

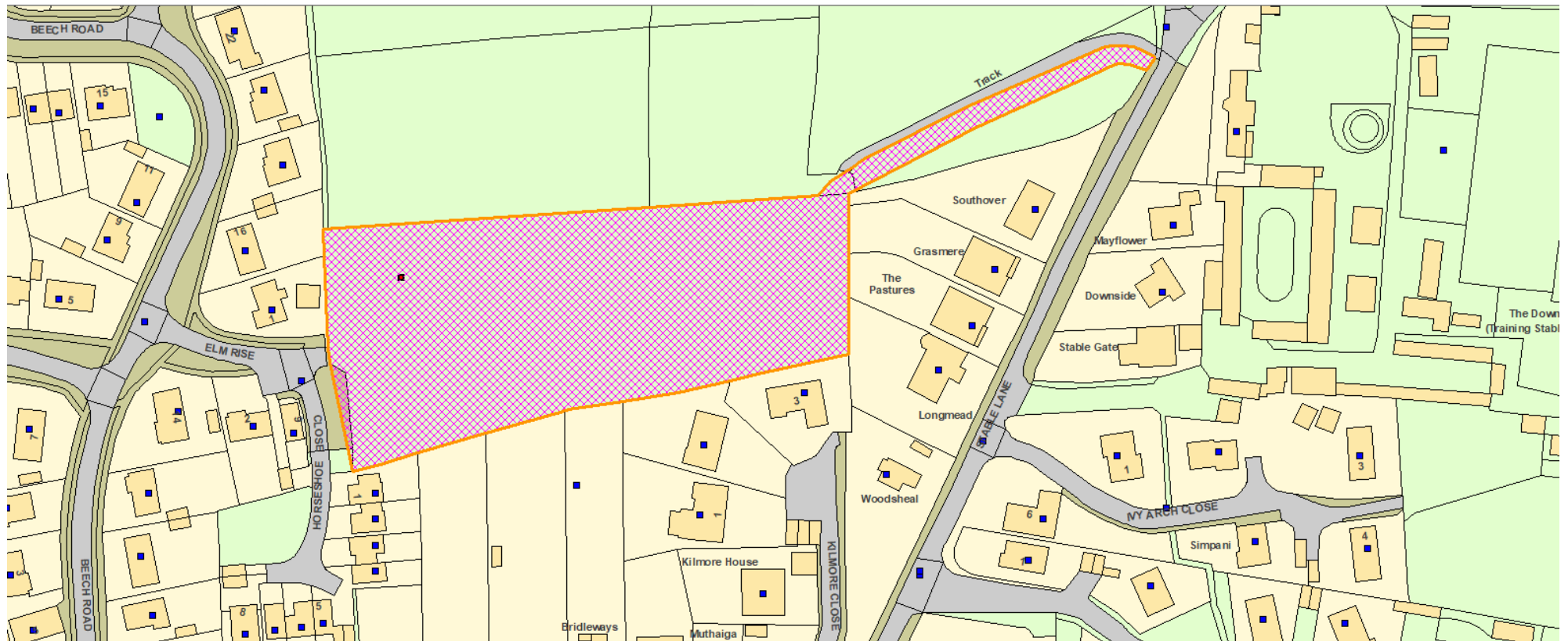
Agenda Item 7
Report PC24/25-36

Report to	Planning Committee
Date	8 May 2025
By	Director of Planning
Local Authority	West Sussex Council
Application Number	SDNP/23/04993/FUL
Applicant	Mr Jordan Moyle
Application	Erection of 16 dwellings (12 houses and 4 apartments), together with vehicular access and new open space (Revised drawings and additional information).
Address	Land at Elm Rise, Findon, West Sussex

Recommendation:

- 1) It is recommended that Planning Permission be granted subject to:
 - i) **A Section 106 Agreement, the final form of which is delegated to the Director of Planning, in consultation with the Chairman of the Planning Committee, to secure:**
 - a. **50% Affordable Housing Units as set out in the previous committee report, Appendix 2 - 13 February 2025 Planning Committee Report PC24/25-22 and Update Sheet**
 - b. **The creation and dedication of a Public Right of Way across the site connecting Elm Rise with Stable Lane.**
 - c. **Off-site highway works.**
 - ii) **The original conditions as set out at paragraph 9.1 of the previous committee report, Appendix 2 - 13 February 2025 Planning Committee Report PC24/25-22 and Update Sheet**
 - iii) **The additional conditions as set out in paragraph 9.1 of this report.**
 - 2) **That authority be delegated to the Director of Planning in consultation with the Chairman of the Planning Committee to make minor amendments to conditions pursuant to ii a iii above as required, subject to the resolution of the s106 agreement.**
 - 3) **That authority be delegated to the Director of Planning to refuse Planning Permission, with appropriate reasons, if the legal agreement is not completed, or insufficient progress made, within six months of the 08 May 2025 Planning Committee meeting.**
-

Site Location Map



This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. South Downs National Park Authority, Licence No. 100050083 (2012) (Not to scale).

