



**South Downs**  
National Park Authority

**Agenda Item 7**  
**Report PC23/24-15**

Report to **Planning Committee**  
Date **09 November 2023**  
By **Director of Planning**  
Application Number **SDNP/21/03905/FUL**  
Applicant **Kitewood Estates Ltd**  
Application **Residential development comprising 32no. dwellings together with access, parking, landscaping, and associated works**  
Address **Square Field, Littlecote, Petworth, West Sussex**

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**Recommendation:**

- 1) That authority be delegated to the Director of Planning to grant planning permission subject to the conditions set out in paragraph 10.1 of the report and a legal agreement, the final form of which is also delegated to the Director of Planning, to secure:
    - i) 16no affordable homes of the following mix and tenure:
      - 6no. 2 bed and 6no. 3 bed units (affordable rental)
      - 2no. 2 bed and 2no. 3 bed units (shared ownership); and
      - A Water Neutrality Offsetting Strategy to be submitted and approved (in writing) and implemented in accordance with an agreed timetable prior to commencement of the development;
  - 2) That authority be delegated to the Director of Planning to refuse the application with appropriate reasons if the legal agreement is not completed, or sufficient progress has not been made with regard to securing water neutrality, within 6 months of the Planning Committee meeting of 9 November 2023.
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**Executive Summary**

**1. Site Description**

- 1.1. The application site comprises a square grassed field of approximately 1.3ha on the southern edge of the main settlement of Petworth understood to have formerly functioned as a school playing field. The site is bordered by mature hedgerows and mixed deciduous and evergreen trees, with a row of conifers along the western boundary, and slopes gently downwards from north-east to south-west.
- 1.2. The site partly adjoins the Petworth Conservation Area to the north-east, which includes the Grade II\* listed dwelling known as New Grove. There is a Tree Preservation Order protecting a group of holly trees adjoining the north eastern corner of the site. Petworth CofE Primary school is located immediately to the south, and there are open fields beyond the site to the east. There are residential dwellings located to the immediate north, with a footpath (in private ownership) to the north of the site’s northern boundary, and the site to the west ‘Land at Rotherlea’ has extant permission for 34 dwellings.
- 1.3. The site would be accessed from Dawtrey Road/Littlecote, which currently terminates at the site’s western boundary. There are no public rights of way close to the site, however there is a footway to the south which is used to access the school.
- 1.4. The site falls within the buffer zones of the Ebernoe Common, Mens and Singleton and Cocking Tunnels Special Areas of Conservation (SACs) which are important for bats, and the Sussex North Water Supply Zone (SNWSZ), which relies on groundwater extraction close to the Arun Valley Special area of Conservation (SAC), Special Protection Area (SPA) and Ramsar.

**2. Relevant Planning History**

- 2.1. The most recent planning history relating to the site is as follows:
  - SDNP/19/03158/PRE (see **Appendix I**)
 

The advice stated that the whilst the layout was broadly acceptable, concerns were raised with regard to the proximity of plots 14, 15, 16, 17, 18 and 19 to the southern boundary and the proposed flat above garage on the eastern boundary of the site; the lack of a policy compliant provision of affordable homes; visitor parking and lack of any drainage strategy.
- 2.2. The history of the adjoining site known as Land at Rotherlea where development has recently commenced, is also relevant:
  - SDNP/15/01862/FUL Erect 34 dwellings, access and parking. Approved 30.05.2021. This permission is subject to a S.106 legal agreement to secure 12 affordable units.
  - SDNP/21/00924/CND Variation of condition no. 2 (plans) on SDNP/15/01862/FUL. Approved 28.01.2022. This permission is subject to a Unilateral Undertaking securing the remaining 22 dwellings as affordable units, meaning that all 34 dwellings will be affordable.
  - SDNP/23/00367/NMA Non-Material Amendment to planning approval SDNP/21/00924/CND to substitute a number of approved plans to accommodate elevational changes, as a result of technical and design requirements. Approved 04.05.2023

**3. Proposal**

- 3.1 The application seeks to provide 32 dwellings, with a 50% affordable housing provision of which 75% (12 units) would be affordable rented and 25% (4 units) would be Shared Ownership.

Tenure	2 Bed House	3 Bed House	4 Bed House	TOTAL
Market		12	4	16
Affordable Rent (75%)	6	6	0	12
Shared Ownership (25%)	2	2	0	4

<b>TOTAL</b>	<b>8 (25%)</b>	<b>20 (63%)</b>	<b>4 (13%)</b>	<b>32</b>
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- 3.2 During the course of the application, a number of amendments were made to the scheme in response to concerns raised by officers and consultees including;
- Reduction in the number of units from 45 to 32;
  - Reduction in number of 4 bed units;
  - Provision of a swale and surface water attenuation pond and shared amenity space.
- 3.3 The dwellings will be traditional in appearance, utilising materials that predominantly reflect the local vernacular of the Petworth Conservation Area and traditional buildings within it. They will also reflect the traditional appearance and materials of the adjacent Rotherlea permission, which has yet to be built out. The materials palette includes encased stone and orange/red bricks, with the stone being utilised in prominent locations including the entrance, arrival square and south-eastern corner. Roofs will be either natural slate or clay tiles, with slate used predominantly in the northern part of the site and more rural clay tiles in the south. Windows will be timber, or timber/aluminium. Affordable units 21-24 will be designed to meet Passive House standards, and 44% of units will be designed to meet accessibility standards.
- 3.4 76no. car parking spaces will be provided for residential and visitor use, and all units will have EV charging facilities. The site will utilise the existing access from Dawtrey Lane/Littlecote, turning southwards to arrive at a central 'arrival square' which will be surfaced with re-claimed granite paving. Permeable paving will be provided to all drives and parking spaces, and grass roofs to all outbuildings including car ports, cycle storage and refuse storage. All units will be provided with raingardens to the front taking surface water runoff from roofs.
- 3.5 Clear span bridges will provide vehicular access over the swale to units 18 and 19, and pedestrian access across the pond. Buffers are provided to the vegetated northern, eastern and western boundaries, and all boundaries facing the public realm will be treated with timber post and rail and native hedgerow planting.
- 4. Consultations**
- 4.1 Chichester Drainage Officer: No objection subject to conditions.
- 4.2 **Chichester Housing Officer:** No objection. Comments:
- Lack of 1 bedroom affordable units disappointing given local need;
  - Lack of any 1 or 2 bedroom market units.
- 4.3 **Design:** No objection, subject to conditions. Comments:
- Trees need to be larger in key locations along swales and main routes, which can be controlled via condition;
  - The sunlight study demonstrates that rear north-facing gardens will benefit from adequate sunlight conditions and their size/design is supported.
- 4.4 **Ecology:** No objection, subject to conditions.
- 4.5 **Environment Agency:** Comments awaited (Members will be updated on any response).
- 4.6 **Landscape:** No objection, subject to conditions. Comments:
- Scope to further improve public and private spaces but can be secured by condition.
- 4.7 **Local Lead Flood Authority:** Objection. Comments:
- Lack of key information including winter groundwater monitoring and infiltration testing means that SuDS scheme may not be deliverable.
- 4.8 **Natural England:** Further Information Required to determine Impacts on Designated Sites.
- Further monitoring of the borehole at Ash Hill Farm Estate required to determine a consistent average water consumption figure.

