

MME PLANNING SERVICES

Erection of 2no detached single-storey self-build /
custom build dwellings with associated works.

at

Brooklands, New Hall Lane, Small Dole, Henfield, West
Sussex, BN5 9YH.

Planning Statement

Ref: P-028

November 2025

Version 1



Figure 1: Site Location

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1. Introduction

1.1 MME Planning Services is instructed to submit this full planning application for the erection of 2no detached single-storey self-build / custom build dwellings with associated works within the garden area of Brooklands, New Hall Lane, Small Dole, Henfield, West Sussex, BN5 9YH.

1.2 The application is submitted following the Council's decision to refuse planning permission under planning reference number DC/24/01101, in October 2024, and subsequent dismissed appeal under PINS reference APP/Z3825/W/24/3356684, in June 2025. This application seeks to address the issues raised by the Council in its refusal and within the appeal decision. The reasons for refusal were as follows:

- 1 *The development would enable a residential use within a countryside location outside of the built-up area boundary of any settlement, on a site which has not been allocated for development within the Horsham District Planning Framework or an adopted Neighbourhood Plan. The development would be contrary to the overarching strategy and hierarchical approach of concentrating development within the main settlements and is not essential to its countryside location. There are no material considerations which outweigh this harm, and the proposal represents unsustainable development contrary to Policies 1, 2, 3, 4, and 26 of the Horsham District Planning Framework (2015), Policy 1 of the Henfield Neighbourhood Plan and the National Planning Policy Framework (2023).*
- 2 *The scale, siting and layout would relate unsympathetically with the existing pattern of development and would represent overdevelopment of a backland setting. The proposal would result in a loss of the open rural character to the rear of the application site and would be in terms of scale and appearance, visually incongruous with the dwellings within the locality. Given the harm arising from the proposal, the development would be contrary to Policies 25, 32 and 33 of the Horsham District Planning Framework (2015).*

- 3 *Insufficient information has been provided to demonstrate with a sufficient degree of certainty that the proposed development would not contribute to an existing adverse effect upon the integrity of the internationally designated Arun Valley Special Area of Conservation, Special Protection Area and Ramsar sites by way of increased water abstraction, contrary to Policy 31 of the Horsham District Planning Framework (2015), Paragraphs 185 and 186 of the National Planning Policy Framework (2023), thus the Local Planning Authority is unable to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority Habitats & Species).*
- 1.3 With regard to the appeal decision, it is noted that the Inspector found that the site was not contained within a defensible boundary and that the proposed built form would result in harm to the landscape character.
- 1.4 In order to address these matters, evidence is provided which shows that the site is contained within defensible boundaries and the proposed dwellings have been re-designed to appear as historic single storey agricultural-style outbuildings.
- 1.5 In addition, there are a number of material considerations which are now relevant since the appeal decision was issued. While it was highlighted to the Inspector during the course of the appeal that the Council's 5-year housing supply position reduced further in April 2025 to only 1 year, it is noted that reference is made within the appeal decision to the 5-year housing supply being at 2.9 years. This reduction is considered to be significant.
- 1.6 Furthermore, with regards to water neutrality, On 31st October 2025 Natural England formally withdrew the 2021 Position Statement, citing a package of measures that they were satisfied would safeguard the Arun Valley sites. As such, there is no longer a requirement to show that the development is water neutral.
- 1.7 With these matters addressed, it is considered that Paragraph 11(d) of the NPPF would be engaged, and the presumption in favour of sustainable development would apply.

2. Site, Surroundings and Background

- 2.1 The application site is located on the southern side of New Hall Lane, to the west of Shoreham Road, Small Dole, Henfield. The application site currently comprises part of the residential garden space / curtilage of Brooklands, which is a two-storey detached dwelling.
- 2.2 As detailed within the supporting plans, the site directly adjoins the defined built-up area boundary of Small Dole, with the existing property at Brooklands located within the boundary, however, is classed as a countryside location for planning and policy purposes, as defined by the Horsham District Planning Framework (2015) (HDPF).