Executive Summary

Key Matters

- The site is set within the settlement boundary of Findon Village and is allocated for housing development under SD69 which envisages the development of between 14 and 18 residential dwellings.
- The site is visible from the A280, Long Furlong and from the public bridleway to the north.
- The application was considered by committee on 13 February 2025.
- Committee members resolved to defer the application in order that the applicant have time to;
 - a) Address technical matters of the drainage scheme, its consequent management and maintenance and a groundwater impact assessment;
 - b) Consider the relationship between the flats and the neighbouring properties on Horseshoe Close; and
 - c) Consider an increase in parking if this could be secured without adverse impact on the landscape.
- This report focuses solely on these matters and any further representations received post February committee and in conjunction with the revised drawings and updated SUD's and flood risk management plan.
- For all other matters, including landscape and design, layout, materials, parking, neighbouring amenity, ecology and BNG and affordable housing and housing mix members should refer to the original committee report at Appendix 2 - 13 February 2025 Planning Committee Report PC24/25-22 and Update Sheet.
- As set out below it is considered that the matters deferred by Members have been satisfactorily resolved and the application is recommended for approval. In particular one additional visitor car parking space has been provided, the relationship between the flats and the properties on Horseshoe Close has been improved and the applicant has addressed, in the main, the concerns of the LLFA as reported further below.
- It is considered that, with the appropriate conditions and s106 agreement in place, the proposed development complies with adopted policy and the National Park Purposes and can be recommended for approval.

Site Description

1.1 Please see previous committee report, Appendix 2 - 13 February 2025 Planning Committee Report PC24/25-22 and Update Sheet.

2. Relevant Planning History

2.1 Please see previous committee report, Appendix 2 - 13 February 2025 Planning Committee Report PC24/25-22 and Update Sheet.

3. Proposals

3.1 The full details of the proposal are set out in Appendix 2 – 13 February 2025 Planning Committee Report PC24/25-22 and Update Sheet.

3.2 In summary the application is for 16 dwellings, 12 houses and 4 flats contained within a 2-storey unit in the southwest corner of the site. The applicant proposes that 50% of the units are affordable. The tenure split proposed for the affordable housing is 75% (6) social rented and 25% (2) intermediate housing.

3.3 The application now proposes 31 car parking spaces, an increase of 1 compared to that considered by members on the 13 February. Additionally, the flatted block, T4, housing units numbers 13- 16 has been re-orientated and located further away from the properties on Horseshoe Close as shown on revised site plan 2034-LRA-DR-A-100revK.

3.4 Since the application was deferred the applicant has also submitted a revised flood risk assessment and surface water management report. This revises the previous approach to surface water management and dedicates an individual soakaway to each property. It also proposes drain channels in the proposed access road, these will catch water and re-direct it to the swale to prevent surface water run off down this and onto Elm Rise.

4. Consultations

4.1 The submitted revisions have been uploaded to the SDNPA website and these documents have been subject to a 21-day consultation. The summary below relates to those bodies specifically consulted in relation to these amendments.

4.2 All other consultation responses are as set out in Appendix 2 – 13 February 2025 Planning Committee Report PC24/25-22 and Update Sheet

4.3 **WSCC Lead Local Flood Authority:** All other issues resolved. Still maintain an objection due to lack of winter ground water monitoring – see body of report below.

4.4 **SDNP Trees:** No objection.

4.5 **SDNP Dark Night Skies:** No objection

4.6 **Findon Parish Council:** No objection subject to the conditions being satisfied with particular reference to; surface water drainage, future management and maintenance of surface water, visual impact/overlooking, Construction Environmental Management Plan, traffic and parking.

4.7 **SDNP Landscape:** Neutral – subject to concerns being addressed. It should be noted that the landscape officer echoes the comments of the LLFA in relation to winter groundwater testing. The officer recommends that the current drainage scheme is not approved and that a further scheme is sought as a pre commencement condition once winter groundwater testing has been carried out.

