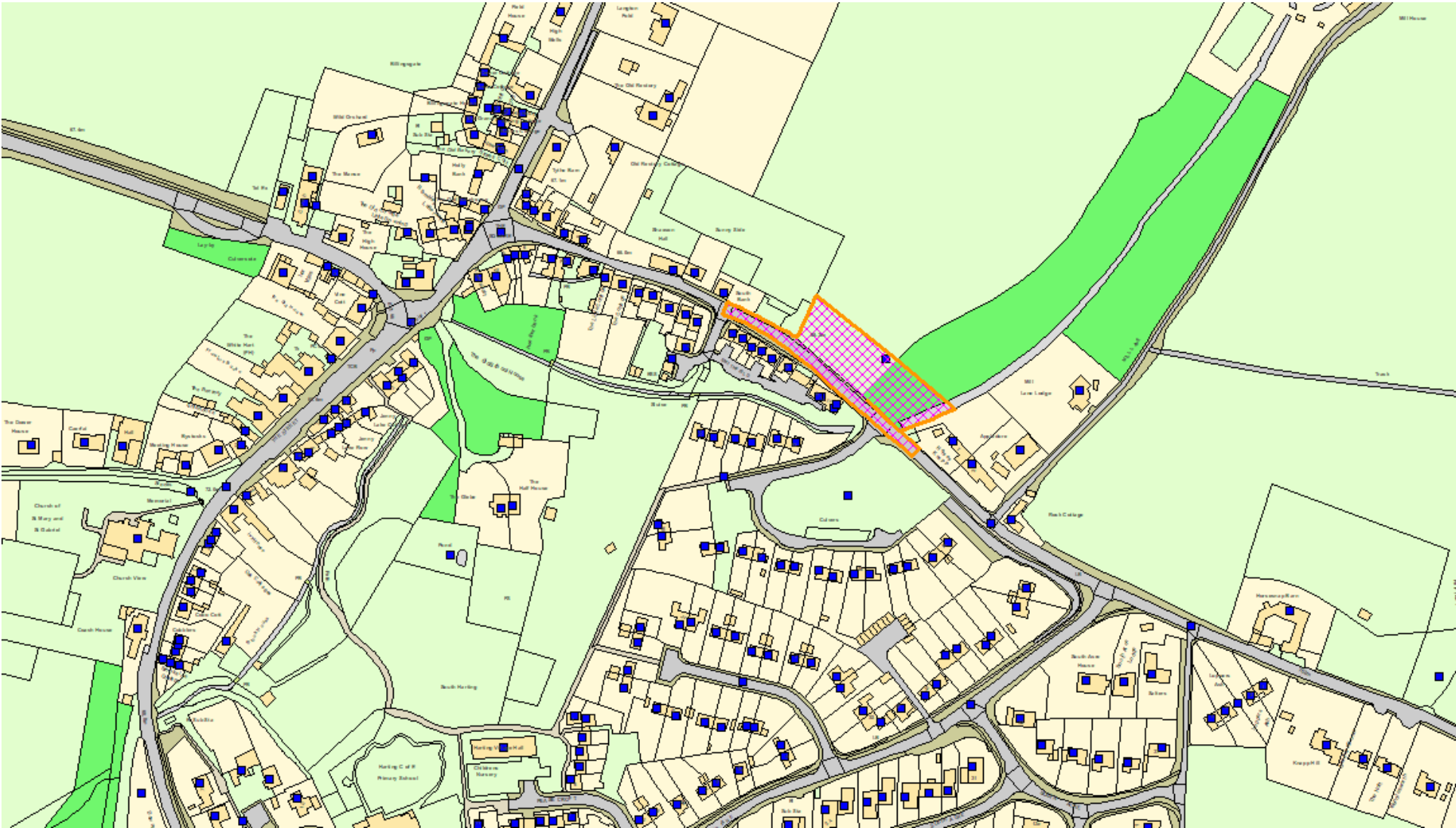


Report to	Planning Committee
Date	14 March 2024
By	Director of Planning (Interim)
Local Authority	Chichester District Council
Application Number	SDNP/23/02243/FUL
Applicant	The Jenkins Children Trust
Application	Construction of one pair of two bedroom semi-detached and 3No. three bedroom cottages and associated access, parking, car barn, gardens and landscaping.
Address	Land East of South Bank, Elsted Road, South Harting, West Sussex, GU31 5BD.

Recommendation:

- 1) That authority be delegated to the **Director of Planning**, in consultation with the **Chair of the Planning Committee**, to grant planning permission subject to:
 - i) The satisfactory resolution of the technical matters of the surface water drainage scheme.
 - ii) The satisfactory resolution of the issue of water neutrality.
 - iii) A **S106** legal agreement, the final form of which is delegated to the **Director of Planning**, to secure:
 - **One affordable dwelling.**
 - **Water neutrality mitigation measures (as necessary).**
 - iv) The conditions set out in paragraph 9.2 of the report and any amendments or other conditions required to address surface water drainage matters.
 - 2) That authority be delegated to the **Director of Planning** to refuse **Planning Permission**, with appropriate reasons, if matters relating to surface water drainage and water neutrality have not been resolved, or the legal agreement is not completed, or insufficient progress made, within six months of the **14 March 2024 Planning Committee meeting**.
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Site Location Map



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Executive Summary

Key Matters

- The application site is an allocated housing site in policy SD87 of the Local Plan (2019), plus additional land to allow suitable surface water drainage (SUDs) provision.
- The application site is greenfield land located on the north-east edge of South Harting, where it is prominent in close views on Elsted Road when passing due to limited highway verge vegetation and topography. This part of Elsted Road is also liable to flooding during bad weather. The site is also partly within and abuts the conservation area.
- The development comprises 5 traditionally designed dwellings, associated car parking and landscaping. The red line area covers the land included within a residential allocation in the Local Plan for 5-6 dwellings (policy SD87) plus further land eastwards outside of this defined area into the corridor of a neighbouring stream.
- The additional land would incorporate a new SUDs basin and all 5 dwellings would be within the allocated site. The principle of this approach is considered to be acceptable. There is, however, insufficient detail at this stage to condition this aspect of the scheme and there is a need to address consultee advice from the drainage engineer. If Members agree in principle to the location of the SUDs outside of the allocation site, it is recommended to delegate the technical design of this area to the Director of Planning.
- The proposed layout and design of the dwellings have been amended during the application process in an attempt to address consultee and third party representations. A key consideration amongst responses has been how the dwellings front onto the road and whether this reflects the settlement pattern, versus the relationship with properties opposite that would be created and any perceived 'tunnelling effect' of views between them. The heights of the dwellings in relation to the road and the properties opposite is also of local concern. Flooding and on-street parking on Elsted Road are also particular issues raised in representations.
- It is considered that the proposals provide the most balanced approach in addressing competing views. By virtue of the design, the character and appearance of the conservation area and its setting would be preserved. Biodiversity net gain would also be achieved.
- Water neutrality remains an outstanding issue which can be addressed by securing off site mitigation via a S106 Legal Agreement and this matter is recommended to be delegated to the Director of Planning.
- The application is before Members due to the sensitive location of the site and the scale and design of the proposals, including extending beyond the allocated site boundaries identified in policy SD87.

