development individually or cumulatively does not prejudice comprehensive long-term development; and
 - The development is contained within an existing defensible boundary and the landscape character features are maintained and enhanced.

Deliverability

- 5.9 As the Council wishes to improve its housing land supply position, it is conscious of the need to approve sites that are defined in the NPPF as being 'deliverable' and therefore capable of being included in housing land supply calculations from the point a planning application is determined. This is as the glossary to the NPPF explains that:

"To be considered deliverable, sites for housing should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years. In particular:

a) sites which do not involve major development and have planning permission, and all sites with detailed planning permission, should be considered deliverable until permission expires, unless there is clear evidence that homes will not be delivered within five years (for example because they are no longer viable, there is no longer a demand for the type of units or sites have long term phasing plans).

b) where a site has outline planning permission for major development, has been allocated in a development plan, has a grant of permission in principle, or is identified on a brownfield register, it should only be considered deliverable where

¹⁵ <https://www.horsham.gov.uk/planning/local-plan/local-plan-review-evidence-base>

there is clear evidence that housing completions will begin on site within five years.”

- 5.10 Given the national policy position, the Council’s clear preference is for applicants to apply for full planning permission for schemes compliant with the HDPF and this document, indicating their commitment to deliver sites awarded planning permission and helping to improve the Council’s housing land supply.
- 5.11 Notwithstanding the expectation that applications for full planning permissions will be made, the Council recognises that on large and/or complex sites, applications for outline planning permission may be submitted. In such instances, the Council would prefer hybrid applications that seek full planning permission for part of their proposal with an outline application for the remainder of the site.
- 5.12 To support any form of outline application, relevant supporting information will be requested to demonstrate when development would be expected to be delivered. This will include details relating to land ownership, partnership agreements with developers, phasing plans, timings for the submission of reserved matters applications and any other relevant information.
- 5.13 To encourage timely progression of schemes awarded planning permission, and in accordance with Paragraph 77 of the NPPF, the Council may wish to impose conditions that shorten the length of years from date of grant of planning permission by which development must commence, and/or the period within which all reserved matters must be submitted. This will be considered on a case-by-case basis, for example where there is a clear need or agreement that development be expedited.

Meeting Local Housing Needs

- 5.14 The Council’s approach to meeting local housing needs is set out in Policy 16 of the HDPF. This sets out that the latest Strategic Housing Market Assessment – currently the Northern West SHMA 2019¹⁶ - should be used in establishing the housing mix provided in a new development and that the mix should also take into account established character and density of a site as well as the viability of a scheme. Such principles will still form the basis of decisions on planning applications and applicants are advised to consider the SHMA’s findings, as well as local housing needs work supporting a relevant Neighbourhood Plan, when progressing schemes.
- 5.15 The same policy also sets out affordable housing requirements and is supported by the Planning Obligations and Affordable Housing SPD¹⁷. It specifies that in schemes that would deliver 15 or more dwellings that the Council will seek 35% of the homes to be affordable, and that on schemes of between 5 and 14 it would seek 20% of the homes to be affordable. On the latter requirement, the Council recognises that it is not consistent with national policy¹⁸ and accordingly no longer seeks affordable housing on schemes of less than 10 homes.

¹⁶ https://www.horsham.gov.uk/_data/assets/pdf_file/0020/79130/Northern-West-Sussex-Strategic-Housing-Market-Assessment.pdf

¹⁷ https://www.horsham.gov.uk/_data/assets/pdf_file/0005/66821/Planning-Obligations-and-Affordable-Housing-September-2017.pdf

¹⁸ NPPF Paragraph 64

- 5.16 As set out in paragraph 6.8 of the HDPF, the Council seeks 70% of affordable homes to be provided as social/affordable rented units and 30% as intermediate/shared ownership units. Applicants are also advised that Planning Practice Guidance¹⁹ requires that 25% of all affordable housing units should be First Homes – the government’s preferred discounted market tenure and that such homes are considered to be a form of intermediate housing. The Council may produce standalone advice on First Homes and its implementation in Horsham District.
- 5.17 The Council has undertaken a Viability Study²⁰ to support the emerging affordable housing policy in the emerging Local Plan. The report indicates that schemes on greenfield sites that deliver 10 or more homes (gross) or exceed 0.5 hectares, can deliver at least 45% of all homes as affordable housing. This was reflected in Strategic Policy 16 of the draft Regulation 19 Local Plan that was considered by Cabinet in July 2021, and further strengthens the evidence for such sites to deliver at least 35% affordable housing. The Council encourages applicants to consider the findings of the Viability Study in developing proposals and would consider positively schemes that exceed current policy requirements for affordable homes.