- Clarification required on whether a mains connection will continue to be utilised at Hill Ash Farm Estate
- Information required pertaining to how the use of water butts by occupants will be secured to enable the 5 l/p/d figure to be removed from calculations.
- HRA does not currently provide enough information or certainty to justify the assessment conclusion and Authority should not grant permission at this stage.
- NE concur with assessment that the proposal will not result in adverse effects on the integrity of the Mens, Ebernoe Common and Singleton and Cocking Tunnels SAC's

4.9 **Petworth Town Council:** No objection. Comments:

- Site layout, density and landscape led approach in line with the Petworth NDP;
- Revised layout & the reduction in numbers welcomed;
- Safety of access arrangements is dependent on highway works associated with adjacent Rotherlea development;
- Support pedestrian links although challenging due to land ownership.

4.10 **Southern Water:** No objection, subject to conditions.

4.11 **Sustainable Construction:** No objection, subject to conditions.

4.12 **Tree Officer:** No objection, subject to conditions.

4.13 **WSCC Highway Authority:** No objection, subject to conditions.

**5. Representations**

5.1 Six letters of objection were received during the course of the application raising the following concerns:

- Loss of turning head and on-street parking on Littlecote;
- New layby parking spaces will be used by occupants of the new development;
- Layby parking will preclude ability to provide off-road parking for residents of Littlecote;
- Traffic calming measures and speed limit should be introduced;
- Will exacerbate vehicles waiting either end of narrow Dawtrey Road;
- Lack of joint working between the developers at Square Field and Rotherlea;
- Noise impacts from increased traffic;
- Trip generation does not take into account the number of vehicles from the new Rotherlea estate or the Veterinary Surgery;
- Potential pedestrian link to Blackberry Road/Toronto Road offers no benefits and will impact protected hedgerow and privacy and security of existing dwellings;
- Lack of facilities in Petworth to support size of development;
- Will negatively impact existing bat habitat.

**6. Planning Policy**

6.1. Relevant Sections of National Planning Policy Framework:

- NPPF05 - Delivering a sufficient supply of homes infrastructure
- NPPF12 - Achieving well-designed places
- NPPF15 - Conserving and enhancing the natural environment

6.2. Most relevant Policies of Adopted South Downs Local Plan (2014-2033) (A full list of relevant

policies can be found in Appendix I)

- SD4: Landscape Character
- SD5: Design
- SD9: Biodiversity and Geodiversity
- SD11: Trees, Woodland and Hedgerows
- SD25: Development Strategy
- SD27: Mix of Homes
- SD28: Affordable Homes

6.3. The Petworth Neighbourhood Plan (NDP) (2015-33)

The following policies of the Petworth NDP are relevant:

- PP1 Settlement Boundary
- PP2 Core Planning Principles
- H1 Allocate Land for Approximately 150 homes
- H3 Housing Type and Mix
- H4 Affordable Housing Provision
- H6 The Square Field
- ESD1 Character and Design
- ESD2: Housing density
- ESD3 Requirements for a Design and Access Statement
- ESD5 Public Open Spaces
- ESD6 Landscape and Visual Impact
- ESD7 Biodiversity and Trees
- ESD8 Sustainable Design
- GA1 Parking Requirements
- GA2 Pedestrian and Cycle Movement
- DI Infrastructure Delivery

6.4. Relevant Policies of South Downs Management Plan (2020-2025)

- Policy 1
- Policy 3
- Policy 5
- Policy 9
- Policy 25
- Policy 50
- Policy 57

6.5. Other Relevant Policy Documents (including SPDs and TANs)

- SDNPA Affordable Housing SPD (Jul 2020)
- SDNPA Design Guide SPD (Jul 2022)
- SDNPA Parking SPD (Apr 2021)

- SDNPA Sustainable Construction SPD (Aug 2020)
- SDNPA Biodiversity TAN (Jan 2022)
- SDNPA Dark Skies TAN (May 2021)
- SDNPA Ecosystem Services TAN

## **7. Planning Assessment**

7.1. The main matters for consideration relate to:

- Principle of Development
- Landscape, Heritage and Design
- Housing Provision
- Trees, Ecology and Dark Night Skies
- Water Neutrality
- Drainage and the Water Environment
- Highways, Access and Parking
- Amenity

### Principle of development

- 7.2. The proposal is not considered to constitute major development for the purposes of policy SD3 and paragraph 177 of the NPPF. The NPPF accompanying footnote 60 advises that ‘major development’ in designated landscapes is a matter for the decision maker, taking into account its nature, scale and setting, and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined. In this case, the site has been allocated for the use proposed. Any adverse impacts on the designation as a result of development will not be significant and have furthermore already been considered via the Local Plan process.
- 7.3. Policy SD1 encourages a presumption in favour of sustainable development where development proposals accord with other relevant policies in the South Downs Local Plan and the National Park’s statutory purposes. Policy SD25 of the South Downs Local Plan (SDLP) directs new development to within settlement policy boundaries, where proposals are of a scale and nature appropriate to the character and function of the settlement in its landscape context.
- 7.4. SD26 allocates a housing provision of approximately 150 dwellings to Petworth, which is provided for by a number of allocations made by the Petworth Neighbourhood Plan. This includes policy H6 which allocates the Square Field for at least 30 dwellings subject to a number of site-specific criteria requiring development to:
- i) Provide vehicular access from Dawtrey Road;
  - ii) Roads through the site should seek to have a design speed of 20mph;
  - iii) Make equal provision on the site’s northern edge for any existing on-street car parking spaces within Dawtrey Road that are lost as a result of any development on the site;
  - iv) Seek to enhance amenity and ecology through protecting and maintaining existing green corridors and through the creation of new green corridors;
  - v) Deliver a planting and landscape strategy to minimise landscape impact along the sites eastern and southern boundary. The landscaping strategy should seek to retain the square edged character of the site and retain views towards the downland landscape.
  - vi) Seek to incorporate a strong landscape structure throughout the site that includes a mix of amenity spaces.
- 7.5. The quantum of development proposed marginally exceeds the minimum requirement of 30 dwellings specified by policy H6 and would result in a density of approximately 25 dwellings per hectares (dph.) This complies with the 25-35dph level required by policy ESD2.

- 7.6. The development of the site for a C3 residential use is therefore acceptable in principle, subject to compliance with the criteria of policy H6 and requirements of other relevant policies.