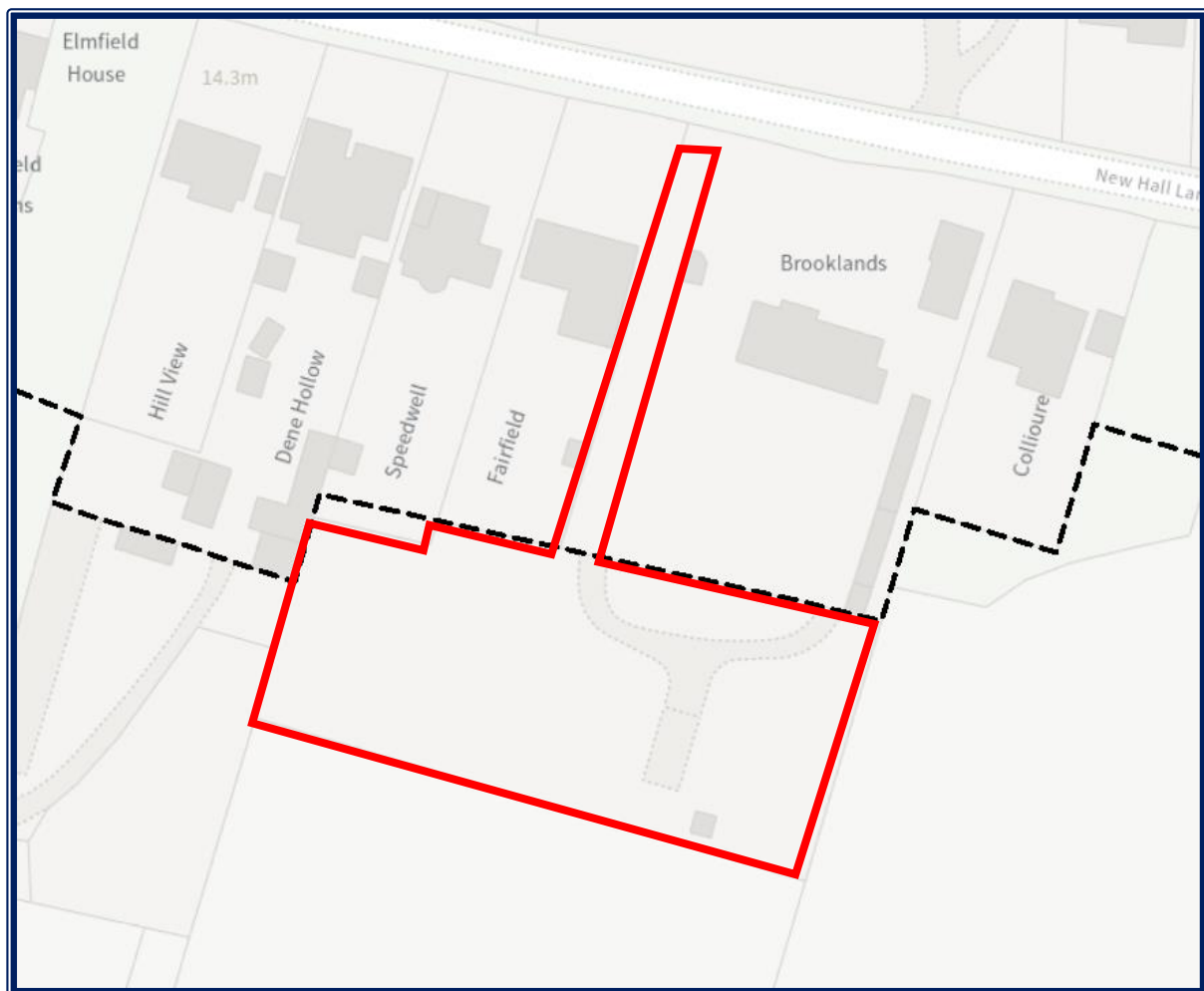


Figure 2: Plan showing relationship of the site with the Built-Up Area Boundary (dashed black line)

- 2.3 Although designated as a countryside location, the site is surrounded by residential development, with existing dwellings located to the east, west and north. As such, the site is not considered to be in an isolated rural location. Small Dole is identified as a smaller village within the HDPF, with limited services, facilities, social networks but with good accessibility to larger settlements. There are bus stops located to the east of the site on Shoreham Road providing links to the larger settlement of Henfield to the north, which is located in close proximity to Small Dole, and Upper Beeding to the south.
- 2.4 Given the location of the site and its setting in relation to the built-up-area, it is therefore considered that the site is in a sustainable location. This position is enhanced by the Shaping Development in Horsham District document, which will be expanded upon later in this statement. The site is also contained within defensible boundaries.
- 2.5 Neighbouring and surrounding residential dwellings are generally characterised by an eclectic mix of detached and semi-detached properties of both single and two storeys, all with differing plot sizes. It is also noted that New Hall Lane is characterised by various backland developments to the north and south.
- 2.6 The proposed red line area, as indicated on the submitted plans extends to some 0.39ha. There is an existing access / entrance to the site from New Hall Lane which serves the existing residential property on site. The site also benefits from a second access / entrance from New Hall Lane which would serve the proposed development. It is noted that a number of new dwellings have been permitted along New Hall Lane.

3. Planning History

- 3.1 Replacement dwelling and detached carport Site: Brooklands New Hall Lane Small Dole Ref. No: HF/9/01 | Status: Application Permitted, March 2001
- Erection of detached garage/carport and entrance gates Ref. No: DC/04/2877 | Status: Application Permitted, April 2005
- First floor extension with balcony and access steps to garden Ref. No: DC/10/0943 | Status: Application Permitted, June 2010
- Erection of a single storey detached games room, gym and home office (Certificate of Lawful Development - Proposed) Ref. No: DC/20/1155 | Status: Application Refused, December 2020

Erection of detached games room, gym and home office (Lawful Development Certificate - Proposed). Ref. No: DC/21/2663 | Status: Application Refused, May 2022

Application to confirm the change of use of part of a former paddock to residential garden took place more than ten years prior to the date of this application (Lawful Development Certificate - Existing). Ref. No: DC/22/0551 | Status: Application Permitted, May 2022

Erection of an ancillary outbuilding (Lawful Development Certificate - Proposed). Ref. No: DC/23/0501 | Status: Application Refused, June 2023

Erection of an ancillary outbuilding (Certificate of Lawful Development Proposed) Ref. No: DC/23/1527 | Status: Application Refused, January 2024