I. Site Description

- I.1 The application site is located at the north-east edge of South Harting on Elsted Road. It is 0.17ha and comprises of agricultural land which is part of a larger field, plus a smaller area of land within a stream corridor of an adjacent watercourse which runs alongside the eastern site boundary. The site is not within defined flood zones 2 or 3, however, this area of Elsted Road can flood during bad weather.
- I.2 The site abuts Elsted Road, where it is reasonably prominent in immediate views due to limited vegetation alongside the road and the field rises north-eastwards which makes it more visible. The site is not visible from wider vantage points including Harting Down.
- I.3 Elsted Road is a route into/out of South Harting and the site is at the end of a row of residential properties on its northern side, which extend out from the historic centre of the village. Further eastwards on this northern side, dwellings become more sporadic. Dwellings front onto the south side of Elsted Road which continue up to directly opposite the site and behind these are large residential areas.
- I.4 There is a mix of styles, sizes, ages and types of properties within the vicinity of the site. The conservation area covers the centre of the village and extends out along Elsted Road. The

western end of the site is partly within the conservation area but otherwise its boundary runs along Elsted Road abutting the site. The conservation area also includes the dwellings opposite the site, known as Smithfields.

2. Relevant Planning History

- 2.1 SDNP/16/01936/FUL: Construction of 4 No. 2 bed dwellings, 4No. 3 bed dwellings and associated access, parking and gardens. Refused 21.07.2016 for the following reasons:
- Outside of a defined settlement.
 - Unacceptable design
 - Impact on landscape character and the conservation area.
 - Insufficient information to demonstrate no impact on highway safety.
 - Lack of affordable housing.
- 2.2 SDNP/16/05584/FUL: Construction of Two Pairs of Semi-Detached Cottages and One Detached House and Associated Access, Parking, Gardens and Landscaping. Withdrawn 01.02.2017.
- 2.3 SDNP/19/05289/PRE: Six/seven new dwellings. Advice issued 14.02.2020.
- Design insufficiently informed by a contextual analysis of landscape and built character.
 - 2 layouts provided: farmstead layout and building design out of context, encroaches into open countryside outside of the allocation. Second terrace layout a better approach but needs to consider context, site topography.
 - 10 parking spaces for 6 dwelling scheme insufficient; avoid overspill onto street parking.
 - Appropriate SUDs scheme required, given potential for flooding due to site topography.
- 2.4 SDNP/21/03154/PRE: 5 dwellings. Advice issued 20.08.2021.
- Initial layout supported but further work needed on design, ecosystems services, surface water drainage scheme, biodiversity net gain. 11-12 parking spaces needed.
 - Further consideration needed to how the buildings relate to topography and the road.
 - Further work required on scale and architecture of the dwellings; traditional approach supported; consider building heights and footprint depths; appropriate architectural detailing required; avoid blank side facing elevations facing the road.
 - Appropriate SUDs scheme required.
- 2.5 The site is an allocated housing site (policy SD87) in the Local Plan for 5 to 6 dwellings.

3. Proposal

- 3.1 The application proposes 5 new two storey dwellings. They would comprise of two no.2 bed dwellings (plots 1-2) and three no.3 bed terraced properties (plots 3-5). One no.2 bed property would be an affordable dwelling.

Layout

- 3.2 The dwellings would front onto Elsted Road in a linear arrangement. Plots 1-2 would be a pair of semi-detached dwellings at the western end of the site, whilst plots 3-5 would be a terrace of three dwellings. Plots 1-2 would be set back from the road by 5m at the closest point and roughly parallel with it, and have individual driveways onto Elsted Road. Plots 3-5 would be closer to the road but still set back from it by between 4.5m-7.5m due to their siting and orientation. There would be a communal parking area on their eastern side with its own access onto Elsted Road. It would have a row of 7 spaces including a 3 bay car port positioned at the top end of the site.
- 3.3 As a consequence of the dwellings being set back, their ground floor levels would be higher than the road. This results in shared raised stairs and paths between parking areas and front doors. In front of the dwellings, new landscaping and a swale are proposed alongside the

road. Each dwelling would have rear gardens which would be stepped up to the site boundary.

- 3.4 A sustainable urban drainage (SUDs) pond is proposed at the very eastern end of the site, beyond the parking area. This area would be re-graded and landscaped with an outfall to the adjacent stream. This area of the application site extends the length of the Local Plan site allocation boundaries by 26m along Elsted Road its northern site boundary south eastwards (approximately parallel with the road) by 36m. This SUDS area covers 0.074ha of land which is in addition to the 0.1ha of the allocated site. This equates to a 74% increase in site area.

Parking and access

- 3.5 The driveways for plots 1-2 would have 2 tandem spaces. Plots 3-5 would each have 2 spaces, plus 1 shared visitor space. Bin storage is also proposed in the car barn and cycle parking would be provided.

Architecture

- 3.6 A traditional architecture with a simple palette of materials is proposed. The dwellings would have a rural character in form, proportions, and appearance with barn hip hipped clay tiled roofs and exposed rafter feet at the eaves. Brick chimneys are also proposed on 4 dwellings. Dormer windows are also proposed for plots 1-2. All dwellings would meet national space standards.
- 3.7 Elevations would be faced with malmstone, brick quoins and clay roof and hanging tiles, along with brick arch detailing above ground floor windows and doors. Windows and doors are proposed to be painted timber and their positioning on front and rear elevations would exhibit an element of symmetry between dwellings. Aluminium guttering is also proposed.
- 3.8 The car port would be timber framed and clad with horizontal timber boarding with a slate pitched roof.

