

22 January 2026



Director of Place  
Horsham District Council  
Parkside  
Chart Way  
Horsham  
RH12 1RL

### **3 ORCHARD CLOSE SMALL DOLE BN5 9YA APPLICATION FOR PERMISSION IN PRINCIPLE**

We apply for permission in principle for the erection of a single dwelling and associated development at this site.

Enclosed are:

- Application form
- Location plan
- Arboricultural survey and constraints
- Application fee £512.00 (to be paid by the applicant)

#### **Application site**

The application site is an approximately rectangular-shaped area of garden within a larger ownership comprised in 3 Orchard Close. The site includes access to the public highway, which would be gained via a short length of a private lane at the end of Tottington Lane, in other ownership. Most of the site is lawn with trees and hedges around the northern, eastern and southern boundaries. There is a garage and shed at the western end of the site which would be demolished.

On the remainder of the applicant's ownership there is the single-storey dwelling to the west and a workshop, sheds and trees to the east.

On the opposite side of the lane, to the north of the application site, is a caravan and camping site with hedge and trees on its southern frontage boundary. Adjoining to the

east is a public footpath and, beyond that, farmland. To the south, are the rear gardens of other single-storey dwellings on the east side of Orchard Close.

## **Proposal**

The proposal is the erection of one dwelling and associated development.

The design of dwelling, precise division of the ownership, between the existing and proposed dwellings, and layout of the site would be for subsequent determination.

## **Planning background**

The council's website shows various planning decisions in respect of the applicant's ownership.

- UB/39/97 Certificate of lawful development issued on 28 May 1998 for use of the workshop for conversion of camper vans.
- UB/59/00 Erection of new dwelling to replace commercial premises refused on 27 November 2000.
- UB/42/03 Erection of 1 detached dwelling (outline) refused on 23 Jul 2003 and appeal dismissed on 21 May 2004, largely because the site was outside the Built-up Area boundary.
- DC/06/3006 Single-storey rear extension permitted on 14 February 2007.
- DC/11/1238 New portal frame building for storage and packaging refused on 22 August 2011.

The Gov.UK website does not show the application site to be subject to flood risk. The Historic England website does not show any listed buildings or scheduled monuments on the site or in the surrounding area. The West Sussex County Council website does not show the site to be within an archaeological notification area. The district council's on-line TPO map does not show any preserved trees on or near the site.

## **Planning policy**

### Local plan 2015

The proposals map shows Built-up Area boundary adjoining the eastern side of the dwelling, with the application site outside but adjoining the boundary.

Policy 3 Strategic Policy: Development Hierarchy says that development will be permitted within villages which have defined Built-up Areas. Small Dole is categorised as a Smaller Village which have limited services and facilities and/or with some employment.

Policy 4 Strategic Policy: Settlement Expansion supports allows the expansion of settlements outside built-up area boundaries in certain circumstances.

Policy 26 Strategic Policy: Countryside Protection aims to protect rural character and undeveloped nature of the countryside.

Policy 32 Strategic Policy: The Quality of New Development requires high quality and inclusive design.

Policy 33 Development Principles provides criteria for development including efficient use of land, amenity of occupiers/neighbours and retention of natural features.

#### Horsham District Local Plan 2023-2040 (Regulation 19) January 2024

The proposals map shows the whole of the applicant's ownership included within the Built-up Area boundary.

Strategic Policy 2: Development Hierarchy says that development will be permitted within villages with defined Built-up Area boundaries, including on suitable previously developed land. Infilling is required to be of an appropriate nature and scale to maintain the characteristics and function of the settlement.

#### Shaping Development in Horsham District: Planning Advice Note (September 2025)

Paragraph 1.7 acknowledges that the council can demonstrate around only a one-year housing land supply, less than the five-year supply required by government.

Paragraph 5.12 says that the council will consider positively applications that meet all the criteria set out:

- The site adjoins the existing settlement edge as defined by the BUAB;
- The level of expansion is appropriate to the scale and function of the settlement the proposal relates to;

- The proposal demonstrates that it meets local housing needs or will assist the retention and enhancement of community facilities and services;
- The impact of the development individually or cumulatively does not prejudice comprehensive long-term development; and
- The development is contained within an existing defensible boundary and the landscape character features are maintained and enhanced.

#### Henfield Neighbourhood Plan 2017-2031 (May 2021)

The policy map shows the same Built-up Area boundary as the current local plan proposals map, in relation to the application site.

Policy 1: A Spatial Plan for the Parish says that development outside Built-up Area boundaries will be supported where they conform to national and local plan policies in respect of development in the countryside.

#### NPPF (December 2024)

The following paragraphs of the NPPF are relevant:

- 8 sustainable development
- 11 presumption in favour of sustainable development
- 61 significantly boosting the supply of homes
- 83 rural housing

### **Assessment**

Planning practice guidance says that the scope of permission in principle is limited to location, land use and amount of development.

#### Location

Owing to the substantial under-supply of housing sites, the council's policies for the location of housing are out of date and so the tilted balance in favour of granting permission is engaged. The site is not in an area of particular importance. Small Dole has a Built-up Area boundary and so is considered to be a sustainable settlement. The council is proposing to include the application site within the Built-up Area, thereby recognising the suitability of the location for development. The village has a shop/post office, pub, village hall, industrial estates and bus services. The proposal would make

effective use of the land providing additional housing. There would be no adverse impacts of granting permission which would outweigh the benefits.

The proposal would meet all the criteria of council's planning advice note. It would provide much needed housing which would support the facilities of the village and support services in other settlements nearby.

The application site is well related to adjoining buildings. There are hedges and trees to the north, east and south of the proposed dwelling site along the ownership boundaries. These screen the site and, in particular, provide clear separation from the open countryside beyond. The tree constraints plan shows there is adequate space within the site to develop a dwelling without impinging on the root protection areas of the trees in the ownership. The erection of an appropriately designed dwelling on this sheltered site, which is already maintained domestic garden, would protect the rural character and undeveloped nature of the countryside, meeting the criteria of local plan policy 26.

The location is not constrained by heritage assets, flood risk or preserved trees.

The proposal would be consistent with the locational aspects of NPPF paragraphs 8, 11 and 83 and with the council's planning advice note.

### Land use

The application site adjoins dwellings and is on the edge of the settlement (proposed for inclusion within the settlement), close to other dwellings. It is well related to the village centre and facilities. The use of the site for residential development would be appropriate and accord with NPPF paragraph 61.

### Amount of development

The size and shape of the site would allow the development of one dwelling, with space for parking and turning, in accordance with local plan policies 32 and 33.

### **Conclusion**

The proposed location, land use and amount of development would be in accordance with NPPF paragraph 11, with local plan policy, which is not deemed out of date, and with other NPPF policy. There are no material considerations which would indicate a different decision.

If you have any questions about this application, please contact Roy Speer.

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