Biodiversity

- 5.18 Policy 31 of the HDPF, supported by Strategic Policy 25, contains the Council’s approach to green infrastructure and biodiversity. It underlines that the Council wish to protect and enhance the natural assets in the district. These policies remain consistent with Government policy contained in Chapter 15 of the NPPF.
- 5.19 Further, Government has indicated an increased commitment to improving biodiversity within the Environment Act 2021. Among other things this seeks to create Local Nature Recovery Strategies and a national Nature Recovery Network (NRN). Therefore, the Council encourages development that makes a positive contribution to biodiversity, including the creation of linkages that enhance or connect priority habitats together.
- 5.20 The Environment Act 2021 also states that development should result in a biodiversity net gain of at least 10% against what previously existed on a site. Though the Government has not yet determined precisely how it will be implemented²¹, the Regulations requiring development to demonstrate a 10% biodiversity net gain is expected to be in place November 2023. As such, the Council strongly encourages potential applicants to consider the issue and to design schemes that deliver a minimum biodiversity net gain of 10%. Applicants are advised to measure the net gain using the Biodiversity Metric 3.0²² or the Small Sites Metric (or the latest updated tool produced by Natural England). Further guidance on this has been developed by the Council²³.

Climate Change

- 5.21 At a meeting of Full Council on 26 June 2019, Horsham District Councillors acknowledged in a Notice of Motion strong scientific evidence and growing public

¹⁹ Paragraph: 001 Reference ID: 70-001-2021052

²⁰ https://www.horsham.gov.uk/_data/assets/pdf_file/0016/104821/210726-HLP-Viability-Assessment_Submission-Version-V1-red.pdf

²¹ Draft regulations have been subject to consultation - <https://consult.defra.gov.uk/defra-net-gain-consultation-team/consultation-on-biodiversity-net-gain-regulations/>

²² <http://nepubprod.appspot.com/publication/6049804846366720>

²³ <https://www.horsham.gov.uk/planning/planning-policy/biodiversity-and-green-infrastructure>

concern about a wide range of damaging environmental matters. The Council has committed to the development and implementation of a range of measures²⁴ that work towards a net zero carbon target, to achieve the national commitment by 2050 and aspires to achieve net zero carbon from its own activities by 2030.

- 5.22 Legislation is clear that it is a fundamental requirement to combat the causes of climate change and mitigate its ongoing effects. In terms of the NPPF and PPG, addressing climate change is one of the core land use planning principles expected to underpin both plan-making and decision taking. The NPPF emphasises that responding to climate change is central to the economic, social and environmental dimensions of sustainable development and aligns with HDPF policies 35-38 that seek to address the district's contribution to climate change.
- 5.23 Given this context, applicants are advised to fully consider the impacts of climate change from the onset of early design, taking account of the landform, layout, building orientation, massing and landscaping to minimise energy consumption. Consideration should also be given to non-carbon based forms of energy, including heat pumps and /or renewable energy. In addition, sustainable and active modes of transport and forms of movement should be facilitated and actively promoted as an alternative to private car use in order to further reduce carbon emissions.

Transport

- 5.24 HDPF Policy 40 sets out the Council's approach to sustainable transport. In general, the policy seeks to promote sustainable and active modes of transport and movement as an alternative to private car use. The policies align with the NPPF and the Council expects them to be embedded in any development scheme. Further, it is expected that proposals will demonstrate accordance with the principles and priorities set out in the West Sussex Transport Plan 2022-2036²⁵, Local Transport Note 1/20: Cycle Infrastructure Design²⁶ and the Horsham Local Cycling & Walking Infrastructure Plan²⁷ and any subsequent updates to these documents.
- 5.25 Additionally, the Council's approach to parking is set out in HDPF Policy 41, which seeks to balance the need for parking whilst ensuring that parking is well located and does not conflict with other uses. West Sussex County Council has produced parking guidance for new development²⁸, which applicants are advised to consider when working up development schemes. HDC is producing its own advice on street design and parking standards to further guide applicants in Horsham District which should be given consideration once published.