Sustainability

- 3.9 The dwellings are proposed to achieve, in combination with air source heat pumps and solar panels, a 72% reduction in CO2 emissions. Water saving measures include low water use appliances, fixtures and fittings, and rainwater recycling for WCs in order to minimise consumption. Electric vehicle charging points would be provided for every dwelling.

Biodiversity and hard/soft landscaping

- 3.10 The landscape strategy involves a new planted site frontage comprising of hedging, grass, shrubs and trees. New hedging around the parking area and along the north-east site boundary are also proposed. The SUDs area would be landscaped. Compared with the existing conditions and characteristics of the site, the information provided outlines a 27% net gain in habitat and 180% net gain in linear hedgerow habitat.
- 3.11 Driveways are proposed to be surfaced with re-enforced gravel. Granite setts are proposed at the cross over points where the tarmac road meets the gravel driveways. Paths and patios would have stone paving. Post and rail boundary fencing is also proposed.

Drainage

- 3.12 Connection to the foul drain underneath Elsted Road is proposed. Surface water drainage is proposed to be managed by a swale along the site frontage which would feed into a new SUDs basin at the eastern end of the site. A swale is also proposed along the north-east site boundary to capture run-off from the field.

Water neutrality

- 3.13 The proposals involve retrofitting 11 properties within the Applicant's Estate with water saving measures to offset the water demand from the new dwellings.

4. Consultations

- 4.1 Responses received from a range of consultees are summarised below. Apart from the consultee comments from dark night skies and Southern Water, all other responses below

relate to a re-consultation exercise following receipt of amended plans.

4.2 **Archaeologist:** No response received.

4.3 **Dark Night Skies:** No objection.

4.4 **Design:** Comments:

Layout

- Buildings and frontage boundary treatments should be parallel and closer to the road;
- This lack of alignment fails to enclose the road, be locally distinctive and conserve character including the conservation area, and slow traffic.
- No verge/garden/green space and planting required along the frontage; local character is properties abutting the road with either no or small front gardens with low walls.
- Rear garden sizes acceptable, but their retaining walls have no regard to landform.
- Ramp access to plots 3-5 positive.
- Query locations for bin storage and cycle parking.

Surface water

- Strategy should maximise multiple benefits and has capacity for dealing with some water within the scheme, before discharging to the SUDs basin.
- Frontage planting does not sufficiently contribute to surface water strategy.

Buildings

- Support the architecture.
- Concern about the height and mass of dwellings.
- Question whether dormers need to be larger to reflect construction standards.
- South-east elevation of plot 5 (prominent when entering the village) positively contributes to natural surveillance of car park and is attractive.
- High quality materials required.
- National space standards met.
- Query the locations for air source heat pumps.

4.5 **Drainage:** Comments:

- Site within flood risk zone 1, but mapping shows the area of the SUDs basin to be in a higher risk flood zone adjacent to the water course; mapping may not be wholly accurate.
- Aware surface flooding on Elsted Road occurs, adjacent to the site.
- SUDs infrastructure should be located in areas where their capacity to attenuate run-off from a development is not compromised by other surface water flows.
- Applicant not obliged to resolve existing highway flooding problems, but they need to demonstrate that the proposals (1) will not exacerbate existing problems and increase flood risk elsewhere by displacing water; and (2) the SUDs would not be compromised by other flooding.
- Further clarification on the above required prior to determination of the application.

4.6 **Ecology:** No objection, subject to conditions.

4.7 **Environment Agency:** No response.

4.8 **Highways:** No objection, subject to conditions.

4.9 **Historic Buildings Advisor:** Comments:

- The angle and location of buildings in relation to the road is a concern.
- Concern about relationship of rear garden design with contours and implications for earth re-modelling.
- Lower roofs without dormers would be more appropriate.
- Use of metal railings inappropriate.
- Open air car spaces preferable to a car barn.
- Building materials and hard landscaping will need to be conditioned.

Positive attributes:

- The houses form a strong building line.
- Tile hanging.

4.10 **Lead Flood Authority:** Response received, no comment.

4.11 **Landscape:** Comments:

Settlement character

- Poor relationship to historic settlement character and landform.
- Buildings would be at an uncharacteristic angle to Elsted Road, which does not respect historic character.
- Does not respect landform; significant earthworks and soil movement envisaged.

SUDs/water management

- Engineered attenuation basin in a sensitive countryside location, with no on site (within allocation site) water management.
- Basin will erode natural/rural field and stream character, outside of the allocation site.
- SUDs basin would be adjacent to an area of Elsted Road which floods, which would reduce its effectiveness.
- SUDs basin relied upon for BNG but its siting and engineering won't conserve landscape character.

Landscaping

- Hard and soft landscape proposals not supported.
- In conclusion, if approved recommend conditions to address detailed design considerations.

4.12 **Natural England:** Comments - Insufficient information provided to demonstrate that The Conservation of Habitats Regulations (2017) have been satisfied.

4.13 **South Harting Parish Council:** Objection:

- Inappropriate density (50 dwellings per hectare).
- Difficult site to develop; limited frontage and depth complicated by topography.
- Site area 150% larger than the allocated site due to SUDs.
- Allocation for 5-6 dwellings but dwellings could be smaller and not crammed onto the site.
- Desire for affordable, smaller homes and retirement apartments.
- Single block of small flats could be more suitable.

Design

- Significant impact on street scene and views from east and west.
- New dwellings 1.5m higher than properties opposite; height is exacerbated by 'deep'

footprints which results in wide/high roofs.

- Dwellings sited well above the road; finished floor level 1.5m higher.
- 'Canyon' effect created by their siting; with a 15m distance from those opposite.
- Would not be flexible accommodation; poor access and steps in rear gardens.
- Need to be more sustainable.
- Bulk and mass harms the conservation area and street scene.

Conservation area

- Setting of the conservation area would not be preserved or enhanced.
- Insufficient detail on appearance and how materials would reflect the conservation area.

Parking/access

- Tandem parking not supported; will result in vehicles reversing onto Elsted Road and on-street parking, where such parking, visibility and traffic movements are already an issue.
- Insufficient and inefficient car parking for residents and visitors.
- Size of parking and manoeuvring spaces.
- Further on-street parking will impact on the movement of farm vehicles.
- Proposals don't allow for access into adjacent field by agricultural vehicles; inappropriate alternative accesses would need to be used.