Erection of 2No. detached dwellings with associated works. Ref. No: DC/24/1101 | Status : Application Refused, October 2024 (Appeal Dismissed, June 2025)

4. Proposals

- 4.1 As detailed above, planning permission is sought for the erection of 2no single-storey detached 4-bed dwellings to be positioned within the rear garden area / curtilage of Brooklands, together with landscaping works. The proposed dwellings would be served by an existing access from New Hall Lane.
- 4.2 The proposed dwellings would have an overall width of approximately 16.2m and an overall depth of approximately 11.5m with an overall height to the ridge measuring approximately 4.7m. As detailed above, the proposed dwellings would appear as modest, historic agricultural-style outbuildings which would be in keeping with this setting. The proposed dwellings would each have gross internal areas GIAs of approximately 112sqm.
- 4.3 The proposed dwellings would have a mixture of gabled and hipped roofs and would consist of a combination of oak cladding, brick and flint to the external walls, clay tiled roofs, and timber / aluminium framed windows.
- 4.4 Following the previous refusal and dismissed appeal, the proposals have been carefully revised and developed. The site is now contained within defensible boundaries and the overall scale of the proposed dwellings has been reduced significantly.

- 4.5 The amended designs are considered to be in keeping with the setting and the overall scale would be comparable to existing development within the immediate vicinity, and appropriate in terms of the size of the plot. As detailed above, there are existing properties and buildings located within backland areas to the northern and southern sides of New Hall Lane. The proposed dwellings would be positioned in line with existing development to the west and would not encroach any further south than these existing structures.



Figure 3: Proposed Site Plan

- 4.6 The overall height of the proposed dwellings has been reduced by approximately 3m when compared to the previously refused scheme and would have significantly reduced footprints and internal floor areas. The size and scale of the dwellings have been kept to a minimum, appearing more as agricultural outbuildings rather than residential dwellings, with the materials complementing their modest and historic rural character.



Figure 4: Proposed Elevations (Unit 1)

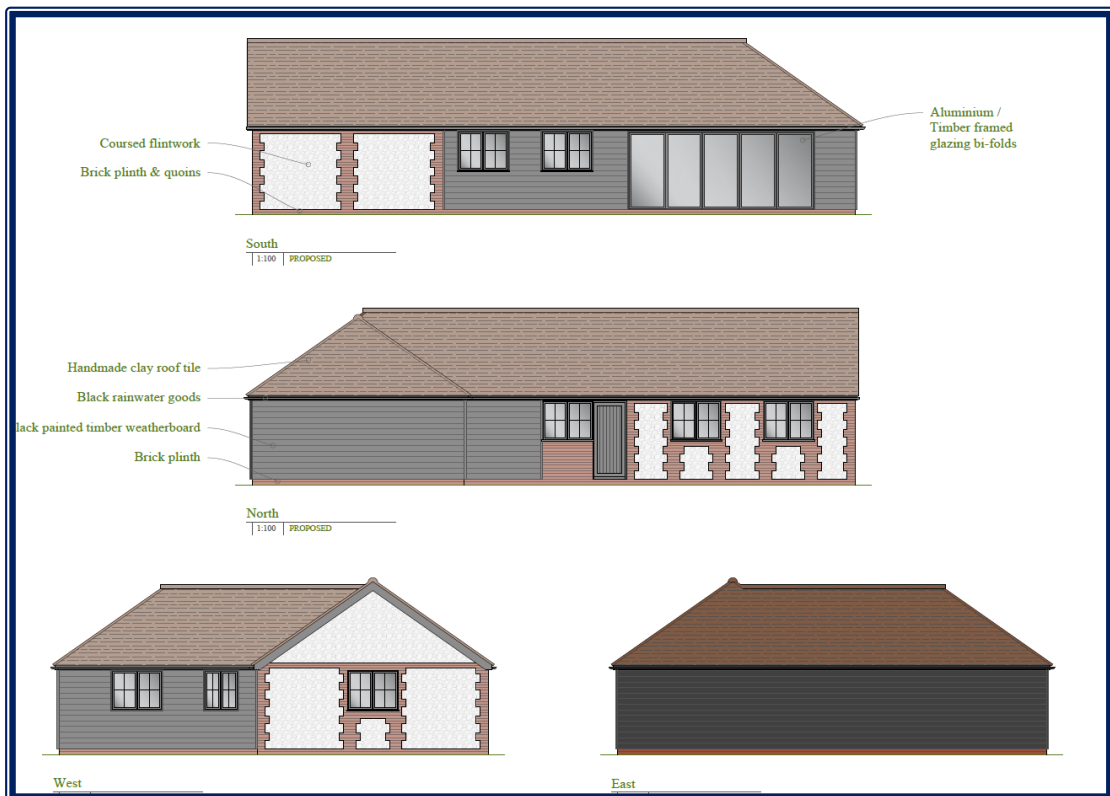


Figure 5: Proposed Elevations (Unit 2)

- 4.7 The proposals would be contained within the existing defensible boundaries of the site, with soft landscaping enhancements proposed which would retain the overall character.