Landscape, Heritage and Design

- 7.7. The first statutory purpose of the National Park is to conserve and enhance the natural beauty, wildlife and cultural heritage of the area, and development within it must accord with this purpose. Policies SD4, SD5 and ESD1 require the design of development to adopt a landscape-led approach in order to conserve and enhance existing landscape character features; make a positive contribution to the overall character and appearance of the area; and demonstrate how the development contributes to the character of Petworth as a traditional market town. Section C.2.1 of the Design Guide SPD states that character and identity will be best served where it is clear that local heritage, history and culture are being responded to.
- 7.8. Policies SD12, SD13 and SD15 require development to conserve and enhance the historic environment; preserve and enhance the significance of listed buildings and their setting; and preserve or enhance the special architectural or historic interest, character or appearance of conservation areas.
- 7.9. Policies ES1, ES2 and ES6 require proposals to sensitively connect and integrate with the landscape character on the settlement edge and maintain visual connection with the countryside. ESD5 requires the provision for accessible open space appropriate to the character and location of the site. Policy H6 also requires a landscape strategy that minimise impacts along the site's eastern and southern boundary; retains the site's square-edged character and views towards the downland landscape; and includes a mix of amenity spaces. The supporting text suggests the positioning of open space and soft landscape boundaries between the development and the countryside, with a lower density of development along the sites eastern edge to assist the transition between the countryside and existing urban edge.
- 7.10. The site is approximately 120m southwest of the grade II\* listed building New Grove and partly adjoins the Petworth Conservation Area, which in this location comprises broadleaf woodland associated with New Grove. The Historic Buildings officer has advised that due to the distance and intervening woodland it is unlikely the proposal would have any harmful impacts on the setting of the listed building. An additional native planting buffer/set back has been provided to the eastern boundary where it adjoins the Conservation Area, and the closest dwelling (Unit 1) deliberately has no side access to ensure that the wooded setting is preserved.
- 7.11. The Design and Landscape officers have no objection to the layout or design of the proposed development, which has evolved iteratively following input from both officers and the DRP. The proposals have been informed by settlement pattern and historical, topographical, ecological and geological landscape evidence, and the layout makes efficient use of the land by utilising the existing access into the site and following the site's natural contours.
- 7.12. A number of positive changes were made during the course of the application in response to concerns raised by officers including a significant reduction in the quantum of development (45 down to 32) and the provision of multifunctional surface water features. The layout preserves the 'square' character of the site, grouping the development together in four predominantly regular blocks, and includes a mix of amenity spaces including a central 'arrival' square and shared open space in the southern part of the site, making a positive transition between the existing urban edge and countryside to the south. An attenuation pond fed by a linked central swale running north/south through the site will provide additional amenity and biodiversity benefits. Clear span bridges will provide vehicular access over the swale to units 18 and 19 and pedestrian access across the pond. The vegetated/treed boundaries will be reinforced with native planting, and boundaries facing the public realm will be post and rail with native hedgerow. The submitted sunlight study confirms that north facing gardens would not be over-shaded.
- 7.13. Further refinements, including materials details, the integration of bird and bat boxes, characteristic tree and other native planting for biodiversity, and landscape management can be secured via suitably worded planning conditions.
- 7.14. In summary, the proposal is considered to be acceptable in design and landscape terms, and in accordance with the relevant development plan policies and design criteria of the allocation



policy H6.

Housing Provision

- 7.15. Paragraph 7.39 of the supporting text to SD27 identifies that a made neighbourhood plan policy proposing an alternative housing mix based on robust local evidence should be used in place of policy SD27. SD27 reflects the evidence base provided by the SDNPA’s Housing and Economic Development Needs Assessment (HEDNA) (2017) which identified a predominant need for 1-3 bedroom dwellings across the National Park.
- 7.16. Petworth NDP policy H3, whilst broadly similar to SD27, requires a slightly different mix of market units (10% less smaller 1-2 bedroom dwellings and 10% more larger 4 bedroom dwellings.) However, although the policy was adopted more recently than SD17, it is based upon the findings of the Strategic Housing Market Assessment (2015) (SHMA) i.e. less recent evidence than the HEDNA. More weight is therefore given to the market mix required by SD27.
- 7.17. SD27 3) also supports proposals of five or more homes where local need for older people’s or specialist housing is reflected in the types of homes proposed. The Design Guide SPD specifies that developments of 10 dwellings and above should ensure at least 50% of dwellings meet Part M4 Category 2 standards for Accessible and Adaptable Dwellings.
- 7.18. Petworth NDP Policy H4 requires 40% on-site provision of affordable homes, ‘unless the affordable housing requirement threshold is changed as a result of the future adoption of the South Downs Local Plan.’ Policy SD28 requires sites with capacity of 11 or more to provide a minimum of 50% of affordable homes on-site, of which a minimum of 75% should be of a rented affordable tenure. This is based on evidence provided by both the SHMA 2015 and HEDNA 2017 which demonstrates that social rent tenures are the most affordable in the SDNP to those in greatest need and should be prioritised over other forms of rented tenure.
- 7.19. More recent information provided by the Chichester Housing Officer in October 2023 identifies an affordable housing need in the Petworth area as follows:

<b>1 Bed</b>	<b>2 Bed</b>	<b>3 Bed</b>	<b>4 Bed</b>
24	12	9	1

- 7.20. The proposal will deliver a policy compliant number and tenure of affordable homes (75% affordable rental and 25% shared ownership) which is welcomed. However, the above figures indicate that 52% of those on the housing register for Petworth need 1 bed units and concerns have been raised by the Chichester Housing officer that the mix of units will not meet the prevailing local housing need. Concerns are also raised that there is a lack of 1-2 bedroom market dwellings. The proposed housing mix, broken down into percentages, and compared against SD27 and H3, is as follows:

		<b>1 Bed</b>	<b>2 Bed</b>	<b>3 Bed</b>	<b>4 Bed</b>
<b>Market Units (16no.)</b>	<b>SD27</b>	At least 10%	At least 40%	At least 40%	Up to 10%
	<b>H3</b>	40%		40%	20%
	<b>Proposed</b>	0	0 (0%)	12 (75%)	4 (25%)
<b>Affordable Units (16no.)</b>	<b>SD27</b>	35%	35%	25%	5%
	<b>H3</b>	35%	35%	25%	5%
	<b>Proposed</b>	0 (0%)	8 (50%)	8 (50%)	0 (0%)

7.21. It is acknowledged that there is a lack of 1-bedroom affordable and smaller market units, however policies SD27 and SD28 and the Affordable Housing SPD recognise the need for a degree of flexibility when considering the mix of homes. SD27 2) allows for an alternative mix provided that:

- a) Robust evidence of local housing need demonstrates that a different mix of dwellings is required to meet local needs; or
- b) It is shown that site-specific considerations necessitate a different mix to ensure National Park Purpose 1 is met.

SD27 1) a) also allows for 1-bedroom affordable dwellings to be substituted with 2-bedroom affordable dwellings.

7.22. In this case, the prevailing townscape character on the settlement edge is that of detached and semi-detached dwellings in larger plots, rather than the terraced dwellings in smaller plots found in central Petworth. The size and arrangement of detached and semi-detached dwellings proposed is therefore more appropriate in terms of landscape character than larger flatted blocks that would generally provide 1 bedroom units. The 2 and 3 bedroom affordable units would still meet local needs, and the delivery of a policy compliant number of affordable homes is also considered to be a priority when assessing mix overall. The proposed mix and tenure of both the market and affordable units overall is therefore considered to be acceptable and in accordance with the broad requirements of policies SD27 and SD28.

7.23. The applicant has also confirmed that 44% of the units will be designed to meet Part M4 Category 2 (accessible and adaptable dwelling standards). Whilst the 50% target has not been met the percentage of accessible/adaptable dwellings is still high, the homes that would meet the standard are a mix of 2 and 3 bedrooms and more than half would be affordable homes, which is positive.

Trees, Ecology and Dark Night Skies

7.24. Policies SD2, SD9, SD11, SD45 and ESD7 support proposals that conserve and enhance biodiversity, trees and woodland, and green infrastructure; retain, protect and enhance features of biodiversity and supporting habitat, and identify and incorporate net gains for biodiversity and green infrastructure. Criterion iv) of H6 requires ecology to be enhanced through protecting and maintaining existing green corridors and creating new green corridors.

7.25. The SDNPA Biodiversity Net Gain (BNG) Technical Advice Note (Jan 2022) provides interim guidance ahead of legally mandatory BNG requirements. This states that developments of 10 or more dwellings should maximise biodiversity opportunities on site with a minimum of 10% BNG.

*Ecology*

7.26. The Authority's ecologist has advised that overall the proposed measures in relation to dormice, nesting birds and reptiles are acceptable, subject to conditions to ensure works are carried out in accordance with the mitigation/compensation and enhancement measures set out in the submitted ecological impact assessment, and an Ecology Enhancement and Management Plan for the buffers and area of green space. Although disappointing that reference to the width of the buffers has been removed from the revised ecological impact assessment report, which indicates that the 5m width originally recommended is not capable of being achieved, there is no ecology objection on that basis. The submitted BNG metric calculation indicates that there will be a 38.57% net gain in habitat units and 13.50% net gain in hedgerow units as a result of development, which is welcomed, and the external lighting plan and the level of light spill is also considered to be acceptable in terms of bats and wildlife.