4.8 **SDNP Design:** No objection. Comments that the changes to the flatted building are regrettable in terms of their design impact. The relationship of the roof forms is now uncomfortable with the projecting gable set down lower than the rest of the roof which ridge line of which projects above the gable roof and the bike and bin store is not as well connected, it is unclear what this area would look like in the street scene as there are no drawings to show this.

4.9 **Officer Response:** The reorientation of the flatted block is to improve upon the relationship between this building and the existing properties on Horseshoe Close. The proposed changes improve this relationship and the overall distance between the buildings has been increased.

5. Representations

5.1 Please note that only any additional letters of representation received in respect of the revised application and as a result of the re-consultation exercise are reported below. All previous letters of support and objection are reported at paragraph 5 of the previous committee report – Appendix 2 - 13 February 2025 Planning Committee Report PC24/25-22 and Update Sheet.

5.2 At the time of writing seven letters of objection (please note one of these is a detailed letter from 5 neighbouring occupiers) each of whom have put their names to the varying issues raised) have been submitted, collectively these objections raise the following matters.

5.3 Surface Water Flooding:

- There will still be surface water flooding despite the submitted Flood Risk Assessment (FRA).
- The FRA states no history of flooding but there is a history of flooding to properties on Beech Road.
- How will permeable driveways work when the site is on a slope which is 1:8.

- There are other applications on Stable Lane which will also worsen flooding.
- Soakaway next to flats 13-16 is too close to the garden boundary of 1 Horseshoe Close.
- Construction of soakaways will damage boundary trees
- Winter groundwater testing has not been done.
- Surface water discharge will be concentrated to the soakaways.
- Will water run into houses on Elm Rise in an exceedance event?
- What do I do in a flood event/how does this affect my building insurance?
- Who will be responsible for maintenance and management of SUD's scheme.
- The earth bund will have an adverse impact on tree roots.

5.4 **Officer Response:** The applicants have resolved all concerns of the LLFA bar winter ground water testing, as addressed in the body of the report below. The proposed soakaways are outside the shown root protection areas of mature trees and hedgerows where present. This is confirmed by the submitted tree report and there are no objections from the tree officer.

5.5 The formerly proposed soakaway near the boundary of 1 Horseshoe Close has been relocated further away from this property. The historic flooding records referred to by objectors but not referenced within the flood risk assessment submitted relate to areas outside the site boundary.

5.6 The applicant has proposed a management company to deal with the maintenance of the surface water drainage system and it is recommended that this be secured via condition 24 as referenced under section 9 below.

5.7 Landscape, design and amenity

- Apartments will still overlook gardens and windows at Horseshoe close.
- The apartment block is overbearing to the properties on horseshoe close and will affect their amenity.
- Flats should be moved to opposite plots 9 and 10.
- 16 units is too many.
- Large windows overlooking Horseshoe Close properties are deliberate in design.
- Housing should be split more evenly between the north and south sides of the site.
- The access road design contravenes the tree report.
- An electric gate should be installed to Horseshoe Close at the cost of the developer to stop construction traffic.
- Not enough room for traffic to pass on Elm Rise.
- Where will works traffic park? The construction period will be noisy, dusty and disruptive.
- How will dark skies be protected?

5.8 **Officer Response:** Apartment Block T4 has been moved further away from properties on Horseshoe Close. The large windows in the south elevation are obliquely angled to the properties on Horseshoe Close and are designed to aid the Passivhaus standard of this building. To locate this building, or any more buildings, on the northern side of the site would make the built form unacceptably prominent in that landscape. Additionally, the site allocation policy specifically states that development should be directed towards the southern and western parts of the site allocation. A construction environmental traffic management plan (condition 6, Appendix 2 - 13 February 2025 Planning Committee Report

PC24/25-22 and Update Sheet) is recommended. A new condition (24 at paragraph 9.1 below) is suggested to require details of solar blinds to the rooflights of the flatted block.

6. Planning Policy

- 6.1 Policy in respect of this application has not changed since the February 2025 committee. Please see Appendix 2 - 13 February 2025 Planning Committee Report PC24/25-22 and Update Sheet for further comment on policy.

7. Planning Assessment

- 7.1 The below planning assessment focuses on the reasons for deferral and the changes made to the scheme to address consultee comments. For all other aspects of the scheme please see the original committee report PC24/25-22 attached at Appendix 2 of this report.

