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Dear ECE Planning

PRE-APPLICATION ADVICE

Proposal: Development of 15 new dwellings consisting of two no. one bedroom dwellings, four no. two bedroom dwellings, six no. three bedroom dwellings, two no. four bedroom dwellings and one no. five bedroom dwellings, associated access, landscaping and amenity open space.

Site Address: Land at Grid Reference 503444 113057, Newland Gardens, Amberley, West Sussex,

Thank you for your correspondence received 21 May 2018 seeking pre-application advice.

Executive Summary

The site has been allocated by the Amberley Neighbourhood Plan for a minimum of 6 dwellings, and the principle of development is therefore accepted.

Whilst the outcome of any formal application cannot be pre-judged, it is considered that a proposal incorporating 15 units may be acceptable, providing that you are able to evidence that the size, layout and design of the dwellings and accompanying hard and soft landscaping would not cause landscape harm, and that the mix of dwellings is in accordance with the demonstrated local housing need. If you wish to proceed with a proposal for 15 dwellings, you will therefore need to provide convincing landscape evidence that no impact would be incurred, and that the proposal would not represent over-development of the site.

Any proposal should also seek to incorporate the value of the natural environment to mitigate climate change and deliver biodiversity and wellbeing gains

Please note that the advice contained within this letter constitutes an informal Officer's opinion and does not prejudice, nor is binding upon, any future decision taken by the Local Planning Authority.

Planning Policy

Applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory development plan, currently, in this area is the

Horsham District Council Local Plan (2007) (Core Strategy and Development Control Policies). The Horsham District Local Plan is now more than 11 years old and since its publication the South Downs National Park has been formed (as of 1 of April 2011) and the National Planning Policy Framework (NPPF) was published on 27 March 2012.

Paragraph 216 of the NPPF states that from the day of publication, decision-takers may give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- 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
- the degree of consistency of the relevant policies in the emerging plan to the NPPF.

Where relevant, the level of weight that may be applied to emerging policy is considered in the report.

Aside from the allocation policy HD5, relevant policies include:

- EN1 Natural Environment
- EN2 Landscape Character and Open Views
- EN3 Protection of Trees and Hedgerows
- EN6 Dark Night Skies
- FI4 Surface Water Management
- HD2 Quality of Design
- HD3 Housing Types, Sizes and Tenures
- HD4 Housing Density
- HD5 Housing Site Allocation
- HD7 Outdoor Space
- HD8 Attention to Detail
- GA1 Footpath and Cycle Path Network
- GA3 Car Parking

Planning Assessment

The site is a greenfield plot located to the south of the main village, and would be accessed directly from Turnpike Road via Newland Gardens, which is in private ownership.

The site has been allocated through policy HD5 in the Amberley NDP (2017). The principle of development in this location is therefore acceptable, subject to the requirements of HD5, which include the provision of a tree survey to establish the value of the trees on site, which should be retained in any scheme, and a planting scheme which introduces suitable native trees and shrubs, and the considerations listed below:

- Housing provision
- Landscape impact
- Design and layout
- Trees and Ecology
- Dark night skies
- Highways, parking and access
- Amenity

- Drainage
- Contamination

Housing Provision

It is understood that the provision of 6 dwellings as specified in policy HD5 is a minimum number, however you will need to evidence from a landscape perspective why 15 units could be acceptable. This is considered later in the report.

It would be important for any scheme to reflect the identified local housing need. Policy HD3 'Housing Types, Sizes and Tenures' of the Amberley NDP states that new housing development should provide a mix of house types, sizes and tenures, particularly for smaller housing of 1 or 2 bedrooms as evidenced in 2015 Local Housing Needs Survey. The survey identified a need for local housing to meet the needs of both young and old, to include Lifetime Home type standards and affordable housing. The full survey is available here <http://www.amberley-pc.org.uk/userfiles/files/Document%20Archive/Public/NP%20Evidence%20Base/Amberley%20HNS%20Report%20June%202015%20Final.pdf>