Drainage and flood risk

- Water flowing off the field through the site needs to be addressed.
- Habitual flooding on Elsted Road; site is at a low point where water collects.
- Would exacerbate long standing flooding problems in Elsted Road.
- Flood water will overwhelm the SUDs basin; proposed drainage unsatisfactory.
- SUDs area has a medium/high landscape sensitivity in SHLAA.
- Excessive hard surfacing proposed.
- Insufficient sewerage capacity; spills and significant discharge into River Rother and no guarantee current upgrading of treatment works will rectify this.
- Upgrade works should be completed/problems addressed before any new housing.
- Further information on management of the SUDs area for drainage and ecology required.
- Query whether water neutrality and savings can be delivered long term and monitored.

Ecology

- SUDS area has sensitive ecology.
- Variety of bird/bat boxes required.

4.14 **Southern Water:** No objection.

4.15 **Sustainability consultant (SDNPA):** No objection, subject to conditions.

5. Representations

5.1 14 objections have been received, with 11 relating to the original consultation of the application. Subsequent to a re-consultation exercise following receipt of amended plans, one further response from an original objector plus 3 new representations have been received. All outline the following:

- The field is the last parcel of farmland connected with the village.

- Loss of a greenfield site and unsuitable for housing; sets a precedent.
- Query whether there are any affordable dwellings.
- Opportunistic proposals on an unproductive part of a field.
- No obvious benefits from developing the site.
- Contrary to National Park Purposes and duty.
- Application site larger than the allocation site boundaries.
- Drainage infrastructure outside of the site boundaries.
- As rental properties, they will be occupied by transient residents; not add to village infrastructure; will attract single occupancies which may increase noise.

Scale and design

- Poor design; excessive scale, out of keeping with village regarding siting and elevations.
- Will create an overly developed 'corridor' between proposed and existing dwellings along with ridge heights, houses above the road; akin to an urban setting.
- Poorly designed parking; will result in reversing or parking on Elsted Road.
- Dwellings will be higher than those opposite and 'perched' on the site; unduly dominant.
- Will not be subservient to neighbouring properties.
- Dwellings not accessible for people with disabilities.
- No changes to housing mix from pre-application advice.
- All properties and gardens accessed with steps; affects accessibility.

Conservation area

- Overbearing effect on conservation area - will not preserve and enhance its setting or have special regard to views from the west.
- Site important to its setting and makes a positive contribution to it.
- View from the east important; travelling into the village from the east, the depth of the site will dominate the vista and distract from the cottage plots of Horses Knapp.

Amenity

- Impact on outlook from neighbouring property.
- Loss of light and privacy to neighbouring properties.
- Increased pollution from traffic.

Drainage/flooding

- High risk of flooding; Elsted Road floods in bad weather and no mitigation proposed.
- Site acts as a river with surface water running off the field onto Elsted Road.
- Development will increase flooding and risk to neighbouring properties.
- SUDs in flood plain area next to the stream.
- Insufficient sewerage capacity and spills occurring; water entering the sewerage system.

Parking/access

- Will affect agricultural vehicle access into the field; development will displace farm traffic to other access points on North Lane, affecting traffic in the village and damaging cars.
- Insufficient parking spaces and on street parking is an issue.
- Site at a pinch point for on street parking; will add to congestion, noise, safety concerns.

- Lack of footpaths; proposed accesses will create additional blind spots for pedestrians.
- Tandem parking should be avoided and will result in on street parking.
- Query size of parking spaces and no disabled spaces.
- Should be more smaller houses to reduce parking demand.

Ecology

- Adjacent stream is a haven for wildlife and habitat; development will harm it.
- Query how the SUDs will deliver BNG and not be a muddy eyesore at village entrance.
- SUDs basin would have more variable water heights than a typical pond to deliver BNG.
- Loss of flora/fauna on site.

6. Planning Policy

6.1 Most relevant polices of the adopted South Downs Local Plan (2019) (a longer list of other relevant policies can be found in Appendix I)

- SD5: Design
- SD12: Historic environment
- SD15: Conservation areas
- SD87: Site allocation policy
- SD50: Sustainable drainage systems

6.2 Relevant supplementary planning documents (SPD) and other guidance

- Design SPD (2022)
- Sustainable Construction SPD (2020)
- Parking for Residential and Non-Residential Development SPD (2021)
- Biodiversity Net Gain Technical Advice Note (TAN)
- Ecosystems Services TAN
- Habitats Regulations Assessment TAN

6.3 Most relevant sections of the National Planning Policy Framework (NPPF) 2023

- Section 12: Achieving well designed places.
- Section 15: Conserving and enhancing the natural environment.
- Section 16: Conserving and enhancing the historic environment.

6.4 Most relevant policies of the South Downs Management Plan (2020-2025)

- Policy 1 - Landscape
- Policy 9 - Heritage
- Policy 48 – Support towns and villages
- Policy 50 - Housing

7. Planning Assessment

Principle of development

- 7.1 The principle of residential development is acceptable because the majority of the application site is within a Local Plan housing allocation (policy SD87), within the settlement boundary, and the smaller proportion of the application site outside of this is considered acceptable for the reasons below.

- 7.2 Policy SD87 allocates the site for 5 to 6 dwellings and the proposals match this identified capacity. A detailed design process has resulted in the application site extending eastwards outside of the site allocation boundary to solely include the area of the proposed SUDs basin. The additional land extends the boundary by 26m eastwards along Elsted Road and in total covers 0.074ha. The application site is otherwise consistent with the other site allocation boundaries. This expansion would not involve dwellings being outside of the allocated site.
- 7.3 This approach could deliver a suitably better surface water drainage scheme compared to accommodating SUDs within the allocation site to address, in a holistic way, Local Plan policies to conserve and deliver enhancements and have a positive impact overall upon its surroundings. This includes the site specific criteria in SD87 and others such as SD2, SD4, SD5, SD9 and SD50 concerning ecosystems services, landscape, design, biodiversity and drainage.
- 7.4 In this specific instance, based on site circumstances and the merits of the proposals, the extension beyond the eastern site allocation boundary is acceptable. This is on the basis that the proposals substantially accord with individual relevant Local Plan policies and the Local Plan as a whole, within the planning balance outlined below.
- 7.5 Lastly, overarchingly, policy SD1 supports new sustainable development where it accords with other relevant policies and National Park Purposes. For the reasons above and the considerations below, policy SD1 is complied with.