A) Drainage matters

- 7.2 The applicant has submitted a revised flood risk and surface water management report and accompanying drawings. The revised plans show water butts, raingardens, filter drains for each property, permeable paving to the driveways and individual soakaways to manage overflow from water butts and patio run off (via a filter drain).
- 7.3 The Lead Local Flood Authority have been consulted and commented that the applicant has not carried out winter ground water testing in accordance with its consultation response issued on 23 January 2025 and therefore it maintains an objection to the scheme.
- 7.4 These concerns are noted, however the applicant has considerably revised the design since the application was presented at committee on 13 of February 2025 and the proposed drainage strategy now uses a more sustainable approach, dealing with surface water run off at each property and minimising the use of the previously proposed 'pipe to pond/pipe to tank' solution.
- 7.5 In response to the winter ground water monitoring request the applicant has noted that the scheme is designed on the basis of borehole testing to 2.4 metres in March 2023 at the lowest part of the site and no ground water was encountered. They have also noted that, the steeply sloping nature of the site allows the reasonable assumption to be made that infiltration will be possible at the manhole depths shown within the most recently submitted drainage strategy. The applicant has also confirmed that infiltration tests at each of the proposed soakaway manhole locations will be carried out to confirm the chalk strata depths and associated infiltration rates.
- 7.6 The applicant has suggested that that final soakaway design will be adjusted as necessary once winter ground water testing has been carried out and that there is enough certainty provided by the testing already done, that they are confident the site layout will not need to change.
- 7.7 The winter groundwater testing season has now expired and it is not considered it would be reasonable to hold the application in abeyance or refuse the application due to lack of information in this regard. Instead, it is recommended that a condition (23, at paragraph 9.1 below) be attached which requires such testing to be carried out and submitted to the Authority for approval, in consultation with the LLFA prior to commencement of development on site.

B) Residential amenity

- 7.8 During the committee meeting on the 13 February 2025 concern was raised regarding the relationship between number 1 Horseshoe Close, at the south western corner of the site and the proposed block T4, which contains affordable units 13 – 16 inclusive.
- 7.9 This block has now been re-orientated so that the western 'wing' of the building is further away from 1 Horseshoe Close. It is now 20 metres between the corner of the new building and the corner of the existing property and 22 metres between the proposed window within the rear (south facing) elevation of the new block and the corner of the existing property.

- 7.10 It should be noted that, due to the oblique relationship between the existing building and proposed building, there are no windows which directly face each other. The distance from the proposed windows in the south elevation of the newly reorientated flatted block to the (assumed) location of the windows on the rear elevation of 1 Horseshoe Close is over 25 metres. This exceeds the 20-22 metre standard set out in the adopted design guide between back-to-back properties.
- 7.11 As a result of these proposed design changes the re-orientated flatted block has moved closer to the root protection area of the Horse Chestnut Tree at the entrance to the site but still remains outside of this area. Additionally, the bins and bike stores have been relocated and the car parking layout for the flatted block revised. All these changes are considered acceptable within the context of the scheme and serve to improve the amenity of occupiers within 1 and 2 Horseshoe Close.

Car parking

- 7.12 The applicant has submitted revised drawings which show an increase in parking spaces from 28 to 31. These have been secured by (showing correctly where not previously shown) two spaces allocated to house number 7 and providing an additional visitor's space as a layby space off the access road.
- 7.13 The Adopted Parking SPD calculates a parking demand of 33.41 spaces for this development, however this document also advises (paragraph 3.4) that the results from the parking calculator are a guide and may need to be varied due to the need to put landscape considerations first in determining parking.
- 7.14 The revised plans ensure that every house has two allocated car parking spaces and that every flat has one allocated space. The provision of an additional 2-3 spaces on the development would lead to a very car dominated street. At present the amount of car parking is considered to be carefully balanced against the requirement of landscaping and planting and amenity space also. It is the view of officers that the level of parking provided is appropriate and supportable in this instance and that to provide more parking than shown would detrimentally impact the scheme as a whole and views into the site from the wider landscape.