As part of the evidence base for the South Downs Local Plan, the SDNPA has carried out a Housing and Economic Development Needs Assessment in 2017 for the wider National Park Area, which identified the need for the following broad mix of market housing:

- 1 bedroom dwellings: at least 10%
- 2 bedroom dwellings: at least 40%
- 3 bedroom dwellings: at least 40%
- 4+ bedroom dwellings: up to 10%

The proposed mix would provide the following:

- 1 bedroom dwellings 13%
- 2 bedroom dwellings 26%
- 3 bedroom dwellings 40%
- 4 bedroom dwellings 13%
- 5 bedroom dwellings 6%

Essentially, as this site is allocated through the Amberley Neighbourhood Plan, the mix would need to reflect local need as far as possible. It is understood that the proposal has already been the subject of a consultation exercise with the Parish, and we spoke about the need to evidence this in order to justify the proposed mix in terms of what is required by the local community.

In terms of affordable housing provision, Policy SD28 'Affordable Homes' currently requires sites with gross capacity to provide 11 or more homes to allow for a minimum of 50% affordable housing, of which a minimum 75% will provide a rented affordable tenure. Affordable housing delivered as part of a market housing scheme should aim to provide:

- 1 bedroom dwellings: 35%
- 2 bedroom dwellings: 35%
- 3 bedroom dwellings: 25%

This policy has been the subject of some objection during the consultation period, and its status will be clearer once comments have been received by the Inspector, and the Plan is closer to being adopted in early 2019. However, currently no weight may be given to this policy.

We discussed saved policy CPI2 'Meeting Housing Needs' of the Horsham Core Strategy 2007, which states that residential developments of 5 units or more will be expected to provide a target of 40% affordable homes on site (Amberley is a settlement of less than 3,000, and identified as category 2 in CP4), which would be the relevant policy from the Development Plan.

However, we also discussed the fact that the adjacent site, Strawberry Villas, is an exception site with 12 units, and that for contractual reasons the occupancy of the site tends to be from the wider Horsham District, rather than the local Parish. Furthermore, the recent housing needs assessment did not identify any further local need for affordable housing. The SDNPA is of the view that as the site has been allocated through the Neighbourhood Plan, it is necessary to consider local housing needs as a priority, and that if the affordable housing requirement has already been met through the adjacent exception site, the affordable housing element may be dealt with by way of a commuted sum.

Landscape Impact

The NPPF (2012) attaches great importance to the design of the built environment as a key part of sustainable development. Although planning policies and decisions should not attempt to impose architectural styles or particular tastes, they should seek to promote or reinforce local distinctiveness.

Policy EN2 'Landscape Character and Views' states that all development should maintain the local character of the landscape and special qualities of the SDNP and should not have an adverse impact on significant views that currently provide open field aspects or views from the village centre and other open spaces. The policy identifies the view north from Amberley Mount and the South Downs Way to Amberley village as a significant view.

Policy SD4 'Landscape Character' of the Submission South Downs Local Plan (2018) supports development that conserves and enhances landscape character reflecting the context and type of landscape in which the development is located and the individual identity of settlements. Policy SD5 Design supports a landscape-led approach, where proposals respect the local character, through sensitive and high quality design that makes a positive contribution to the overall character and appearance of the area. Proposals should also:

- Contribute to local distinctiveness and sense of place
- Utilise architectural design which is appropriate and sympathetic to its setting in terms of height, massing, density, roof form, materials, night and day visibility, elevational and, where relevant, vernacular detailing
- Provide high quality, secure, accessible, and where possible, integrated storage for general and recycling waste, heating fuel, and transport related equipment;
- Provide high quality outdoor amenity space appropriate to the needs of its occupiers and
- Provide sufficient internal space to meet the needs of a range of users.

Policy SD6 'Safeguarding Views' supports development that conserves and enhances views from publically accessible areas within, in to and out from settlements which contribute to the viewers' enjoyment of the National Park, and views from public rights of way, open access land and other publically accessible areas.