²⁴ <https://www.horsham.gov.uk/climate-and-environment>

²⁵ <https://www.westsussex.gov.uk/about-the-council/policies-and-reports/roads-and-travel-policy-and-reports/west-sussex-transport-plan/>

²⁶

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/951074/cycle-infrastructure-design-ltn-1-20.pdf

²⁷

<https://horsham.moderngov.co.uk/documents/s15932/LCWIP%20Appendix%201%20Main%20Document%20October%202020.pdf>

²⁸ https://www.westsussex.gov.uk/media/1847/guidance_parking_res_dev.pdf

Design

- 5.26 The NPPF is clear that good design is a fundamental element in sustainable development. The creation of high quality, beautiful and sustainable buildings and places is essential to what the planning and development process should achieve.
- 5.27 Strategic Policy 32: The Quality of New Development and Policy 33: Development Principles of the HDPF set out the Council's requirements in terms of design and remain up to date. Applicants must consider the relevance of all criteria in relation to their proposal. In terms of Policy 33, applicants must be aware that they may be asked to justify why they do not consider any specific element of the policy is relevant to their application.
- 5.28 The National Design Guide²⁹, National Model Design Code³⁰ and Guidance Notes for Design Codes³¹ illustrate how well-designed places that are beautiful, healthy, greener, enduring and successful can be achieved in practice. They form part of the Government's collection of planning practice guidance and should be read alongside the PPG section on design process and tools³².

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https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/962113/National_design_guide.pdf

30

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/957205/National_Model_Design_Code.pdf

31

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/957207/Guidance_notes_for_Design_Codes.pdf

32

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/957207/Guidance_notes_for_Design_Codes.pdf

Appendix 1: Policies 3 and 4 of the Horsham District Planning Framework

The policy wording of policies 3 and 4 of the Horsham District Planning Framework (HDPF) are found below.

Policy 3

Strategic Policy: Development Hierarchy

Development will be permitted within towns and villages which have defined built-up areas. Any infilling and redevelopment will be required to demonstrate that it is of an appropriate nature and scale to maintain characteristics and function of the settlement in accordance with the settlement hierarchy below:

Settlement Type	Settlement Characteristics and Function	Settlements
Main Town	Settlement with a large range of employment, services and facilities and leisure opportunities, including those providing a district function. Strong social networks, with good rail and bus accessibility. The settlement meets the majority of its own needs and many of those in smaller settlements.	Horsham
Small Towns and Larger Villages	These are settlements with a good range of services and facilities, strong community networks and local employment provision, together with reasonable rail and / or bus services. The settlements act as hubs for smaller villages to meet their daily needs, but also have some reliance on larger settlements	Billingshurst Bramber and Upper Beeding Broadbridge Heath Henfield Pulborough and Codmore Hill Southwater Steyning Storrington & Sullington*
Medium Villages	These settlements have a moderate level of services and facilities and community networks, together with some access to public transport. These settlements provide some day to day needs for residents, but rely on small market towns and	Ashington Barns Green Cowfold Partridge Green Rudgwick and Bucks Green Slinfold Warnham

Settlement Type	Settlement Characteristics and Function	Settlements
	larger settlements to meet a number of their requirements.	West Chiltington Village and Common
Smaller Villages	Villages with limited services, facilities, social networks but with good accessibility to larger settlements (e.g. road or rail) or settlements with some employment but limited services facilities or accessibility. Residents are reliant on larger settlements to access most of their requirements.	Christ's Hospital Lower Beeding Mannings Heath Rusper Small Dole Thakeham (The Street and High Bar Lane)
Unclassified settlements	Settlements with few or no facilities or social networks and limited accessibility, that are reliant on other villages and towns to meet the needs of residents	All other settlements

* This does not include the hamlet of Sullington which is located entirely within the South Downs National Park

Policy 4

Strategic Policy: Settlement Expansion

The growth of settlements across the District will continue to be supported in order to meet identified local housing, employment and community needs. Outside built-up area boundaries, the expansion of settlements will be supported where;

1. The site is allocated in the Local Plan or in a Neighbourhood Plan and adjoins an existing settlement edge.
2. The level of expansion is appropriate to the scale and function of the settlement type.
3. The development is demonstrated to meet the identified local housing needs and/or employment needs or will assist the retention and enhancement of community facilities and services.
4. The impact of the development individually or cumulatively does not prejudice comprehensive long term development, in order not to conflict with the development strategy; and

5. The development is contained within an existing defensible boundary and the landscape and townscape character features are maintained and enhanced.