Design and landscape

- 7.6 Support for the scheme is based on an assessment of the design merits and whether these conserve and enhance the landscape, including the character of South Harting and its conservation area. In these respects, policies SD4, SD5, SD12 and SD15 are particularly relevant.
- 7.7 The size and shape of the allocation site and its identified capacity inevitably results in a row of properties that would front onto the road and continue the linear development along it. At this edge of village site, any new dwellings would be prominent in views when entering/leaving South Harting and seen within the setting of the conservation area. SD87(1)(a) affirms this and outlines that “*development must preserve and enhance the setting of the South Harting Conservation Area, with special regard to views from the west.*” The policy’s supporting text also outlines that “*particular care must be had to the impact of development on views eastwards along Elsted Road towards the site. Boundary treatments on the site will be particularly important*” (para 9.227).
- 7.8 The current eastward views along Elsted Lane towards the site are somewhat contained by dwellings on either side of the road, but there are far reaching views where the Downs can be seen beyond trees in the foreground. Adjacent to the site, where Elsted Road has a lower ground level longer range views are lost but there are north/north-east views across the field and the stream corridor. All of these views will be affected to varying degrees from developing the site and an acceptable balance has been struck between mitigating for this through the layout and creating a development which makes a positive contribution to the built character of the village.
- 7.9 The layout and design of the dwellings have been satisfactorily informed by the above sensitivities and policy considerations. Setting the dwellings back and with plots 3-5 angled away from the road (but parallel with properties opposite) would create a more open frontage and broaden views out of the village than if they were closer and more parallel with the road. Siting the car parking and its access at the eastern end could also help to retain some views eastwards and the car barn has been set back behind the dwellings so as not to interrupt these views if it was closer to the road. This arrangement of dwellings and parking could also retain some views along the stream corridor when passing the site.
- 7.10 The separate pair of semi-detached properties and short terrace, in conjunction with differing building lines and their siting/orientation, is a positive layout because it has created the ability to address views than otherwise might be the case if a single long terrace of

properties was proposed for example. Furthermore, it would break up the overall scale and form of new dwellings along the road frontage. This would also be positive because a consequence of setting them back is they would be on higher ground than the road and properties opposite.

- 7.11 The layout and design of dwellings would create a varied character and visual interest within the street scene, whilst achieving a coherent design overall. Consultees are, however, concerned that the layout does not follow the settlement pattern and their advice is to position dwellings parallel to and abutting the road. Conversely, the Parish Council are concerned about new dwellings being close to the road and the resulting relationship with properties opposite causing a 'tunnelling effect' or narrowing of views in/out of the village, which would be harmful to the character of the village and area. The amended plans have re-positioned the dwellings closer to the Road but not directly abutting it and it is considered that this is the best balance between these competing responses, as well as addressing other considerations such as eastward views.
- 7.12 Properties abutting the road is a characteristic within the historic core of the village, including Elsted Road and most notably its northern side. On the southern side of Elsted Road opposite and west of the site, more modern development does not predominantly share that character and it is set back from the road at varied distances with front gardens and a pavement. Historically, opposite the site former unlisted buildings that were demolished and replaced with the current properties did not abut the highway (shown in the Conservation area Character Appraisal 2009).
- 7.13 More widely, at the edges of the village along roads there is a more varied character and looser knit form of development that does not have a strong prevalent character of properties directly abutting the road. In these contexts, the precedent of abutting the road is more prevalent in the centre of the village and conservation area.
- 7.14 Setting the properties back would not be harmful to the character of the village. This would not be out of keeping with more modern development opposite, retains views as far as possible and would create a new attractive frontage that offers the opportunity for increased planting, a roadside swale, and avoids a tighter relationship with the properties directly opposite which is of local concern. The layout, therefore, proposes a reasonable balance between competing responses.
- 7.15 Another concern within consultee responses and representations is the height of the dwellings, in particular that they would be higher than the road and properties opposite. Setting the dwellings back inevitably raises their overall height because of the rising topography of the site. Bringing the dwellings forward in the amended plans has helped to reduce their overall height in the street scene to an acceptable position.
- 7.16 Plots 1-2 would be higher than those opposite for this reason but the submitted site sections show that plots 3-5 would be commensurate with the opposite dwellings. To reduce their height in the street scene further they would either need to be sited closer to the road, however this would compound local concerns about creating a 'tunnelling effect' between properties opposite and affect views or be redesigned with lower roofs. Artificially lowering the site would likely result in more significant earthworks and steeper/more steps in rear gardens, whereby the scheme would not work well with the topography.
- 7.17 The heights of the dwellings are not excessive for 2 storey properties, at 8.2m ridge heights for plots 1-2 and 8.7m for plots 3-5. The overall roof height for plots 1-2 (semi-detached) is also minimised by virtue of incorporating dormers into the roof space. Consultee advice that the roofs of these two plots could be lower and remove dormer windows would result in less articulation and visual interest in these front elevations. Also, the proposed roofs would not have facing gables onto the road so as not to appear overly dominant in the street scene. If any roof heights were reduced, the dwellings would appear out of proportion within their elevations and appear incongruous in the street scene for this reason and that they would not reflect local positive vernacular character of roof pitches.
- 7.18 Concerns have been raised that the heights of the dwellings are exacerbated by the footprint depths of the properties. The footprint sizes and internal space are not excessive and

needed to achieve a suitable amount of living space for 2/3 bed dwellings, including national space standards. Terrace properties often involve narrower and longer footprints, which is not in itself considered harmful. The eastern flank wall of plot 5 would be where the depths of the terrace properties would be most visible. This elevation would be well articulated in regard to materials, features and fenestration which is supported in consultee advice.

- 7.19 Overall, the new dwellings would not be excessively high in the street scene, within which a varied roofscape in heights, pitches and orientations exist along Elsted Road. For this reason and because of the setting back of dwellings, an acceptable relationship with those opposite and to the west would be created.

Architecture

- 7.20 The traditional architecture is akin to the rural character of the village. The dwellings would be well proportioned with a relatively simple rural form, and have a coherent character and appearance with appropriate detailing that reflects South Harting.
- 7.21 Their detailing includes exposed rafter feet at the eaves, simple brick arches above ground floor doors and windows, brick quoining and tile hanging. The amended plans have removed previously uncharacteristic porches and within plots 3-5 an improved fenestration has been achieved in regard to more consistent window sizes and positioning. Chimney heights have also been reduced in the amended plans to bring them into better proportion with roofs, which is positive.
- 7.22 All of these attributes combined, the dwellings would have an uncomplicated design that would not introduce further unnecessary detailing and in conjunction with high quality materials would create well-articulated elevations that would be in keeping with the village and be an attractive addition to the street scene.