*Trees*

7.27. The Tree officer has advised that the proposals will not affect the protected holly trees to the north-east of the site as they are located behind a wall. Protection of the hedging along the northern boundary where parking bays will be provided would be secured via a suitably worded planning condition (Condition No 25.)

*Dark Skies*

- 7.28. Policy SD8 requires proposals to take all opportunities to reduce light pollution and ensure that the measured and observed sky quality in the surrounding area is not affected.
- 7.29. The site falls within the dark skies zone EI(a) area of intrinsic rural darkness, which is classified as 'dark sky' and includes isolated areas that may not be connected to the main core. All proposals within EI(a) areas should keep glazing and particularly rooflights to a minimum, and external lighting should be limited to timed and/or sensor-controlled lighting designed to achieve zero upward light spill as set out in the SDNPA Dark Skies Technical Advice Note.
- 7.30. The submitted lighting strategy has been assessed by the Dark Skies consultant and the Authority's ecologist who have confirmed that it would comply with dark skies guidance and avoid harmful impacts to bats. No rooflights are proposed, and the ability to provide them under permitted development rights would be effectively removed via condition 3.

*Summary*

- 7.31. Given the above, the proposal is therefore considered to be acceptable in terms of ecology, trees and dark skies, and accord with the requirements of policies SD2, SD8, SD9, SD11 and SD45 and the SDNPA Dark Skies and Biodiversity Net Gain TANs.

Water Neutrality

- 7.32. The site is located within the Sussex North Water Supply Zone (SNWSZ), which relies on groundwater extraction close to the Arun Valley Special area of Conservation (SAC), Special Protection Area (SPA) and Ramsar. Natural England have identified significant negative changes in water quantity and movement, which are essential to maintaining the habitat upon which the designation features and species rely on.
- 7.33. The position statement released by Natural England in September 2021 sets out that it cannot be concluded that existing water abstraction is not having an adverse effect on the Arun Valley protected sites, and that new development within the Sussex North Water Supply Zone must not add to this impact. Proposals should therefore demonstrate water neutrality, which is defined as 'the use of water in the supply area before the development being the same or lower after the development is in place.' Proposals that would lead to a material increase in water demand will need to demonstrate water neutrality via a combination of water efficiency, water recycling and offsetting measures set out a water budget, showing the baseline and proposed water consumption and mitigation measures proposed.
- 7.34. The Applicant has submitted a Water Neutrality Statement setting out a methodology as to how water neutrality could be achieved through water saving measures within the new development and off-site offsetting measures. In relation to the on-site water saving measures the Statement confirms that the new dwellings would result in a water consumption of 97.08 litres per person per day for 2 and 3 bedroom dwellings, and 97.98 litres for the 4 bedroom dwellings. Based on average occupancy from census data, the occupancy levels of the proposed development would be 75.88. The increase in water usage will therefore be approximately 7,377 litres per day (l/p/d) for the whole development. On-site water saving mitigation would be achieved by fitting dwellings with water saving features which will reduce the rate to 78.34 litres per person per day for 2 and 3 bedroom dwellings, and 79.24 litres for the 4 bedroom dwellings, which equates to an overall total of 5,955 l/p/d.
- 7.35. The off-site offsetting measures would be achieved via a borehole located at Hill Ash Farm Estate in Petersfield, commissioned in February 2023. Although located within the SNWSZ, the borehole abstracts water from a separate aquifer and the submitted evidence indicates that the borehole has reduced Hill Ash Farm's potable consumption by an average of 9.05m<sup>3</sup>/day or 9,005 l/d. This is sufficient to fully mitigate the water demand of 5,955 l/d arising from the development. Prior to the commissioning of the borehole, commercial terms were agreed between the applicant and landowner (of the borehole) in relation to the use of the borehole as water neutrality mitigation. These ensure the borehole is maintained and kept to its current operating standard for the period of time until a suitable strategic alternative is identified and agreed. The

Section 106 agreement will cater for a potential change from site specific mitigation to a strategic mitigation in the future.

- 7.36. The Authority has carried out an Appropriate Assessment (HRA) in accordance with the Habitat Regulations and policy SD9, which concludes that there would be no adverse effects on the integrity of the Arun Valley SAC/ SPA /Ramsar site in terms of water abstraction arising from the development, either alone or in combination with other plan and projects. Based on the evidence provided, Officers are satisfied that the anticipated level of water-use associated with the development would be satisfactorily mitigated/offset by the water saving measures proposed within the new development and the Hill Ash Farm Estate borehole. The proposed development is therefore capable of achieving water-neutrality, as defined within Natural England's Position Statement of September 2021, and would avoid adverse effects upon the Arun Valley protected sites as it would not require the use of additional groundwater resources within the Sussex North Water Supply Zone. The possibility of significant effects upon Habitat Sites by reason of water-use can therefore be ruled out, pursuant to Regulation 63(1) of the Conservation of Species and Habitat Regulations 2019 (as amended). Notwithstanding, Natural England, in their latest consultation response are of the view that further information is required to demonstrate that the development would secure water neutrality and do not consider that the HRA demonstrates that the development would not have an adverse effect on the Integrity of the Arun Valley SAC, SPA and RAMSAR.
- 7.37. It is appropriate to secure full details of the on-site mitigation and offsetting measures by means of suitably worded planning conditions and s.106 legal agreement. As the offsetting measures are located on land outside the applicant's ownership, it is also appropriate to secure the submission and approval in writing of a Water Neutrality Offsetting Strategy and implementation in accordance with an approved timetable via a s106 legal agreement prior to commencement of the development, which would bind the arrangement with third party land into the future. In the event that a suitable strategic solution is secured in the future the s106 legal agreement will ensure that the proposed mitigation can be changed. Given the current position of Natural England in relation to the current scheme, it is recommended that the final decision to grant permission be delegated to the Director of Planning until when the specific details of the offsetting have been agreed and confirmed as acceptable by Natural England.

#### Foul and Surface Water Drainage

- 7.38. Policies SD17, SD49, SD50 and SD54 seek to reduce flood risk and ensure proposals within Groundwater Source Protection Zones (SPZs) do not have an adverse impact in terms of pollution or the quality of the groundwater source. Proposals should incorporate measures to eliminate risk of pollution to groundwater features, and sustainable drainage solutions provided to avoid increase of surface water run-off, taking account of climate change.
- 7.39. No concerns have been raised by Southern Water With regard to foul or surface water drainage arrangements. With regard to surface water drainage, the CDC Drainage Engineer raised no objection subject to conditions to secure winter groundwater monitoring and winter percolation testing. However, following three responses of no objection between August 2021 and January 2023, the Local Lead Flood Authority (who generally appraise detailed drainage design of major development proposals) recently raised an objection in August 2023 due to lack of information pertaining to:
- Potential for increased groundwater risk ;
  - Infiltration testing (during winter months;)
  - Measures to manage water quality given the site's location within a Source Protection Zone;
  - The modelling parameters used.
- 7.40. Due to the timing of the objection, the applicant has updated modelling parameters but has been unable to provide winter groundwater monitoring data and infiltration for the various SuDS features has therefore been based on an assumed rate. However, the site is located within an area of sedimentary bedrock or greensand, which is known to drain freely and infiltration is highly likely to be feasible. In the unlikely scenario that infiltration is found to not be possible, a

more technical storage-based solution may be required, alongside potential changes to the layout which could in any event be achieved via a S.73 variation application if necessary. Although the site falls within the wider WSCC area considered to be at risk from groundwater flooding, the site is located on relatively higher ground with existing ground water levels between 3.4 to 5.5m below ground level. The risk of groundwater flooding is estimated by the Applicant's drainage engineer to be 'low' to 'very low.' As such, the lack of detailed drainage information prior to determination is not considered in this case to be so significant as to warrant a reason for refusal. The SuDS features include filtration features to ensure water entering the SPZ will be cleansed prior to discharge to a level above that required by the standard index approach.