Any development proposal should be accompanied by a detailed Landscape and Visual Impact Assessment. The Landscape officer has raised the following concerns in regard to the density of the current edge of settlement proposal due to:

- i) the lack of landscape or visual evidence being used to inform the capacity and layout,
- ii) lack of consideration and space given in the layout to Ecological mitigation

I understand that you have already done a significant amount of landscape work to inform the current layout and design, however we would need to see evidence of this when you come forwards with the full application. The following evidence will be required:

- Tree Survey
- Phase I Ecology survey
- Landscape Assessment (baseline landscape and visual evidence) to inform layout and materials - key views in and out, settlement pattern, sensitive settlement edges, sensitive elements within and adjacent to the site, understanding of Amberley
- Heritage research, including the setting of the Conservation Area and archaeology
- Consideration of Dark Night Skies (the site is within the intrinsic dark skies core) and Relative Tranquillity to address emerging policies.

This evidence will provide the capacity of the site, and would need to demonstrate there would be no harmful impact to the context, including the rural landscape character, views and ecology. Consideration would need to be given to surfacing materials and boundary treatments to avoid an overly-urbanised appearance.

Design and Layout

Policy HD5 mentions a design brief for the site, however officers understand that this has not yet been drawn up.

Policy H2 'Quality of Design' states that Proposals for new development will be assessed against the established standards laid down in the Parish Of Amberley Design Statement, available here http://www.amberley-pc.org.uk/userfiles/files/PADS_06_Apr.pdf Policy H4 'Housing Density' states that the density of new developments should be appropriate to its location by virtue of size, siting and relationship to existing properties.

Policy SD5 'Design' supports development that demonstrates a landscape-led approach and respects the local character. Proposals should both integrate with, respect and sympathetically complement the landscape character and historic settlement pattern, and utilise architectural design which is appropriate and sympathetic to its setting. Proposals should also incorporate hard and soft landscape treatment which takes opportunities to connect to the wider landscape and enhance green infrastructure.

Policy SD2 Ecosystem Services of the Submission South Downs Local Plan (2018) supports development that seeks to have an overall positive impact on the ability of the natural environment to contribute goods and services, through the use of high quality design to provide more, better and joined up natural habitats, conserve water resources, improve the National Park's resilience to, and mitigation of, climate change, increase the ability to store carbon through new planting or other, reduce levels of pollution and improve opportunities for peoples' health and wellbeing. Please refer to the online technical advice note for more information <https://www.southdowns.gov.uk/wp-content/uploads/2018/04/Core-07-Ecosystem-Services-Technical-Advice-Note-non-householder.pdf>

The proposed layout indicates a two storey apartment block to the north-west of the site consisting of two no. one bedroom properties and two no. two bedroom properties. Reduced scale chalet style properties are proposed on the southern and eastern sides of the site as appropriate reduction in scale and mass towards the site boundaries.

The SDNPA Design officer has considered the proposal, and has advised that baseline information is required to support the proposal, including capacity and layout of any scheme, demonstrating:

- Landscape-led approach, including consideration of landscape character and significant views in to/out of the site. This will affect the siting of units and roof materials
- Ecology, including trees and other important vegetation, and indication of what is important and will be retained and/or enhanced
- Topography, which will affect the siting of units, height & volume of units and SuDS
- Ground conditions which will affect the siting of units, SuDS and amenity planting
- Lighting to avoid harmful impact to dark night skies and ecology
- A central open/public space, which will affect the layout and orientation of units
- Car parking strategy, which will affect design of the public realm.

It is understood that you have carried out research to form the overall vision and design of the scheme, and again evidence of this would need to be provided when you come forward with an application. It will be helpful to include contextual analysis of the local built form of the village, highlighting positive design elements that you have incorporated in order to reflect local distinctiveness.

You would also need to avoid ambiguity in terms of which areas would be in private ownership, and which areas would be communal and under shared maintenance, potentially through a management company. Hard and soft landscaping, including boundary treatments, should aim to deliver ecosystem services and biodiversity benefits where possible, incorporating elements such as sustainable drainage, permeable surfacing, native planting and provision of new or enhanced areas of habitat, including bat and bird boxes.