Design summary

- 7.23 The latest layout has sought to address concerns by re-positioning the dwellings closer to the road, however, this does not go as far as to fully address consultee advice. Their siting is a balance between that advice and other competing policy considerations regarding views eastwards out of the village (SD87), local concerns about a perceived tunnelling effect, and dwelling heights in relation to creating a new street scene and relationship with properties opposite. It is considered that a successful balance is achieved. The traditional architecture is appropriate and would be in keeping as an extension of the built street scene along Elsted Road, within and outside of the conservation area and the rural context of the site and village.
- 7.24 They would be a positive addition to the site in terms of layout, scale, and appearance and create an acceptable edge to the village and relationship with surrounding neighbouring properties. In these respects, the proposals would accord with policies SD4 and SD5 and in regard to SD87 address the policy and local considerations concerning views out of the village.

The conservation area and listed buildings

- 7.25 Section 72 of the Town and Country Planning (Listed Buildings and Conservation Area) Act 1990 relates to conservation areas. It requires “*special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.*”
- 7.26 The South Harting Conservation Area Appraisal (2009) outlines its key characteristics relating to its designation. These include a high concentration of listed buildings within the most historic core of the village, including the church, which front onto the road, with a more dispersed settlement pattern to the north and south interspersed with trees and planting. It identifies views out of the village towards the Downs as another key characteristic. A rich mix of materials is also outlined which include sandstone, flint, malmstone, brick, clay tiles, which contribute to the character, architectural styles and features of listed and unlisted buildings.
- 7.27 The site contributes to the conservation area insofar as mainly affording views out towards the Downs and bringing the agricultural landscape closer into the village. Addressing the

impact on views has already been considered above and the process of allocating the site has already determined its development in principle.

- 7.28 The proposals would introduce a new high quality development due to its layout, scale, form, and appearance of the buildings, with an acceptable palette of materials that responds to the local vernacular identified in the Character Appraisal (2009). Specifically, the layout has sought to retain views out of the village by setting the dwellings back from the road and their orientation. It is, therefore, considered that the proposals would preserve and enhance the character and appearance of the conservation area and its setting for these reasons and accord with policies SD12, SD15 and SD87(1)(a).
- 7.29 The proposals are not considered to impact upon the setting of nearby listed buildings given the scale, layout and design of the proposals and the relationship between the site and nearby listed buildings (eg, in terms of distance as well as inter visibility).
- 7.30 The proposals are not considered to lead to any less than substantial harm upon the significance of heritage assets, whereby any such harm would need to be balanced with any public benefits of the proposals. There is, therefore no conflict with policies SD13 and SD15.

Sustainability

- 7.31 The following measures are proposed and supported. On this basis, the proposals accord with and exceed policy SD48 and meet the Sustainable Construction SPD overall.
- Energy Efficiency and green energy to achieve at least 19% and 20% emissions improvements relative to Part L 2013 baseline respectively.
 - EV charge points to be provided.
 - Waste strategy acceptable.
 - Water target below 110 litres/p/day
 - Some measures to source materials locally, re-use and recycle materials and use FSC certified timber.
 - Some adaptation to climate change measures (designing out overheating and SUDS).

Surface water drainage

- 7.32 The proposed surface water drainage scheme involves water being captured on site and fed into a swale along the site frontage which would in turn be connected with a new SUDs basin at the eastern end of the site.
- 7.33 The Local Lead Flood Authority has not commented. The district drainage engineer originally recommended conditions, however, during the re-consultation exercise following receipt of amended plans queries have been raised. They have queried (1) how effective the SUDs basin may be given available mapping information shows it to be within an area at risk of flooding (1:100 year event) and that there are other known occurrences of flooding at this point on Elsted Road; and (2) whether the presence of the SUDs could exacerbate this situation and/or displace this water to cause flooding elsewhere (eg, neighbouring properties).
- 7.34 There is a willingness to work with officers to reach an acceptable design that addresses the drainage engineer's comments. Additionally, as part of the design process they and officers will consider what planning gain could be achieved in alleviating flooding on Elsted Road through the SUDs scheme.
- 7.35 If Members consider that the SUDs scheme in this location is acceptable in principle, subject to a satisfactory design, it is recommended that the technical assessment of the SUDs be delegated to the Director of Planning to resolve, including imposing amended and/or additional appropriate conditions. If a satisfactory scheme is not achieved, however, then it is recommended that officers refuse the application on this specific issue.
- 7.36 In conjunction, as part of that process, the SUDs design shall also be assessed in regard to its appearance to avoid an overly engineered solution, and to deliver new planting and BNG to

deliver multiple benefits. This approach could holistically address policies SD2, SD9, SD50 and specific criteria on flooding in SD87.

Foul drainage

- 7.37 The development would connect to the main sewer which runs underneath Elsted Road. Third party representations have raised concern about the capacity of the system due to flooding and increased risk of spills. Southern Water have not, however, raised an objection.

Ecology and biodiversity net gain

- 7.38 The county ecologist supports the proposed mitigation and enhancement measures regarding protected species and habitats, which are to be secured by conditions. They are also satisfied that sufficient biodiversity net gain is proposed. The proposed landscape strategy would deliver biodiversity net gain on site and its more detailed design can be secured via condition, which would link with the surface water drainage scheme to achieve a holistic approach to deliver multiple benefits. In all of these respects, policies SD2 and SD9 are accorded with.

Highways and parking

- 7.39 The layout involves tandem parking alongside the semi-detached properties (plots 1-2) which also results in a smaller communal parking area for the other dwellings. This approach along with new frontage landscaping is positive because it would not create a street scene on site unduly dominated by parked cars. Representations, however, raise concerns about insufficient parking, tandem spaces, manoeuvring on site, and a likelihood of increased on-street parking.
- 7.40 Each dwelling would have 2 spaces which would be sufficient for 2/3 bed dwellings which would accord with the Parking SPD. The proposed car barn would house 3 cars and provide scope for EV charge points for the terraced properties and bin storage.
- 7.41 The Highways Authority has not objected to tandem parking at plots 1-2 and this arrangement makes efficient use of space by siting cars in between properties. The shared parking area for plots 3-5 sufficiently provides for these dwellings and there would be sufficient manoeuvring space to leave in a forward gear.
- 7.42 Local concerns also include agricultural vehicles no longer being able to enter the wider field from Elsted Road, which would lead to congestion in the village particularly along North Lane. South Harting is within a working agricultural landscape where a certain amount of agricultural activity is to be expected. The appearance of the site suggests that such vehicles do cross into the field at this location. Notwithstanding, the site is allocated for development and alternative routes into the field are possible.
- 7.43 The proposals therefore accord with policies SD21 and SD22 and the specific criteria in SD87 concerning parking provision and avoiding on-street parking.