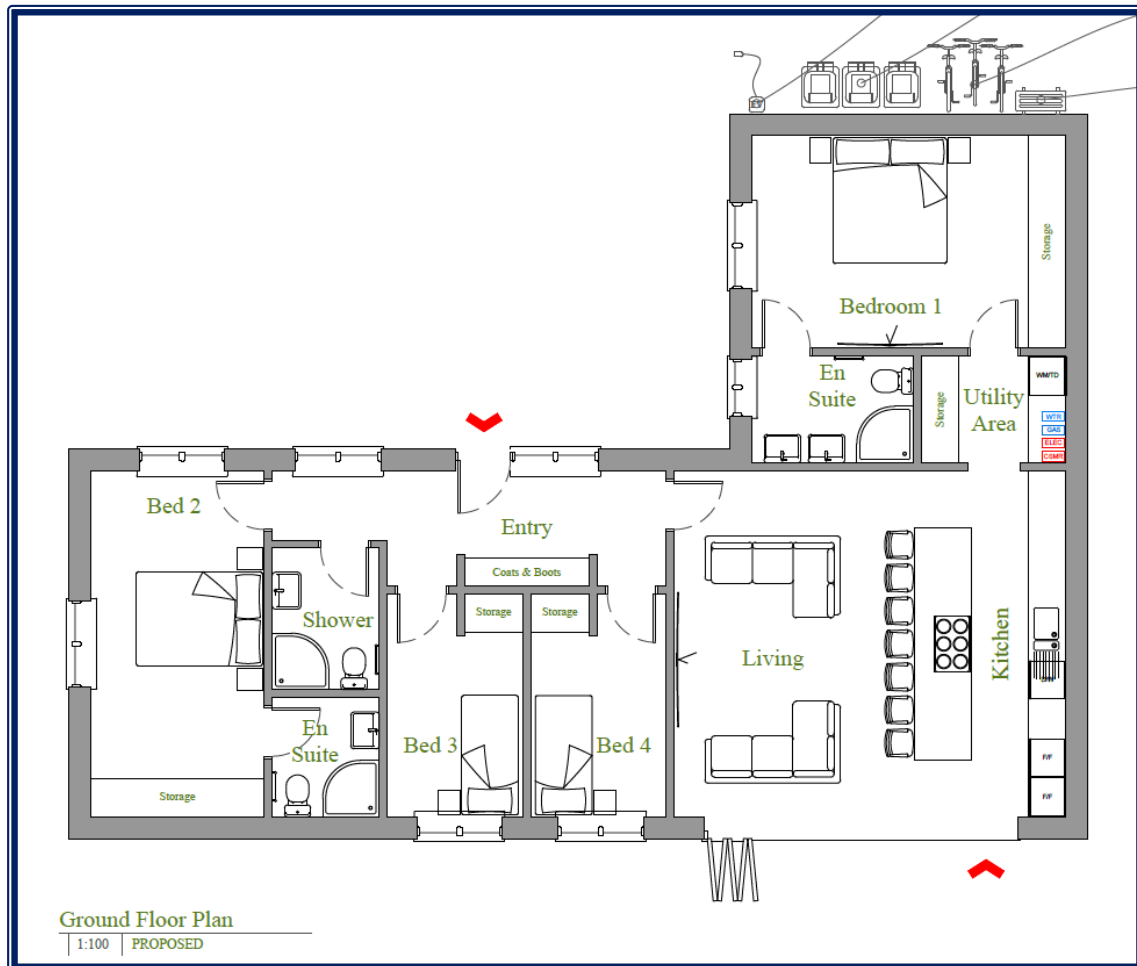


Figure 6: Proposed Floor Plan

- 4.8 The proposed development is considered to be appropriately separated from neighbouring properties to avoid any impact on amenity and would provide a good level of accommodation for future occupiers. Sufficient parking would also be provided, with the development served by an existing access from the private lane.
- 4.9 The proposed development would be screened from views along New Hall Lane to the north, which, while a private road, is also a public footpath, by existing boundary treatments, the distances maintained, and the existing dwelling and ancillary buildings at Brooklands.

5. Planning Policy

National Planning Policy Framework (NPPF) (2024) and National Guidance

- 5.1 The NPPF sets out the Government's planning policies for England and how these should be applied. It provides a framework for the preparation of local plans for housing and other development. The NPPF should be read as a whole.
- 5.2 Running throughout the NPPF is a presumption in favour of sustainable development. Sustainable development is achieved through three main objectives which are – economic, social and environmental.
- 5.3 Paragraph 11 of the NPPF states that for decision-taking, this means approving development proposals that accord with an up-to-date development plan without delay. Where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, planning permission should be granted unless the policies of the Framework that protect areas or assets of particular importance provide a clear reason for refusing the development proposed, or, any adverse impact of doing so would 'significantly and demonstrably outweigh the benefits' when assessed against the policies of the NPPF when taken as a whole (NPPF paragraph 11 d).

Horsham District Planning Framework (HDPF) (2015)

- 5.4 Paragraph 34 of the NPPF requires that all development plans complete their reviews no later than 5 years from their adoption. Horsham District Council has submitted its new local plan for examination, however at this stage, the emerging policies carry limited to no weight in decision making.
- 5.5 A Local Development Scheme (LDS) was published in February 2025 by the Council. The LDS sets out the production timetable for the New Local Plan anticipated to be adopted April 2026. Notwithstanding the above, as the HDPF is now over 5 years old, the most important policies for determining this application are now considered to be 'out of date'. This position is further highlighted given that the Horsham District Local Plan examination hearing meetings scheduled for January 2025 were cancelled by the appointed Inspector, and in April 2025 has advised that the Plan is withdrawn due to concerns about its legal compliance.