Conclusion

- 7.15 Overall, the scale and design of the proposals are acceptable having considered consultee responses, representations, and the landscape character and appearance of the immediate and surrounding area.
- 7.16 The scheme has been revised following the committee meeting on the 13 February 2025 and overall, the matters raised have been satisfactorily addressed. Whilst the LLFA maintain an objection to the scheme on the basis of a lack of winter groundwater monitoring it is considered that planning permission for the scheme could be granted, with this matter being reserved as a pre commencement condition.
- 7.17 There are no impacts upon surrounding amenities as a direct result of these proposals which would justify a refusal of Planning Permission.
- 7.18 The NPPF outlines overarching economic, social and environmental objectives to sustainable development. In these respects, the scheme would deliver a policy compliant development on an already allocated site. Environmentally the scheme would provide ecosystems services enhancement and meet the sustainability credentials of the Local Plan.
- 7.19 The proposals substantially comply with the Local Plan and the NPPF, National Park Purposes and duty, and relevant legislation.
- 7.20 The application is, therefore, recommended for approval subject to a s106 agreement, the conditions as set out in Appendix 2 (13 February 2025 Planning Committee Report PC24/25-22 and Update Sheet) and the additional conditions under section 9 below.

8. Reason for Recommendation

- 8.1 It is recommended that.

- 1) Planning Permission be granted, subject to;
 - i) A Section 106 Agreement, the final form of which is delegated to the Director of Planning, in consultation with the Chairman of the Planning Committee, to secure:
 - a. 50% Affordable Housing Units as set out in the previous committee report, Appendix 2 - 13 February 2025 Planning Committee Report PC24/25-22 and Update Sheet
 - b. The creation and dedication of a Public Right of Way across the site connecting Elm Rise with Stable Lane.
 - c. Off-site highway works.
 - ii) The original conditions as set out at paragraph 9.1 of the previous committee report, Appendix 2 - 13 February 2025 Planning Committee Report PC24/25-22 and Update Sheet
 - iii) The additional conditions as set out in paragraph 9.1 of this report.
 - 2) That authority be delegated to the Director of Planning in consultation with the Chairman of the Planning Committee to make minor amendments to conditions pursuant to ii a iii above as required, subject to the resolution of the s106 agreement.
 - 3) That authority be delegated to the Director of Planning to refuse Planning Permission, with appropriate reasons, if the legal agreement is not completed, or insufficient progress made, within six months of the 08 May 2025 Planning Committee meeting.
- 9. Conditions (continued from conditions as set down at pages 23-28 of the report to committee on the 13 February 2025).**
23. Notwithstanding the details provided, no development shall commence until the following information has been submitted to and approved by the Local Planning Authority.
 - a) Winter groundwater monitoring to demonstrate that there is 1m clearance between the base of the soakaway and the highest winter groundwater level, in line with guidance in the Ciria SuDS Manual.
 - b) An updated flood risk assessment and drainage strategy which shall be based upon and refer to the groundwater monitoring referred to in (a) above.

Reason: To ensure satisfactory provision of surface water drainage. It is considered necessary for this to be a pre-commencement condition as these details need to be agreed prior to the construction of the development and thus go to the heart of the planning permission
 24. No development shall commence until a detailed sustainable surface water drainage scheme, based upon the drainage strategy agreed under condition 23(b), 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.
 25. Prior to the occupation of the flatted block T4, the rooflights approved for this building shall be fitted with solar operated blackout blinds which shall thereafter be maintained in perpetuity.

Reason: To conserve dark night skies

Tim Slaney
Director of Planning
South Downs National Park Authority

Contact Officer: Sarah Round
Tel: 01730 819318
Email: Sarah.Round@southdowns.gov.uk
Appendix: Appendix 1- Information concerning consideration of applications before committee
Appendix 2 - 13 February 2025 Planning Committee Report PC24/25-22 and Update Sheet
SDNPA Consultees: Legal Services, Development Manager
Background Documents: [All planning application plans, supporting documents, and consultation and third party responses](#)
[National Planning Policy Framework \(2025\)](#)
[South Downs Local Plan \(2014-33\)](#)
[South Downs National Park Partnership Management Plan](#)
[Adopted Affordable Housing SPD - South Downs National Park Authority](#)
[Adopted Parking SPD - South Downs National Park Authority](#)
[Adopted Design Guide SPD - South Downs National Park Authority](#)
[Adopted Sustainable Construction SPD - South Downs National Park Authority](#)
[Biodiversity Net Gain Technical Advice Note \(TAN\) - South Downs National Park Authority](#)
[Ecosystem Services Technical Advice Note \(TAN\) - South Downs National Park Authority](#)
[Findon Neighbourhood Plan_Amended 2020_from Devised_aug 2020_master copy](#)