Affordable housing

- 7.44 One dwelling is proposed, which would comply with policy SD28. This would be secured via a S106 legal agreement. Given this is a single dwelling in a rural area, securing a Registered Provider is likely to be difficult. It is intended that the Applicant remain the owner of the property but the S106 legal agreement is worded so as this dwelling can only be rented on an affordable basis and occupied by persons on the local Housing Register. Such an approach has been taken in a small number of cases in other parts of the National Park.

Neighbouring amenities

- 7.45 The proposals would not cause any significant harmful overlooking, loss of privacy and outlook upon neighbouring dwellings due to their siting, scale, orientation and fenestration. The new dwellings would be 18.5m from dwellings directly opposite. These are acceptable distances for properties facing each other across a street and differences in height are not an issue here in regard to increased overlooking or loss of privacy.
- 7.46 There is also a 56m distance to the property to the west on Elsted Road, in between which is a field access and driveway. Conversely, the upper floor dormers of this dwelling which

face towards the site would not cause significant harm to the amenity of the proposed dwellings including rear gardens. There would not be an impact upon any other properties east or further south of the site due to distances.

The Conservation of Habitats Regulations (2017)

- 7.47 It is determined that there is the potential for a likely significant effect upon the Arun Valley SPA by virtue of increased water usage from net new residential development within the affected area of the Sussex North aquifer. There is, therefore, the need to fulfil the requirements of The Conservation of Habitats and Species Regulations 2017 (as amended).
- 7.48 The proposals involve off-setting the water demand of the new dwellings by retrofitting water saving measures to properties owned elsewhere within the affected area which officers consider to be acceptable in principle. Whilst technical information accompanies the application, Natural England have requested further information in regards to an Appropriate Assessment.
- 7.49 The recommendation before Members is to delegate this more technical matter to the Director of Planning to resolve, which is likely to involve the completion of a legal agreement to secure the offsetting measures and monitoring.
- 7.50 The site is outside of the 5km buffer of the Mens Special Area of Conservation (SAC), the Singleton and Cocking Tunnels Special Protection Area (SPA) and Ebernoe Common SAC, but within its wider 12km vicinity. It is considered that the proposals are unlikely to have a direct significant effect upon these designations and protected species in regard to recreational disturbance given the distance, lack of direct connectivity, scale of development, environmental enhancements within the scheme and that allocated sites have been assessed through the Local Plan process.

8. Conclusion

- 8.1 Overall, the scale and design of the revised proposals are acceptable having taken into account consultee responses, representations, and the landscape character and appearance of the area. The proposals would also preserve and enhance the character and appearance of the conservation area for the reasons outlined. The surrounding amenities of neighbouring dwellings are also protected.
- 8.2 By accommodating the SUDs outside of the site allocation boundary, it enables this relatively small scheme to ultimately deliver more benefits and accord with policies to a greater extent in comparison with trying to accommodate all aspects within the allocation site. The recommendation to delegate the technical design of the SUDs area to the Director of Planning, if Members accept the principle of its location, would consider how the SUDs could be integrated into the site and its context. Alleviating flooding on Elsted Road would also be investigated within the detailed design in consultation with relevant consultees.
- 8.3 The NPPF outlines overarching economic, social and environmental objectives to sustainable development. In these respects, the scheme would deliver new housing with a focus on smaller properties and residents would support services and facilities. There would also be environmental benefits in regard to this new development improving the settlement edge with a characterful scheme that would preserve and enhance the conservation area and its setting, plus would deliver biodiversity enhancements particularly around the SUDs area.
- 8.4 The proposals substantially comply with both relevant individual policies and the Development Plan as a whole, the NPPF, National Park Purposes and duty, and relevant legislation. There are no material considerations of sufficient weight which would justify refusing permission.
- 8.5 The application is, therefore, recommended for approval subject to resolving 'water neutrality' and surface water drainage design, to be delegated to the Director of Planning, and recommended planning conditions.

9. Reason for Recommendation

- 9.1 It is recommended that:

- 1) That authority be delegated to the Director of Planning, in consultation with the Chair of the Planning Committee, to grant planning permission subject to:
 - i) The satisfactory resolution of the technical matters of the surface water drainage scheme.
 - ii) The satisfactory resolution of the issue of water neutrality.
 - iii) A S106 legal agreement, the final form of which is delegated to the Director of Planning, to secure:
 - One affordable dwelling;
 - Water neutrality mitigation measures (as necessary).
 - iv) The conditions set out in paragraph 9.2 of the report and any amendments or other conditions required to address surface water drainage matters.
- 2) That authority be delegated to the Director of Planning to refuse Planning Permission, with appropriate reasons, if matters relating to surface water drainage and water neutrality have not been resolved, or the legal agreement is not completed, or insufficient progress made, within six months of the 14 March 2024 Planning Committee meeting.

9.2 And the following conditions:

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 (1) of the Town and Country Planning Act 1990 (as amended) and Section 51 of the Planning and Compulsory Purchase Act 2004.

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.

Materials

3. No development above slab level shall be commenced unless and until a schedule of materials and samples of such materials, finishes and colours to be used for external walls, windows and doors, roofs, and rainwater goods of the proposed buildings, have been submitted to and approved in writing by the Local Planning Authority. All materials used shall conform to those approved.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of the character and appearance of the area and the quality of the development.

Levels

4. Notwithstanding the details provided, no development shall commence until details of site levels and longitudinal and latitudinal sections through the site including the SUDs basin area have been submitted to and approved in writing by the Local Planning Authority. These shall show how the buildings and SUDs basin are proposed to be set into the topography of the site, in comparison to existing levels. The development shall thereafter be implemented in full accordance with the agreed details.

Reason: To ensure a satisfactory development which responds to the characteristics of the site.