5.6 The Council is currently unable to demonstrate a 5-year supply of deliverable housing sites. The presumption in favour of development within Paragraph 11d) of the NPPF therefore applies in the consideration of all applications for housing development within the District, with Policies 2, 4, 15 and 26 now carrying limited weight in decision making.

5.7 While considered to be out of date, the main HDPF policies relevant to this application are as follows:

- Policy 1 - Strategic Policy: Sustainable Development
- Policy 2 - Strategic Policy: Strategic Development
- Policy 3 - Strategic Policy: Development Hierarchy
- Policy 4 - Strategic Policy: Settlement Expansion
- Policy 15 - Strategic Policy: Housing Provision
- Policy 16 - Strategic Policy: Meeting Local Housing Needs
- Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
- Policy 26 - Strategic Policy: Countryside Protection
- Policy 31 - Green Infrastructure and Biodiversity
- Policy 32 - Strategic Policy: The Quality of New Development
- Policy 33 - Development Principles
- Policy 35 - Strategic Policy: Climate Change
- Policy 36 - Strategic Policy: Appropriate Energy Use
- Policy 37 - Sustainable Construction
- Policy 40 - Sustainable Transport
- Policy 41 - Parking

Henfield Neighbourhood Plan (HNP) (2021)

5.8 Neighbourhood Plan policies relevant to this application are as follows:

- Policy 1: A spatial plan for the parish
- Policy 4: Transport, Access & Car Parking
- Policy 10: Green Infrastructure & Biodiversity
- Policy 12: Design Standards for Development

Planning Advice Note(s) (PAN)

5.9 Relevant PAN's to this application are as follows:

- Shaping Development in Horsham District
- Biodiversity and Green Infrastructure

6. Planning Considerations

Principle of Development

- 6.1 The HDPF spatial development strategy as contained within policies 2, 3 & 4 directs development to sites within built-up area boundaries, encourage the effective use of brownfield land, and aim to manage development around the edges of existing settlements in order to protect the rural character and landscape.
- 6.2 As detailed at Figure 2 above, the site directly adjoins the defined built-up area boundary of Small Dole. The site is not allocated within Horsham's adopted development plan (comprising in this case the HDPF and the HNP), while it is again noted that these are now out of date. As a result, residential development in this location would conflict with the requirements of Policies 2 and 4 (Settlement Expansion) of the HDPF, as well as Policy 1: A spatial plan for the parish of the HNP. The site is also not in an isolated location therefore the opportunities afforded by Paragraph 84 of the NPPF do not apply in this instance.
- 6.3 Notwithstanding the above, the Council is currently unable to demonstrate a 5-year housing land supply, with the latest Authority Monitoring Report (April 2025) detailing a supply of only 1 year. Therefore, the tilted balance contained in paragraph 11(d) of the NPPF is engaged.
- 6.4 While the Council has submitted the New Horsham District Local Plan for examination, as detailed above, the appointed Inspector has advised that the new Local Plan be withdrawn (April 2025) and the process is re-started. As such, the weight given to the above policies and the New Local Plan is therefore limited to none at this stage.
- 6.5 Moreover, and as detailed above, the site adjoins the BUAB of Small Dole which benefits from a number of facilities including a shop, post office and pub, as well as being located close to public transport links, with buses available on Shoreham Road to Henfield to the north and Upper Beeding to the south.

- 6.6 It is therefore considered that there is opportunity for future residents of the properties to utilise the facilities in the village and surrounding areas by alternative methods of transport and would not be unduly reliant on private vehicles for day-to-day needs. In terms of its location, the site is therefore considered to be sustainable. It is noted that no concerns were raised by the inspector in the previous appeal decision in this regard.
- 6.7 In addition, since the adoption of the HDPF and the HNP, and given the housing land supply position which the Council is currently in, the Council has issued a Shaping Development in Horsham District (2015) document, (previously the Facilitating Appropriate Development (FAD) Supplementary Planning Document). The document sets out the Council's aspirations and the weight that can be given to current and emerging policy within the context of current legislation, national policy, and guidance.
- 6.8 Section 5 of the Shaping Development in Horsham District document provides advice as to how the Council will continue to facilitate appropriate development. Specifically, Paragraph 5.12 states that:

The Council recognises that it is likely to receive applications outside of defined Built Up Area Boundaries (BUAB)s and on unallocated sites as it is unable to demonstrate a five-year housing land supply. Given this position and the principles behind HDPF Policy 4, it will consider positively applications that meet all of the criteria below:

- *The site adjoins the existing settlement edge as defined by the BUAB;*

The application site adjoins the defined BUAB of Small Dole, and therefore complies with this point of the criteria.

- *The level of expansion is appropriate to the scale and function of the settlement the proposal relates to;*

As per the HNP and the Housing Needs Assessment carried out to inform this, the majority of properties within the Parish consist of detached properties. The proposal would be for the creation of 2no appropriately sized dwellings within a comparable plot size to neighbouring development, where there are existing dwellings located further beyond the defined BUAB boundary, particularly to the west. The level of expansion is therefore considered to be appropriate and would comply with the above criteria.