- 7.41. Given the above, the proposed foul and surface water arrangements are therefore considered to be capable of complying with the requirements of SD17, SD49, SD50 and the NPPF and are acceptable in principle, subject to suitably worded planning conditions to secure technical details.

#### Highways, Access and Parking

- 7.42. Policies SD19, SD22 and GA1 seek to promote sustainable modes of transport; and a level of parking provision that is appropriate to the site's needs and proximity to facilities and services, and of a location, scale and design that reflects its context. Policies SD21 and GA2 seek to promote the safety and amenity of all road users, and prioritise safe and direct, pedestrian and cycle connections. Policy H6 also requires roads through the site to seek to have a design speed of 20mph; and make equal provision on the site's northern edge for any existing on-street car parking spaces within Dawtrey Road that are lost as a result of any development on the site.
- 7.43. Concerns have been raised by the Parish Council and other third parties with regard to highway safety due to the increase in traffic movements, loss of on-street parking and loss of the turning head at the end of Littlecote. Concerns are also raised that the new parking bays prevent the ability of dwellings on Littlecote to install private off-street parking.
- 7.44. Prior to the submission of the application pre-application advice was sought from the WSCC Authority and the approach to highways matters agreed in principle. The WSCC Highway Authority has raised no concerns with regard to the submitted TRICS information, which identifies a peak increase of 15-18 two-way vehicle trips during the AM and PM peak hours (8-9am and 5-6pm) and falls below the 30 two-way vehicle trip movement threshold (which requires further assessment.) The site is well located in terms of access to various local amenities by sustainable means including foot and by bicycle.
- 7.45. Although the 4-bedroom dwellings would not have 3no. parking spaces as required by policy GA1, the proposal complies with the requirements of the SDNPA Parking SPD, which seeks to balance parking need with the landscape harm that can arise from parking dominated development, and the WSCC Highway Authority are satisfied that the level of parking provision is appropriate. Although many of the units have a tandem parking arrangement this is considered acceptable given the alternative of more prominently arranged car parking which would arise in the loss of private or public amenity space, or potentially a reduction in the number of housing units. The Highway Authority has raised no concerns with regard to the parking layout.
- 7.46. Policy H6 requires provision to be made to replace on-street parking spaces lost along Dawtrey Road/Littlecote as a result of development. Littlecote is relatively narrow, allowing for only one vehicle to pass when cars are parked along its length and on-street parking will therefore need to be restricted to allow two vehicles to safely pass. Currently there is space for approximately six vehicles to be parked, with the majority of the dwellings on Littlecote having off-street parking/crossovers. Permission SDNP/21/00924/CND will already provide 4no. visitor parking spaces to the south of Littlecote. The proposal will provide 2no. further parking bays to the north of Littlecote near the entrance to the site, with 6no. further visitor parking bays provided along the northern boundary of the site itself. Works to complete the access into the site would be subject to a Section 278/38 agreement with the Local Highway Authority. The site layout is designed to keep road speeds to a minimum (well within 20mph), and for the limited number of vehicles that would park on Littlecote, turning could be achieved within the development site.
- 7.47. Given the above, the proposal is considered to be acceptable in terms of highways and parking, and in accordance with the requirements of policies SD19, SD21, SD22, GA1, GA2 and H6, and

the SDNPA's Parking SPD.

Sustainable Construction

- 7.48. Policies SD48 and ESD8 require the design of new development to address climate change mitigation through the on-site use of zero/low carbon technologies, sustainable design and construction, and low carbon materials, and achieve a total mains water consumption of no more than 110 litres per person per day. In addition, the SDNPA Sustainable Construction Supplementary Planning Document (SPD) requires residential developments of this scale to achieve 39% carbon reduction above Part L (2013), 10% passive house homes, 10% green roofs and multifunctional sustainable drainage.
- 7.49. The Authority's sustainable construction consultant has advised that the reduction in carbon emissions associated with building fabric improvements will be on average 12% improvement over Part L (2021) which equates to the requirements of SD48 over Part L (2013.) Four of the affordable units (21-24) i.e. 12.5% of the development will also be designed to Passivhaus Classic Standard. All units will have an EV charging point. The amount of green roofs will be at least 10%, and the predicted water consumption is calculated to be less than 110 litres per person per day.
- 7.50. The proposal therefore meets the requirements of SD48, ESD8 and the Sustainable Construction SPD.

Amenity

- 7.51. Policy SD5 k) requires proposals to have regard to avoiding harmful impact upon, or from, any surrounding uses and amenities.
- 7.52. Concerns have been raised by neighbours that the provision of the two parking bays near the site entrance preclude the occupants of No 1 Littlecote from providing off-street parking in the future. Whilst this may be the case, the parking bays outside No 1 Littlecote, whilst ostensibly for visitor parking arising from the development, are located on a public road, not restricted and could be occupied by any member of the public, including the occupants of No 1. Not providing the parking bays would result in the loss of two parking spaces along Littlecote and the ability for the occupants of No 1 to park outside their house. As such, retention of the two parking bays is considered to be appropriate.
- 7.53. Although there would be a minor increase in traffic movements, this is not considered to significantly impact neighbour amenity in terms of noise or disturbance.

Other Issues raised by Third Parties

- 7.54. Concerns have been raised with regard to the potential for a footpath link to the north and impacts upon the privacy of occupants of Blackberry Road and Toronto Road.
- 7.55. A permissive footpath link would provide enhanced permeability in accordance with policies SD21 and GA2 and be supported by Petworth Town Council. Unfortunately, due to third party ownership issues, the applicant has not been able to secure agreement with relevant landowners for provision of a pedestrian link, however the site layout retains the ability to provide a link at a future date.

**8. Conclusion**

- 8.1. The proposal delivers on the Petworth Neighbourhood Plan allocation and provides 32no. homes and a policy compliant level of affordable housing of a mix and tenure which compares favourably to the requirements of SD27 and SD28.
- 8.2. The scheme has been iteratively designed with input from officers to ensure it is landscape-led. The layout is considered to be appropriate to its context, responds well to the site's existing features and contours, and preserves the site's 'square' character in accordance with HD6. The design will use locally appropriate materials and meets the requirements of SD48 and the Sustainable Construction SPD. Overall the scheme will achieve an estimated Biodiversity Net Gain of 52.07%.
- 8.3. The proposal is considered to deliver well on requirements of the relevant policies of the development plan and in particular the land allocation and is therefore recommended for

approval.

**9. Added Value**

- 9.1. During the course of the application, officers have negotiated nature recovery and climate action improvements to maximise biodiversity net gain and achieve sustainable construction and drainage measures in accordance with Objectives 1 and 2 of the SDNPA Corporate Plan 2020-25, and multiple design and landscape character improvements to the built form and public realm.