It is understood that there is a covenant restricting access across the boundary to the west, and that the only access would be through the existing access on the south western corner of the site, however where possible consideration should be given to the site's permeability and connectivity, aiming to enhance and promote links with the recreation ground to the east, and the wider footpath and cycle way network where possible. For example, public footpath 3708 provides a link to School Lane, and Amberley CofE First School.

Trees and Ecology

Policy EN1 'Natural Environment states that development in the Parish will only be permitted where it contributes to the special qualities of the SDNP, safeguards the natural beauty of the area and does not detract from the National Park's visual qualities and essential characteristics. Policy EN3 'Protection of Trees and Hedgerows' states that development proposals should be designed to retain wherever possible significant trees, trees of good arboricultural and amenity value and hedgerows.

The site is located approximately 200m south of the Arun Valley SAC (special Area of Conservation), SPA (Special Protection Area), Ramsar and Amberley Wild Brooks Site of Special Scientific Interest (SSSI). These statutory sites have been designated for supporting important habitats such as grazing marshes and bogs and are known to support important populations of overwintering birds. The proximity of this ecologically-rich landscape increases the potential for the site itself to support important ecological features.

The County Ecologist has advised that any formal application should be accompanied by a preliminary ecology appraisal followed by further species-specific surveys if the preliminary study indicates that these are needed. All survey work must be carried out to established industry guidelines, unless fully justified by the ecologist. The ecological assessment should also assess any

impacts arising as a result of the proposals on Arun Valley and Amberley Wild Brooks designated sites (e.g. hydrological impacts, recreational pressure, etc.). Furthermore, a consultation with Natural England is recommended. The ecological assessment should also include the provision of appropriate buffers to protect any notable habitats on site such as the ditches along the northern and eastern boundaries and the boundary trees/hedges. Furthermore, measures that would serve to enhance the biodiversity of the site should be considered. Achieving a net gain in biodiversity is consistent with the NPPF.

Dark Night Skies

Policy EN6 'Dark Night Skies' states that development should not detract from the unlit environment of the Parish, lighting should be designed to be deflected downwards and switched off no later than midnight.

Policy SD8 of the emerging South Downs Local Plan states that development proposals must demonstrate that all opportunities to reduce light pollution have been taken, and must ensure that the measured and observed sky quality in the surrounding area is not affected.

The site is located within the Dark Skies Intrinsic Zone of Darkness (EIa), which are classified as a 'dark sky' and includes isolated areas that may not be connected to the main core. In these areas, glazing and particularly rooflights should be kept to a minimum, and external lighting should be limited to timed and/or sensor-controlled lighting designed and shielded to minimise light spillage. The use of low-transmittance or tinted glass that reduces light pollution, or timed black out blinds could also assist in reducing reduce harmful light spill, and may be added as a condition where officers have concerns in regard to the potential harmful light spill. Further information is available from the Institute of Lighting Professionals <https://www.theilp.org.uk/documents/obtrusive-light/>

Highways, Parking and Access

The Highways Authority have advised that Turnpike Road is subject to a 40 mph speed restriction, and the maximum achievable visibility splays should be demonstrated as part of the application. The following would also be required with any formal application:

- A detailed car parking plan should also be provided with external spaces of 2.4m by 4.8m, and garages 3m by 6m internally
- Capacity information in the form of a TRICS (Trip Rate Information Computer Systems) assessment in order that the LHA can assess the number of additional vehicle trips to the nearby road network
- Swept path tracking demonstrating that refuse collection vehicles and fire tender can serve the site.

More detailed highways and transport pre application advice is available via a paid service <http://www.westsussex.gov.uk/default.aspx?page=10056> however as Soldiers Field Lane is a private road their comments would be advisory.