- *The proposal demonstrates that it meets local housing needs or will assist the retention and enhancement of community facilities and services;*

While the HNP states that the indicative total number of houses specifically provided within the Plan period is appropriate, striking the right balance between meeting local housing need and contributing to the HDPF Housing Supply Strategy on the one hand and reflecting the scale of housing developments recently built and consented in Henfield on the other, the policy allows for sustainable development proposals.

The proposals would represent windfall development which would adjoin the BUAB boundary and given that the Shaping Development in Horsham District document post-dates the Neighbourhood Plan, the proposal would deliver sustainable and appropriate housing development, which takes into account 'established character', as required by paragraph 5.18 of the Shaping Development in Horsham District guidance.

- *The impact of the development individually or cumulatively does not prejudice comprehensive long-term development;*

The proposal is for 2no dwellings of an appropriate scale, which would make a contribution to the Council's housing numbers. Given the scale and nature of the development and the surrounding context, the proposal would not individually or cumulatively prejudice comprehensive long-term development, as it effectively represents windfall development.

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

The proposed dwellings are comfortably contained within the wider garden area of Brooklands which has clearly defined defensible boundaries to all sides. Much of the existing soft landscaping on site would be retained. While a small number of trees with no especial merit would be removed, additional planting is proposed within the site as well as ecological improvements, resulting in an overall enhancement in terms of landscape character and biodiversity.



Figure 7: Image showing southern and western boundaries of the site which consist of hedging.

- 6.9 The above criteria set out within paragraph 5.12 of the Shaping Development in Horsham District document effectively follows and repeats the requirements of Policy 4 of the HDPF. As such, overall, the proposal would comply fully with the relevant criteria within the Shaping Development in Horsham District document and the HDPF and would therefore represent appropriate residential development in this location. In addition, it is evident that the view of the Inspector with the recent appeal decision that the site was not contained within a defensible boundary has been overcome.
- 6.10 Furthermore, the proposal would also be acceptable in principle as it represents development on previously developed land / brownfield land. The definition of previously developed land within the NPPF is as follows: *“Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure.*

This excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape”.

- 6.11 The use and more effective use of previously developed land attracts support in the NPPF, as well as in Policy 2 of the HDPF. Under this definition, residential garden land outside of built-up areas is previously developed land / brownfield land. As such, it follows that the principle of development on the site is also considered acceptable in this regard.
- 6.12 It is noted that there are a number of other recent decisions that have granted residential developments outside of the defined built-up areas in other parts of the District. Examples include reference numbers DC/22/0495 and DC/22/2250 which each sought permission for 1no dwelling and were granted at appeal in August 2023 and March 2024 respectively, and DC/23/2278 which sought permission for 8no dwellings and was granted by the Council’s planning committee North in April 2024.
- 6.13 The Inspector within the appeal decision in relation to application reference DC/22/0495 states “I have attached limited weight to the conflict with HDPF Policy 26 in respect of development outside of built-up area boundaries. The housing shortfall dictates that those boundaries are out of date. I consider that some weight can still be given to the strategy set out within HDPF Policy 2, in terms of the general locations of new development, but the fact that a site may lie outside of the built-up area boundary does not, in and of itself, constitute a reason to refuse planning permission”.
- 6.14 In addition, a very recent appeal decision issued in October 2025 under planning reference DC/24/1486 (Appeal Reference APP/Z3825/W/25/3361339), granted permission for a new build dwelling approximately 2 miles away from the closest built-up area boundary. Within the appeal decision the Inspector states that:

- “27. The proposed dwelling would be in a location that is not considered suitable when assessed against the relevant HDPF and NP policies. The site lacks close proximity to a wide range of essential services and facilities. Although there are some opportunities for travel by means other than private car, reliance on car journeys is likely to be significant. In these respects, the proposal would conflict with key development plan policies.
28. Balanced against the harm are a number of benefits. The overall housing supply remains significantly deficient, and the provision of an additional dwelling would make a meaningful contribution to addressing this shortfall. The Framework recognises that small sites can make an important contribution to housing supply and are often built out quickly. There would also be modest economic benefits during construction and through local spending, as well as a small contribution to housing diversity. While the scale of these benefits is modest given that only one dwelling is proposed, in the context of current housing pressures, even a single additional home represents a valuable and positive contribution.
29. Taking all matters into account, the adverse impacts of granting permission would not significantly and demonstrably outweigh the benefits when assessed against the Framework as a whole. Consequently, the proposal benefits from the presumption in favour of sustainable development as defined in paragraph 11d of the Framework.”

- 6.15 In addition to the above, attention is drawn to a recent appeal decision at Horsham Golf Club, Denne Park, Horsham, RH13 0AX, which allowed a development for 800 units under planning reference DC/23/1178 (Appeal Ref: APP/Z3825/W/24/3355546) in July 2025. The inspector for this appeal described the Council's current 1-year housing land supply position as “lamentable”.
- 6.16 It is evident that the current housing land supply position in Horsham is acute, and the uncertainty surrounding the progress of the new Local Plan means that this situation will continue.
- 6.17 As set out within paragraph 6.13 above, the inspector within the Horsham Golf Club appeal decision at paragraph 58 reaffirms this position, stating that the settlement boundaries in the HDPF are out of date, and that the use of Policy 26 to restrict housing development outside settlement boundaries is not consistent with the NPPF.