**10. Reason for Recommendation and Conditions/Reasons for refusal**

- 10.1. It is recommended that authority be delegated to the Director of Planning to grant planning permission subject to the conditions set out below and the completion of a S106 agreement to secure:
- 1) 16no. affordable homes of the following mix and tenure:
    - 6no. 2 bed and 6no. 3 bed units (affordable rental)
    - 2no. 2 bed and 2no. 3 bed units (shared ownership);
    - A Water Neutrality Offsetting Strategy to be submitted and approved in writing prior to commencement of the development.
  - 2) That authority be delegated to the Director of Planning to refuse planning permission, with appropriate reasons, if within 6 months of the 9 November Planning Committee Meeting the matter of water neutrality has not been satisfactorily addressed.

Conditions 8-11 relating to design and landscaping, 12-14 relating to water neutrality, 17-21 relating to drainage and management of surface water, and 23-24 relating to ecology are pivotal to the recommendation for approval and specifically address concerns raised by consultees and/or ensure the proposal is capable of complying with the relevant development plan policies and the National Park’s Purposes. The remaining standard conditions are required to make the development acceptable.

Planning Conditions and Reasons

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.  
Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).
2. The development hereby permitted shall be carried out in accordance with the plans listed below under the heading "Plans Referred to in Consideration of this Application".  
Reason: For the avoidance of doubt and in the interests of proper planning.
3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking and re-enacting that Order with or without modification) no buildings, structures or works as defined within Part 1 of Schedule 2, classes A-G or any order revoking or re-enacting that Order shall be erected or undertaken on the site.  
Reason: To enable the Local Planning Authority to regulate and control the development of land in the interests of the character and appearance of the development and area.

*Construction*

4. Prior to the commencement of the development hereby permitted, plans and cross sections of the existing and proposed ground levels of the development, site boundaries and finished floor levels in relation to a nearby datum point (above Ordnance datum) shall be submitted to and approved by the Local Planning Authority in writing. The development shall be completed in full accordance with the approved details.  
Reason: To ensure a satisfactory relationship between the new development and adjacent buildings, amenity areas and trees. This is required to be a pre-commencement condition because it is necessary to have agreed such details prior to commencing any building

works.

5. Prior to the commencement of the development hereby permitted, a Construction and Environmental Management Plan and Ecological Method Statement shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the approved plan shall be implemented and adhered to in full throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters:
- i) Programme and timetable for implementation of works;
  - ii) The anticipated number, frequency and types of vehicles used during construction, including routing and parking;
  - iii) The loading, unloading and storage of plant, materials and waste;
  - iv) The erection and maintenance of security hoarding;
  - v) No burning of construction materials on site;
  - vi) The provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway;
  - vii) Timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;
  - viii) Persons responsible for implementing the works;
  - ix) Measures to manage flood risk and control/minimise the emission of dust, dirt vibration, light and air pollution and odour during demolition/construction;
  - x) A scheme for recycling/disposing of waste resulting from demolition and construction works;
  - xi) No work to be undertaken on the site except between the hours of 08.00 and 18.00 on Mondays to Fridays inclusive and 08.00 hours and 13.00 hours on Saturdays, and no work to be undertaken on Sundays, Bank and Public Holidays;
  - xii) Details of public engagement both prior to and during the construction works.

The works shall be carried out in accordance with the approved details and shall be retained in that manner thereafter.

Reason: To protect amenity, highway safety, habitats and species identified in the ecological surveys from adverse impacts during construction. This is required to be a pre-commencement condition because it is necessary to have agreed such details prior to commencing any building works.

6. Prior to the commencement of the development hereby permitted details of earthworks shall be submitted to and approved in writing by the Local Planning Authority. These details shall include:
- i) The proposed grading and mounding of land area including the levels and contours to be formed, showing the relationship of proposed mounding to existing vegetation and surrounding landform in relation to a nearby datum point;
  - ii) The volume of cut/fill material;
  - iii) Where surplus material may be placed on site, or alternatively proposals for removing and distributing the soil resource from site.

Development shall thereafter be carried out in full accordance with the approved details.

Reason: To ensure a satisfactory development and in the interests of amenity and landscape character. This is required to be a pre-commencement condition because it is necessary to have agreed such details prior to commencing any building works.

7. Piling and other penetrative methods of construction shall not be carried out unless a piling risk assessment, demonstrating that disturbance of the aquifer will be avoided, is first



submitted to and approved in writing by the Local Planning Authority. Any approved piling shall be implemented in accordance with the approved details.

Reason: To protect the strategic water supply from any possible effects of land contamination in accordance with policies SD2, SD54 and SD55 of the South Downs Local Plan (2014-33) and the NPPF.

*Design and Landscaping*

8. Notwithstanding any submitted landscaping and arboricultural details, prior to the commencement of the development hereby permitted, a detailed scheme of hard and soft landscaping works shall be submitted to and approved in writing by the Local Planning Authority. All such works as may be approved shall then be fully implemented in accordance with the approved development. The scheme shall include details of, but not be limited to:
  - i) Proposed planting plans and schedules of plants and trees, including written specifications, cultivation and other operations associated with plant, grass, shrub and replacement tree establishment, to be sourced from a peat-free nursery;
  - ii) Native planting within the public realm;
  - iii) Planting and management of the verges along the access road;
  - iv) Construction of parking spaces and tree-pit construction;
  - v) Location of services and utilities in relation to planted areas;
  - vi) Location, height and materials/construction technique for all boundary treatments including gates;
  - vii) Treatment of surfaces, paths and access ways;
  - viii) Design of ancillary structures including footbridges, cycle and refuse storage, EV charge points;
  - ix) A timetable for implementation of the soft and hard landscaping works.
  - x) A schedule of landscape maintenance for a minimum period of ten years to include details of the arrangements for its implementation.

Thereafter the development shall be undertaken in full accordance with the agreed details.

All soft landscaping shall be carried out in the first planting and seeding season following the first occupation of the building, or the completion of the development, whichever is the sooner. All shrub and tree planting shall be maintained free from weeds, avoiding pesticides, and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of ten years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species.

Reason: To achieve an appropriate landscaping scheme to integrate the development into the landscape, in accordance with SD2, SD4 and SD5, and the SDNPA Design Guide SPD. This is required to be a pre-commencement condition because it is necessary to have agreed such details prior to commencing any building works.

9. Prior to any development above slab level of the development hereby permitted, details of the green roofs shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the roofs shall be constructed prior to first occupation in accordance with the approved details and shall be retained and maintained as agreed thereafter.

Reason: To ensure that the measures considered necessary to compensate for the loss of habitats and deliver appropriate sustainable drainage solutions and habitat net gain in accordance with Section 40 of the Natural Environment and Rural Communities Act 2006, policies SD2, SD4, SD9 of the South Downs Local Plan, the SDNPA Design Guide SPD, and the NPPF.

10. Prior to the first occupation of the development hereby permitted a Landscape Management Plan covering areas of shared public space, access roads, pathways landscaping, and green roofs shall be submitted to and approved in writing by the Local Planning Authority. The Landscape management plan shall include long term objectives for biodiversity and wildlife, management responsibilities and maintenance schedules for all landscape areas, other than small privately owned domestic gardens. The landscape management plan shall thereafter be implemented in full as approved.

Reason: To secure the long term maintenance of the landscaping scheme, which will contribute to the setting of the development and the surrounding character and appearance of the area in accordance with SD2, SD4, SD, and the SDNPA Design Guide SPD.

11. Prior to the development above slab level, a schedule of materials and finishes and, where so required by the Local Planning Authority, samples and sample panels of such materials and finishes, (to include but not be limited to bricks, render, doors, pipework, flues, timber cladding and rainwater goods,) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be provided in full accordance with the approved details.