Horsham Environmental Health have advised that any application would need to comply with the Horsham DC Planning Advice Document: Air Quality & Emissions Reduction Guidance (May 2014) which gives guidance on mitigation, and requires electric charging points for vehicles at all residential dwellings with a private drive or garage and the submission and implementation of a travel plan to promote sustainable transport options.

Drainage

The site is wholly within flood zone 1 (low risk) and there are no records or knowledge of the site flooding. Policy SD50: Sustainable Drainage Systems supports development proposals that ensure against the increase of surface water run-off, taking account of climate change. It would be important to incorporate a sustainable drainage system (SuDS), which might include porous surfaces, rain gardens/balancing ditches and tree planting where feasible. Such features would have the added bonus of providing a degree of public amenity as well as biodiversity benefits.

The site falls within an area of major groundwater vulnerability, and careful consultation and discussions with Horsham DC Drainage prior to construction of the proposed scheme is therefore required. Infiltration rates for soakage structures are to be based on percolation tests undertaken in accordance with BRE 365, CIRIA R156 or a similar approved method in the winter period and at the location and depth of the proposed structures. Adequate freeboard must be provided between the base of the soakaway structure and the highest recorded annual groundwater level identified in that location. Any SuDS or soakaway design must also include adequate groundwater monitoring data to determine the highest winter groundwater table in support of the design. The applicant is advised to discuss the extent of groundwater monitoring with Arun District Council's Drainage Engineers.

You will also need to seek information from Southern Water in regard to the position of any public sewers that may run through the site. Southern Water requires a formal application for a connection to the foul sewer to be made by the applicant or developer. If there are no public surface water sewers located within the vicinity of the site and alternative methods of disposing of the surface water should be investigated i.e. soakaways, ditches or local water courses.

Contamination

Horsham Environmental Health have advised that any application will have to be accompanied by an assessment of the land condition so that any contamination risks are duly considered.

Amenity

Any formal application would be subject to public consultation, including neighbouring properties. Consideration will need to be given to the relationship with the development at Strawberry Villas in terms of providing a less isolated experience than currently.

Archaeology

The site is considered to have archaeological potential, and any application should be accompanied by a Heritage Statement addressing any below ground archaeological issues. The statement should set out the nature of the archaeological potential of the site, the impact previous development may have had upon that potential and the impact on that potential of any future development proposals. The statement should also set out a detailed mitigation strategy to satisfy the planning authority that any archaeological issues that have been identified will be sustainably dealt with during development.

Financial Contributions

The proposed development would trigger the requirement for a Community Infrastructure Levy contribution to help deliver infrastructure to support development in the area, however given the existing floor space you would be entitled to a level of exemption. The site falls within Zone 2, which is charged at a levy of £200 per sqm. A factsheet for developers is provided via the link below.

<https://www.southdowns.gov.uk/planning/community-infrastructure-levy/cil-householder-developer-factsheet/>

As Amberley has an adopted Neighbourhood Plan, the Parish will receive 25% of the CIL income. The SDNPA welcomes 'Expression of Interest' applications for projects that could be eligible for CIL funding, and the Parish is recommended to contact cil@southdowns.gov.uk for further information.

Information to accompany a full application

In the event that a formal application is to be submitted, the following documents would need to be submitted:

- Landscape informed rationale for the design and layout of the final proposal
- Ecosystems Services statement
- Details of hard and soft landscaping including fencing, surfacing, and planting plans
- Colour and finishes of all external building materials
- External lighting details (if any), to include mitigation measures to minimise light spill.
- Parking strategy, including provision of parking for all modes of transport
- Preliminary ecological appraisal

Please also consult the SDNPA's Local Validation List through the link below:
<http://www.southdowns.gov.uk/planning/making-an-application/local-validation-list>

Consultations

The following consultation responses have been provided and should be read alongside this response: Archaeology, Ecology, Drainage, Highways, Design, Landscape, Environmental Health and Southern Water. The full comments are available online here
<http://planningpublicaccess.southdowns.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=P94FLETU03300>

If you pursue a formal planning application please note that the requirements of the South Downs National Park Authority Local Validation List will apply with regard to the information required to be submitted. Further information is available at <https://www.southdowns.gov.uk/planning/making-an-application/local-validation-list/>.