- 6.18 Furthermore, it is highlighted that the Horsham Golf Club site does not directly adjoin a defined or proposed Built Up Area Boundary. As such, this appeal decision clearly indicates that the housing supply position would outweigh any non-compliance with the criteria set out within the Shaping Development in Horsham District guidance, and this should not in itself form the basis for refusal.
- 6.19 In this instance, it is not in dispute that the site does adjoin a defined built-up area boundary and is considered to be a sustainable location. While it is acknowledged that every application and site context should be considered on its own merits, taking into account the current situation of the Council in terms of its 5-year housing supply and the above examples, there is an expectation that a consistent approach is applied to decision making.
- 6.20 It is highlighted that the above permitted dwellings were located a significant distance away from any defined built-up areas. The above examples clearly show that notwithstanding the distances to the respective settlement boundaries, these boundaries are now considered to be out of date given the lack of 5-year housing supply. As such, the tilted balance is engaged and the principle of residential development in this location is acceptable.
- 6.21 The housing supply position of the Council is clearly deficient. 2no additional dwellings would contribute towards the much-needed supply of houses. Small sites can often be built out relatively quickly. There would be economic benefits arising from construction and spend in the local economy. Although these benefits are tempered by the small contribution that 2no dwellings would make in the context of the current circumstances, the additional dwellings would be valuable.
- 6.22 In addition to the above, it is reiterated that the re-designed dwellings submitted as part of this application would not result in landscape harm or impact on the character of the area.
- 6.23 Indeed, it is noted within the appeal decision relating to the previous refusal on site, at paragraph 23 the Inspector states that: “Neither the development plan policies nor the FAD (now the Shaping Development in Horsham District document) specifically identifies ‘backland’ sites as being unacceptable. As such, this is not something which in itself weighs against the scheme”. This will be expanded upon in the next section of this statement. Notwithstanding the above, even if some harm is identified, given the amended design, this would not be considered to result in a strong reason for refusal, as set out within Paragraph 11(d) of the NPPF.

- 6.24 In summary, given the lack of a 5-year housing supply, the location of the site close to the main town of Horsham, the site being designated as previously developed land, and relevant recent examples of housing developments permitted outside of settlement boundaries, including the conversion of existing rural buildings, and the resulting landscape enhancement that the development would achieve, the principle of residential development is therefore acceptable.

Design, Appearance, and Impact on the Setting

- 6.25 Policy 25 of the HDPF seeks to protect the natural environment and landscape character of the District, including the landform, development pattern, together with protected landscapes and habitats. Development will be required to protect, conserve, and enhance landscape and townscape character, taking account of areas or features identified as being of landscape importance, individual settlement characteristics and settlement separation. In addition, development will be supported where it maintains and enhances the Green Infrastructure Network.
- 6.26 Policies 32 and 33 of the HDPF require development to be of a high standard of design and layout. Development proposals must be locally distinctive in character and respect the character of their surroundings. Where relevant, the scale, massing and appearance of development will be required to relate sympathetically with its built-surroundings, landscape, open spaces and to consider any impact on the skyline and important views.
- 6.27 As set out above, the amended proposals for which planning permission is sought under this current application have been developed and formulated with regard to the previously refused scheme under planning reference DC/24/1101 and subsequent dismissed appeal.
- 6.28 The proposed dwellings have been re-designed to appear as modest, single-storey agricultural outbuildings. The proposed dwellings would have a significantly reduced height of approximately 3m when compared to the previously refused designs. The overall footprint and GIA of the proposed buildings are also significantly less than the previously refused design, addressing the view of the Inspector within the appeal decision at paragraph 16 that: “the buildings would be sizable structures and would unmistakably be read as residential dwellings”.

- 6.29 Given the overall scale and built form of the proposed dwellings, it is considered that they would not appear prominently and would not appear “visually intrusive”, as stated by the Inspector in the appeal decision at paragraph 17. Given the design, the proposals would appear more as historic ancillary outbuildings linked to the main dwelling at Brooklands. The proposals would be modest in nature and would not be incongruous in this setting, as referenced in the previous refusal.
- 6.30 Furthermore, it is again highlighted that the Inspector within the previous appeal did not consider that the backland development in itself weighed against the scheme. Given the amended design and overall scale and form of the proposals, as well as the character of existing backland development within the vicinity, the proposal would be in keeping with the prevailing character.
- 6.31 The proposed design and use of materials are highly appropriate to both the context and the traditional palette of materials found in Small Dole and the surrounding area. The single storey design and low ridge heights of the proposals, coupled with the existing boundary treatments, would ensure that the buildings would not appear as prominent additions, limiting any perceived harm to the landscape character.
- 6.32 Attention is drawn to the recently allowed appeal referred to above under reference DC/24/1486 (Appeal Reference APP/Z3825/W/25/3361339), which permitted a large new build dwelling sited in an open field. Within the delegated report for this application, the officer states that: “The application site would be viewed in the context of an open agricultural field, along with commercial and agricultural development. The application site is located within the immediate context of the commercial development, and whilst the proposed dwelling would be located within a narrow plot of land, it is not considered that the proposal in itself would result in harm to the landscape character and visual amenity of the area.