Reason: In the interests of landscape character and preserving the character of the listed building in accordance with SD4, SD5, SD12 and SD13 and the SDNPA Design Guide SPD.

#### *Water Neutrality*

12. Prior to the commencement of the development hereby permitted, precise details of the off-setting measures in the form of a Water Neutrality Offsetting Strategy shall be submitted to and approved in writing by the Local Planning Authority. The measures shall thereafter be retained in accordance with the agreed details.

Reason: To ensure the development is water neutral to avoid an adverse impact on the Arun Valley SAC/SPA and Ramsar sites the NPPF (2021), the Conservation of Habitats and Species Regulations 2017 (as amended), and S.40 of the NERC Act 2006 (Priority Habitats & Species).

13. Prior to development above slab level, precise details of the water efficiency measures and rainwater/greywater harvesting systems to be installed in the new development in the form of a Water Neutrality Mitigation Strategy shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the agreed details.

Reason: To ensure the development is water neutral to avoid an adverse impact on the Arun Valley SAC/SPA and Ramsar sites the NPPF (2021), the Conservation of Habitats and Species Regulations 2017 (as amended), and S.40 of the NERC Act 2006 (Priority Habitats & Species).

14. Prior to the first occupation of the development hereby permitted, evidence shall be submitted to and approved in writing by the Local Planning Authority that the approved Water Neutrality Mitigation Strategy for the development has been implemented in full. The evidence shall include the specification of fittings and appliances used, photographic evidence of their installation, and completion of the as built Part G or BREEAM water calculator or equivalent to demonstrate the savings made. The installed measures shall be retained as such thereafter.

Reason: To ensure the development is water neutral to avoid an adverse impact on the Arun Valley SAC/SPA and Ramsar sites the NPPF (2021), the Conservation of Habitats and Species Regulations 2017 (as amended), and S.40 of the NERC Act 2006 (Priority Habitats & Species).

#### *Sustainable Construction*

15. Prior to the commencement of the development hereby permitted, a design stage Sustainable Construction Report shall be submitted to and agreed in writing by the local

Planning Authority. The report shall include details of:

- i) Design stage SAP 10/PHPP assessments for each dwelling type (no less than 4no. units to meet Passivehaus Classic Standard);
- ii) Design stage BRE water calculator for each dwelling type (no more than 110l/pp/pd);
- iii) Household waste management and recycling;
- iv) Sustainable transport measures to include:
  - a) All dwellings to have EV charge point (with a minimum power rating output of 7kW and a universal socket);
- v) A Sustainable Materials Strategy, demonstrating:
  - a) Product Specifications (including EV, ASHP and materials);
  - b) Low carbon and environmentally friendly materials (substituted, re-used, recycled and locally sourced) including alternatives to uPVC building products;
  - c) Grown in Britain certified timber (FSC or equivalent where G in B not feasible);
- vi) Layout or landscape plans demonstrating:
  - a) Retention and enhancement of tree cover, habitat and water features;
  - b) GI, green roofs and green roof calculation;
  - c) Sustainable drainage, green infrastructure and GI linkage; and
  - d) Adaptation to climate change.

Thereafter the development shall be provided in full accordance with the approved details.

Reason: To ensure the development demonstrates a high level of sustainable performance to address mitigation of and adaptation to predicted climate change, in accordance with SD2, SD48 and the SDNPA Sustainable Construction SPD. This is required to be a pre-commencement condition because it is necessary to have agreed such details prior to commencing any building works.

16. Prior to the first occupation of any residential unit hereby permitted, detailed information in a Post Construction Stage Sustainable Construction Report demonstrating how the development has been carried out in accordance with all of the requirements set out in Condition 15 shall be submitted to, and approved in writing by, the Local Planning Authority. This documentary evidence shall include, but shall not be limited to, as built SAP and SBEM data, and as built stage BRE water calculator.

Reason: To ensure the development demonstrates a high level of sustainable performance to address mitigation of, and adaptation to, predicted climate change, in accordance with SD2, SD48 and the SDNPA Sustainable Construction SPD.

#### *Drainage*

17. Prior to the commencement of development hereby permitted, details of the proposed surface water drainage and means of disposal, including on and/or off site works, shall be submitted to and approved in writing by the Local Planning Authority. The details shall include:
- i) Winter groundwater monitoring and percolation testing;
  - ii) Full details of all components of the proposed drainage system including dimensions, locations, gradients, invert and cover levels, headwall details, planting (if necessary) and drawings as appropriate;
  - iii) Technical design and supporting detailed calculations for each infiltration feature together with full infiltration testing to BRE365 methodology;
  - iv) Design of functional rain gardens;

- v) Hydraulic calculations taking into account the connectivity of the different surface water drainage features;
- vi) An assessment of the risks to controlled waters;
- vii) Information on how surface water flows exceeding the capacity of the surface water drainage features will be managed safely;
- viii) How surface water flows exceeding the capacity of the surface water drainage features will be managed safely.

No other drainage systems for the infiltration of surface water to the ground shall be provided other than those approved. The scheme shall subsequently be implemented in full accordance with the approved designs and retained thereafter.

Reason: To ensure satisfactory provision of surface water drainage and ensure surface water runoff from the development is managed safely whilst achieving maximum water quality, biodiversity and amenity benefits, in accordance with SD2, SD17 and SD50, and the SDNPA Design Guide SPD. This is required to be a pre-commencement condition because it is necessary to have agreed such details prior to commencing any building works.

18. Prior to the commencement of the development hereby permitted, details of the swale, attenuation pond and permeable pavement shall be submitted to and approved in writing by the Local Planning Authority. The detailed design shall be informed by findings of winter groundwater monitoring, and shall
- i) Leave at least 1m unsaturated zone between the base of the swale and the highest recorded groundwater level. If this cannot be achieved, details of measures which will be taken to manage the impacts of high groundwater on the drainage system should be provided.
  - ii) Be designed to improve biodiversity with clear span foot bridges and no culverting.

All works shall be undertaken in full accordance with the agreed detailed designs and calculations, based on sustainable drainage (SuDS) principles, and retained thereafter.

Reason: To ensure satisfactory provision of surface water drainage and ensure surface water runoff from the development is managed safely whilst achieving maximum water quality, biodiversity and amenity benefits, in accordance with SD2, SD17 and SD50, and the SDNPA Design Guide SPD. This is required to be a pre-commencement condition because it is necessary to have agreed such details prior to commencing any building works.

19. Prior to development above slab level, a maintenance and management plan for the entire drainage system and surface water attenuation features shall be submitted to and approved in writing the Local Planning Authority to ensure the designed system takes into account design standards of those responsible for maintenance. The management plan shall include the following:
- i) The plan shall clearly state who will be responsible for managing all aspects of the surface water drainage system, including piped drains, and evidence that the appropriate authority is satisfied with the submitted details;
  - ii) Evidence that the responsibility arrangements will remain in place throughout the lifetime of the development.

All works shall be undertaken in full accordance with the agreed details and implemented throughout the lifetime of the development.

Reason: To ensure satisfactory provision of surface water drainage and ensure surface water runoff from the development is managed safely whilst achieving maximum water quality, biodiversity and amenity benefits, in accordance with SD2, SD17 and SD50, and the SDNPA Design Guide SPD.

20. Prior to first occupation of the development hereby permitted, evidence (including photographs) to demonstrate that the drainage system has been constructed in full accordance with the final agreed detailed drainage designs shall be submitted to and agreed

in writing by the Local Planning Authority

Reason: To ensure satisfactory provision of surface water drainage and ensure surface water runoff from the development is managed safely.