It would be advisable to contact the Building Control department at your Local Authority to check if building regulation approval is required.

Please note that the advice contained within this letter constitutes an informal Officer's opinion and does not prejudice, nor is binding upon, any future decision taken by the South Downs National Park Authority.

Yours sincerely,

Stella New
Senior Development Management Officer
For and on behalf of South Downs National Park

Appendix

National Park Purposes

The two statutory purposes of the SDNP designation are:

- To conserve and enhance the natural beauty, wildlife and cultural heritage,
- To promote opportunities for the public understanding and enjoyment of the special qualities of their areas.

If there is a conflict between these two purposes, conservation takes precedence. There is also a duty to foster the economic and social well being of the local community in pursuit of these purposes.

Partnership Management Plan

The South Downs Partnership Management Plan (SDPMP) was adopted on 3 December 2013. It sets out a Vision and long term Outcomes for the National Park, as well as 5 year Policies and a continually updated Delivery Framework. The SDPMP is a material consideration in planning applications and has some weight pending adoption of the SDNP Local Plan.

The following Policies and Outcomes are of particular relevance to this case:

National Planning Policy Framework (NPPF) and Circular 2010

Government policy relating to National Parks is set out in English National Parks and the Broads: UK Government Vision and Circular 2010 and The National Planning Policy Framework (NPPF) which was issued and came into effect on 27 March 2012. The Circular and NPPF confirm that National Parks have the highest status of protection and the NPPF states at paragraph 115 that great weight should be given to conserving landscape and scenic beauty in the National Parks and that the conservation of wildlife and cultural heritage are important considerations and should also be given great weight in National Parks.

Development Plan

The development plan policies listed below have been assessed for their compliance with the NPPF and are considered to be compliant with the NPPF.

The following policies of the are relevant to this application:

The following policies of the **Horsham District Local Development Framework The Core Strategy (2007)** are relevant to this application:

- CP5 - Built-up Areas and Previously Developed Land
- CP12 - Meeting Housing Needs
- CP15 - Rural Strategy

The following policies of the **Local Development Framework: General Development Control Policies (2007)** are relevant to this application:

- DC9 - Development Principles
- DC12 - Conservation Areas
- DC40 - Transport and Access

Other plans considered

- Amberley Neighbourhood Plan

The Draft South Downs National Park Local Plan

The Pre-Submission version of the South Downs Local Plan (2017) was published under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations (2012) for public consultation from 26 September to 21 November 2017, and the responses considered by the Authority. The Plan was submitted to the Secretary of State for independent examination in April 2018. The Submission version of the Local Plan consists of the Pre-Submission Plan and the Schedule of Proposed Changes. It is a material consideration in the assessment of this planning application in accordance with paragraph 216 of the NPPF, which confirms that weight may be given to policies in emerging plans following publication. Based on the current stage of preparation, and given the relative age of the **saved policies within the** , the policies within the **Submission South Downs Local Plan (2018)** are currently afforded **considerable** weight, depending on the level of objection received on individual policies.

The following policies are of particular relevance to this case:

- Core Policy SD1 - Sustainable Development
- Core Policy SD2 - Ecosystems Services
- Strategic Policy SD4 - Landscape Character
- Strategic Policy SD5 - Design
- Strategic Policy SD8 - Dark Night Skies
- Strategic Policy SD9 - Biodiversity and Geodiversity
- Development Management Policy SD11 - Trees, Woodland and Hedgerows
- Development Management Policy SD21 - Public Realm, Highway Design and Public Art
- Development Management Policy SD22 - Parking Provision
- Strategic Policy SD25 - Development Strategy
- Strategic Policy SD26 - Supply of Homes

- Strategic Policy SD27 - Mix of Homes
- Strategic Policy SD28 - Affordable Homes
- Strategic Policy SD45 - Green Infrastructure
- Development Management Policy SD50 - Sustainable Drainage Systems

End of Document