There are however some concerns regarding the design of the proposal. It is understood that given the wider site context, the design appears to be intended to appear as a converted agricultural barn such that from wider views it would reflect the built form to the north and would not be visually incongruous with this context in wider views of the application site”.

- 6.33 While it is acknowledged that each application needs to be considered on its own merits, taking into account the view of the Council in relation to the above referenced application when compared to the amended designs submitted as part of this application, the proposals are considered to have less of an impact on the landscape character, and would therefore be acceptable.
- 6.34 In any event, given the housing position of the Council, it is viewed that even if some harm is identified, the adverse impacts of granting permission would not significantly and demonstrably outweigh the benefits when assessed against the Framework as a whole.
- 6.35 Additional planting is proposed within the site as well as biodiversity enhancements, as detailed within the submitted ecology information which would serve to preserve and enhance the character of the site.
- 6.36 Overall, the proposals would represent appropriate development within this setting, overcoming the concerns raised within the previously refused application under planning reference DC/24/1101 and subsequent appeal, and would therefore be in accordance with Policies 25, 32 and 33 of the HDPF.

Neighbouring Amenity and Environment for Future Occupiers

- 6.37 Policy 33 of the HDPF states that permission will be granted for development that does not cause unacceptable harm to the amenity of the occupiers/users of nearby properties and land.
- 6.38 Given the relationship of the proposed dwellings, as indicated on the site plan provided, with neighbouring properties, it is considered that the proposals would not have a detrimental impact in terms of overlooking, overbearing or loss of light to neighbouring residential properties. In addition, it is contended that there would be no significant issues in terms of harmful noise or disturbance generated as a result of the proposed development, beyond that of the existing use of the site.
- 6.39 The proposals would be of an appropriate size and would comply with Nationally Described Space Standards (NDSS) and appropriate external amenity space would also be provided for future occupiers.
- 6.40 Overall, the proposed development would not result in demonstrable harm to neighbouring amenity and would therefore be in accordance with Policy 33 of the HDPF.

Parking and Highways

- 6.41 Policies 40 and 41 of the Horsham District Planning Framework relates to transport and parking, and states that more transport choice including community transport where appropriate will be encouraged, as well as a reduction in private car use and greater accessibility to more sustainable modes of transport. The district has a good rail network so the increased use of stations will be encouraged through better pedestrian and cycle links. Adequate parking and facilities must be provided within developments to meet the needs of anticipated users.
- 6.42 As detailed within the submitted plans, the proposed dwellings would be served by an existing access point on to New Hall Lane. The access is of an appropriate width, and given that New Hall Lane is a private road, there would be no issues in terms of highway safety, and the provision of 2no dwellings would not result in a marked increase in trips to and from the site which would be detrimental to the function of the highway network.
- 6.43 Sufficient parking spaces would be provided on site for dwellings of this size, and overall, the proposals would be acceptable in this regard.

Ecological and Biodiversity Considerations / Enhancements

- 6.44 Policy 31 of the HDPF states that –
- “Development will be supported where it can demonstrate that it maintains or enhances the existing network of green infrastructure. Development proposals will be required to contribute to the enhancement of existing biodiversity and should create and manage new habitats where appropriate. The Council will support new development which retains and/or enhances significant features of nature conservation on development sites. The Council will also support development which makes a positive contribution to biodiversity through the creation of green spaces, and linkages between habitats to create local and regional ecological networks”.
- 6.45 The application is supported by a detailed Preliminary Ecological Assessment (PEA), as well as proposals for ecological enhancements and Biodiversity Net Gain (BNG) on site.
- 6.46 The PEA sets out avoidance and mitigation measures to ensure that any identified habitats and species are not negatively impact on by the proposed development. The proposals include the provision of additional tree, hedge and shrub planting.

- 6.47 The PEA sets out that there were no structures which had features suitable for roosting bats. An oak tree present on site was assessed as having a PRF-I feature for roosting bats and should be retained where possible or subject to a check for bats and soft felling techniques prior to removal. In any event, it is proposed to retain this tree.
- 6.48 The habitats present on site have limited potential to support protected species and no further surveys are recommended. However, precautionary mitigation measures are recommended to ensure there are no negative impacts on protected species.
- 6.49 As such, the submitted details clearly indicate a significant enhancement to the site in this regard, where there would be no detrimental impact on habitats or protected species, in accordance with Policy 31 of the HDPF.

7. Summary and Conclusion

- 7.1 Overall, given the position of the Council with regard to its 5-year housing supply, the location of the site which adjoins a defined settlement boundary, the amended design of the proposals compared to the previous refusal and dismissed appeal and recent decisions relating to residential development outside of built-up areas, the proposal represents an appropriate form of development in this sustainable location. The development would also now fully comply with the criteria set out within the Shaping Development in Horsham District document, names that the site is within a defensible boundary and there would be harm to the landscape character.
- 7.2 There are no adverse impacts of granting permission which would significantly and demonstrably outweigh the benefits of 2no additional dwellings when assessed against the policies in the Framework taken as a whole. As a result, the presumption in favour of sustainable development should be applied and Paragraph 11(d) indicates that permission should be granted.
- 7.3 As such, while now considered to be out of date, the proposals would be in accordance with Policies 4, 25, 26, 31, 32 and 33 of the HDPF and therefore, the Local Planning Authority is respectfully requested to grant planning permission accordingly.