21. Prior to first occupation of the development hereby permitted details showing the proposed location of fire hydrants shall be submitted to and approved in writing by the Local Planning Authority. Prior to the first occupation of any dwelling/unit forming part of the approved hydrants will be installed and thereafter retained for the lifetime of the development.

Reason: In the interests of amenity and in accordance with the Fire & Rescue Service Act 2004.

*Ecology and Trees*

22. Works shall be carried out in accordance with the measures set out in Section 5 of the approved Ecological Impact Assessment (ECOSA, Sep 2023.)

Reason: To ensure that any adverse environmental impacts of development activities can be mitigated, compensated and restored and that the proposed design, specification and implementation can demonstrate this as required by Section 40 of the Natural Environment and Rural Communities Act 2006, Policy SD9 of the South Downs Local Plan, and the NPPF.

23. Prior to the commencement of the development hereby permitted, an Ecological Enhancement and Management Strategy (EEMS) shall be submitted to and approved in writing by the local planning authority. The EEMS shall provide detail on the following:

- i) Management of the southern part of the site to support reptiles;
- ii) Integrated bat roosting and bird nesting features.

The EEMS shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

Reason: To ensure that any adverse environmental impacts of development activities can be mitigated, compensated and restored and that the proposed design, specification and implementation can demonstrate this, and to provide a net gain for biodiversity as required by Section 40 of the Natural Environment and Rural Communities Act 2006, Policy SD9 of the South Downs Local Plan, and the NPPF. This is required to be a pre-commencement condition because it is necessary to have agreed such details prior to commencing any building works.

24. Prior to the commencement the development hereby permitted (including any demolition, site clearance or delivery or storage of any equipment, machinery or materials), an arboricultural method statement (AMS) shall be submitted to and approved in writing by the Local Planning Authority. The AMS shall include a detailed schedule of arboricultural site supervision and record keeping prepared by a suitably qualified arboricultural consultant. The schedule shall include:

- i) Protective fencing including type and location in accordance with BS 5837 (2012;)
- ii) No storage, fires or mixing of cement near or within the protection fencing;
- iii) Identification of individual responsibilities and key personnel;
- iv) Induction and personnel awareness of arboricultural matters;
- v) Supervision schedule, indicating frequency and methods of site;
- vi) Visiting and record keeping;
- vii) Procedures for dealing with variations and incidents.

The approved AMS shall be implemented and adhered to in full throughout the entire construction period.

Written site supervision reports, including photographic evidence, shall be submitted to the Local Planning Authority within 5 working days of each site monitoring visit, demonstrating that the supervision has been carried out and that the tree protection is being provided and maintained in accordance with the approved scheme. If any damage to trees, root protection areas or other breaches of tree protection measures occur then details of the incident and any mitigation/amelioration must be included.

Reason: To safeguard and enhance the character and amenity of the site and locality and to avoid any irreversible damage to retained trees pursuant to section 197 of the Town and Country Planning Act 1990. This is required to be a pre-commencement condition because it is necessary to have agreed such details prior to commencing any building works.

25. No retained tree shall be cut down, uprooted, destroyed, pruned, cut or damaged in any manner during the development process and up until completion and full occupation of the buildings for their permitted use within 2 years from the date of occupation, other than in accordance with the approved plans and particulars.

Reason: To safeguard and enhance the character and amenity of the area, to provide ecological, environmental and bio-diversity benefits and to maximise the quality and usability of open spaces within the development, and to enhance its setting within the immediate locality in accordance with Policy SD11 of the South Downs Local Plan

*Dark Skies*

26. Development shall be carried out in strict accordance with the approved scheme of external lighting, which shall thereafter be maintained and operated in full accordance with the approved details.

Reason: In the interests of amenity and to protect the South Downs International Dark Skies Reserve and wildlife in accordance with SD8 and SD9.

27. Prior to development above slab level, details of low transmission, non-reflective glazing and automated black-out blinds shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out and retained in full accordance with the approved details.

Reason: In the interests of amenity and to protect the South Downs International Dark Skies Reserve and wildlife in accordance with SD8 and SD9.

*Highways and parking*

28. Prior to the first occupation of the development hereby permitted, the vehicular access serving the development shall be constructed in accordance with the details shown on the drawing titled numbered 4770-1150-T-003.

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway.

29. Prior to the first occupation of the development hereby permitted, the car parking shall be constructed in full accordance with the approved plans. The car parking and vehicle turning shall thereafter be retained at all times for their designated purpose and shall not be obstructed.

Reason: To provide adequate car-parking space for the use and ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway.

30. Prior to the first occupation of the development hereby permitted, detailed drawings of the covered and secure cycle parking stores and spaces shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in full accordance with the approved details.

Reason: To provide alternative travel options to the use of the car in accordance in accordance with SD19.

Informatives

1. The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act. Trees and scrub are likely to contain nesting birds between 1 March and 31 August inclusive. Trees and scrub are present on the application site and are to be assumed to contain nesting birds between the above dates, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period and has shown it is absolutely certain that nesting birds are not present.
2. The 6 inches public water main requires a clearance of 6 metres on either side of the water main to protect it from construction works and to allow for future access for maintenance. The 150 mm diameter gravity sewer requires a clearance of 3 metres on either side of the gravity sewer to protect it from construction works and to allow for future maintenance access. No excavation, mounding or tree planting should be carried out within 6 metres of the external edge of the public water main without consent from Southern Water. No development or tree planting should be carried out within 3 metres of the external edge of the public gravity sewer without consent from Southern Water. No soakaway, swales, ponds, watercourses or any other surface water retaining or conveying features should be located within 5 metres of a public sewer.
3. The proposed development lies within a Source Protection Zone. The applicant will need to consult with the Environment Agency to ensure the protection of the public water supply source is maintained and inform Southern Water of the outcome of this consultation.
4. The applicant is required to obtain all appropriate consents from West Sussex County Council, as Highway Authority, to cover the off-site highway works. The applicant is requested to contact The Implementation Team Leader (01243 642105) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the agreement being in place.
5. The applicant is advised to contact the WSCC Traffic Regulation Order team (01243 642105) with regard to the required Traffic Regulation Order to obtain the necessary paperwork and commence the process associated with the proposed waiting restrictions. The applicant would be responsible for meeting all costs associated with this process. The applicant should note that the outcome of this process cannot be guaranteed.

**Tim Slaney**  
**Director of Planning**  
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 Appendices: 1 – Information concerning consideration of applications before committee  
 2 – Pre-application Advice (July 2021)  
 SDNPA Consultees: Director of Planning, Legal Services  
 Background Documents: [All planning application plans, supporting documents, consultations and third party responses](#)  
[National Planning Policy Framework \(2023\)](#)  
[South Downs Local Plan \(2014-33\)](#)  
[The Petworth Neighbourhood Development Plan \(2015-33\)](#)

[South Downs National Park Partnership Management Plan \(2020-25\)](#)

[SDNPA Affordable Housing SPD \(Jul 2020\)](#)

[SDNPA Biodiversity TAN \(Jan 2022\)](#)

[SDNPA Corporate Plan \(2020-25\)](#)

[SDNPA Dark Skies TAN \(May 2021\)](#)

[SDNPA Design Guide SPD \(July 2022\)](#)

[SDNPA Ecosystem Services TAN](#)

[SDNPA Parking SPD \(Apr 2021\)](#)

[SDNPA Sustainable Construction SPD \(Aug 2020\)](#)