Landscaping

5. No development above slab level shall take place until a further detailed Scheme of Soft and Hard Landscape Works has been submitted to and approved in writing by the Local Planning Authority. These details shall include (but not be limited to):
 - a. Written specifications (including cultivation and other operations associated with plant and grass establishment;

- b. Planting methods, tree pits & guying methods;
- c. Schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate;
- d. Retained areas of trees and hedgerows;
- e. Details of all hard-surfaces, including paths, kerb edges, access ways, boundary treatments, bin and cycle stores and parking spaces, including their appearance, dimensions and siting;
- f. Details of the siting, specifications and management of the Sustainable Urban Drainage systems;
- g. A landscape schedule for a minimum period of 10 years including details of the arrangements for its implementation;
- h. A timetable for implementation of the soft and hard landscaping works.
- i. A landscape plan with services shown;
- j. Delivery of the measures outlined in the Biodiversity Net Gain Assessment.

The scheme of Soft and Hard Landscaping Works shall be implemented in accordance with the approved timetable. Any plant which dies, becomes diseased or is removed within the first ten years of planting, shall be replaced with another of similar type and size, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To achieve an appropriate landscaping scheme to integrate the development into the landscape and provide a setting for the new development.

Ecology

- 6. The Development shall proceed in full accordance with the measures set out in sections 7 and 8 of the Ecological Impact Assessment (prepared by South Downs Ecology, dated January 2024). Thereafter, the provisions outlined shall be permanently retained and maintained in accordance with the approved details.

Reason: To protect and enhance biodiversity.

- 7. Prior to the commencement of development, a Habitat Creation and Management Plan shall be submitted to and agreed in writing by the Local Planning Authority. The development shall thereafter be undertaken and managed in full accordance with the agreed details.

Reason: To protect and enhance biodiversity.

Dark night skies

- 8. No development shall commence above slab level until an external lighting scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall specify the type and location of all external lighting to be installed throughout the site. All external lighting on the dwellings shall be restricted to down lighters that do not exceed 1000 lumens, which shall be designed and shielded to minimise upwards light spillage. The measures shall thereafter be implemented in full accordance with the approved details.

Reason: To conserve dark night skies.

Sustainable Construction

- 9. Prior to the commencement of development hereby permitted, detailed information in a Design Stage Sustainable Construction Report in the form of:
 - a) Design Stage SAP 10 assessment for each dwelling.
 - b) Design stage plan and specification for the electric vehicle charging points.
 - c) Design stage BRE water calculator.
 - d) Product specification for EV, air source heat pump and solar PV, waste facilities, rainwater harvesting and materials; and

- e) Grown in Britain or FSC Certificates for timber.

Demonstrating that the development will:

- a) Reduce predicted CO2 emissions by at least 12% due to energy efficiency measures and onsite renewable energy, compared with the maximum allowed by Part L1A 2021.
- b) Provide 5 EV charge points in a suitable location to ensure simultaneous charging, with a minimum power rating output of 7kW and a universal socket.
- c) Have a predicted water consumption of no more than 85 litres per person per day and that the development is water neutral.
- d) Have separate internal bin collection for recyclables matching local waste collection service; and
- e) Have a private compost bin.
- f) Be designed to minimise overheating risk.

Shall be submitted to and approved in writing by the Local Planning Authority. The development shall be built in full accordance with these agreed details.

Reason: To ensure the development demonstrates a high level of sustainable performance to address mitigation of, and adaptation to, predicted climate change.

Drainage

- 10. No development shall commence until a detailed sustainable surface water drainage scheme, including a Management Plan detailing its future management and maintenance, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall thereafter be undertaken and maintained 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.

- 11. No development shall commence until a detailed drainage scheme for the means of foul water disposal has been submitted to and approved in writing by the Local Planning Authority. These details shall include drainage calculations and a Management and Maintenance Plan. The development shall be carried out in full accordance with the approved details. No dwelling shall be occupied until the drainage system has been implemented in full accordance with the approved details.

Reason: To ensure satisfactory provision of foul water drainage.

Parking and Access

- 12. Prior to the development being brought into use, the vehicular accesses and car parking spaces shall have been completed in full accordance with the approved plans and shall be retained thereafter.

Reason: To ensure adequate on-site parking is provided.

- 13. Prior to the occupation of the development, the visibility splays of 2.4m by 43m shall be provided at the vehicular access points onto Elsted Road in full accordance with approved plan 2022-6479-002 REV A. Once provided, the visibility splays shall thereafter be maintained and kept free of all obstructions over a height of 0.6m above the adjoining carriageway level.

Reason: In the interests of highway safety.

- 14. Prior to the development being brought into use, covered and secure cycle parking spaces shall have been provided in full accordance with approved plan 2015/34/48 REV A, and retained thereafter.

Reason: To provide appropriate cycle storage to enable alternative sustainable modes of travel.

Construction Management Plan

15. No development shall commence, including any works of demolition, until a Construction Environmental Management Plan has been submitted to, and approved in writing by, the Local Planning Authority. The approved Plan shall be adhered to throughout the construction period. The Plan shall provide for (but not be limited to):
- i. An indicative programme for carrying out of the works;
 - ii. Method Statement for the demolition and construction work;
 - iii. The arrangements for public consultation and liaison during the construction works;
 - iv. Measures to minimise the noise (including vibration) generated by the construction process to include hours of work, proposed method for constructing foundations, the selection of plant and machinery and use of noise mitigation barrier(s);
 - v. Details of any floodlighting, including location, height, type and direction of light sources and intensity of illumination;
 - vi. The parking of vehicles of site operatives and visitors;
 - vii. Loading and unloading of plant and materials;
 - viii. Storage of plant and materials used in constructing the development;
 - ix. The erection and maintenance of security hoarding, where appropriate;
 - x. Wheel washing facilities;
 - xi. Measures to control the emission of dust and dirt during construction;
 - xii. A scheme for recycling/disposing of waste, including spoil, resulting from demolition and construction works;
 - xiii. Protection of pedestrian routes during construction;
 - xiv. Provision for storage, collection and disposal of rubbish;
 - xv. Any Re-use of on-site material and spoil arising from site clearance and demolition work.
 - xvi. Working hours.

Reason: In the interests of highway safety and the amenities of the area.

Permitted Development Rights

16. 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 E and F and Part 2 of Schedule 2, class A; inclusive of that Order, shall be erected or undertaken on the site unless permission is granted by the Local Planning Authority pursuant to an application for the purpose.

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 area and amenity.

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Background Documents: [All planning application plans, supporting documents, and consultation and third party responses](#)
[South Downs Local Plan \(2014-33\)](#)
[South Downs National Park Partnership Management Plan](#)
[SDNPA Supplementary Planning Documents and Technical Advice Notes](#)

