

## MME PLANNING SERVICES

Permission in Principle (PIP) application for the demolition of existing buildings and erection of up to 9no single storey dwellings.

at

Delta, Shoreham Road, Small Dole, Henfield, BN5 9YG

Planning Statement

Ref: P-030d

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Version 1

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*Figure 1: Site Location / Red Line Area*

## **Contents**

Contents .....	.....
1. Introduction .....	1
2. Site, Surroundings and Background.....	1
3. Planning History.....	2
4. Proposals .....	3
5. Planning Policy .....	5
6. Planning Considerations.....	7
7. Summary and Conclusion .....	14

## **1. Introduction**

- 1.1 We are instructed to prepare and submit Permission in Principle (PIP) application for the demolition of all buildings and erection of up to 9no single storey dwellings at Delta, Shoreham Road, Small Dole, Henfield, BN5 9YG.
- 1.2 While it is noted that the application is submitted as a PIP, where matters in relation to location of the site, the type of land use proposed and the amount of development are the only considerations, this statement sets out the proposed scheme with regard to the following aspects: the planning history of the site, the development proposals, the relevant planning policy, the planning merits of the scheme and how the proposals comply with the Council's policies.
- 1.3 Again, while it is noted that the full details of the proposal are reserved for later consideration under the technical details consent stage, this application also seeks to address some of the matters raised under 3no recent refusals, reference numbers DC/24/1912, DC/24/1913 and DC/24/1933.

## **2. Site, Surroundings and Background**

- 2.1 The application site is located to the western side of Shoreham Road, with part of the site located within the defined built-up area boundary of Small Dole. Small Dole is identified as a smaller village within the Horsham District Planning Framework (HDPF), with limited services, facilities, and social networks but with good accessibility to larger settlements. There are bus stops located along 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.
- 2.2 The wider site of Delta comprises a detached 3-bed bungalow, detached garage and various outbuildings and agricultural buildings located to the rear / west of the main dwelling. The site is flanked on both sides to the north and south by existing residential development running along Shoreham Road. Further to the south towards the centre of Small Dole, it is apparent that there is a mixture of dwellings, including detached, semi-detached and terraced properties sited along Shoreham Road.
- 2.3 The application site consists of part of an enclosed field to the west of buildings on site, which is bounded on all sides by extensive and mature hedging and foliage.

2.4 The proposed red line area, as indicated on the submitted plans, extends to some 0.76ha. There are 2no existing accesses serving the site from Shoreham Road. The surrounding area consists of fields and paddocks to the west and further to the north.

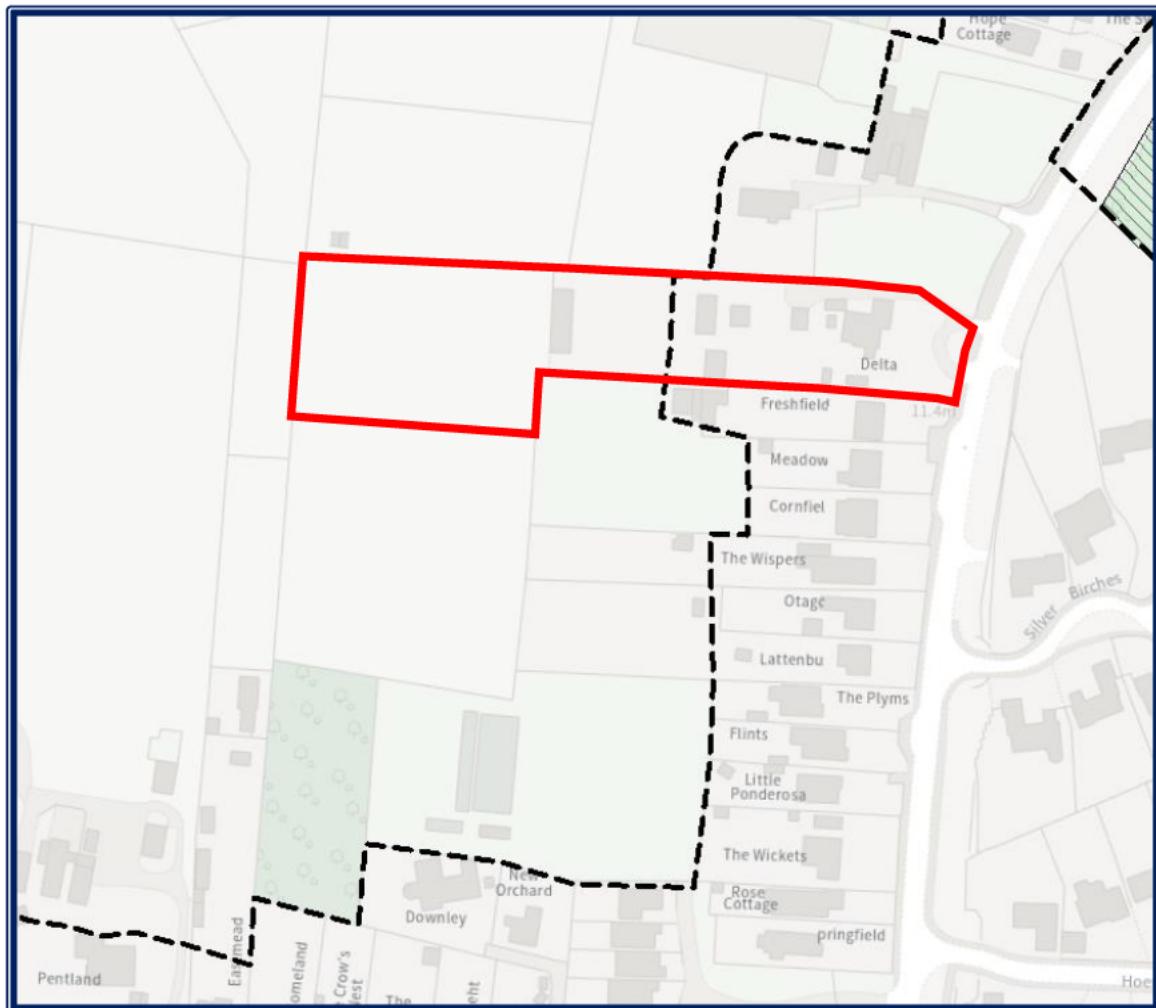


Figure 2: Plan showing the relationship of the site with the Built-Up Area Boundary (dashed black line).

### **3. Planning History**

3.1 Planning Application – Ref: DC/21/2465 – Demolition of existing store/chicken shed. Erection of a single storey dwelling with a detached garage/car port – Decision: Refusal, 01/04/2022.

Prior Notification – Ref: DC/22/2293 – Prior Notification for the change of use of an agricultural building to residential (Class C3) to form 1No. dwellinghouse – Decision: Prior Approval Required and Permitted, 31/01/2023.

Prior Notification – Ref: DC/23/0449 – Prior Notification for change of use of an agricultural building to residential (Use Class C3) to form 1no dwellinghouse – Decision: Prior Approval Required and Refused, 04/05/2023.

Reg 77 / HRA Application – Ref: HRA/23/0011 – Regulation 77 of the conservation of habitats and species Regulations 2017 in respect of Prior Approval DC/22/2293 – Decision: Approval ,15/04/2024.

Discharge of Condition / Approval of Details Application – Ref: DISC/24/0009 – Application for Approval of Details Reserved by Condition 1a to approved application DC/22/2293 – Decision: Approval, 12/03/2024.

Planning Application – Ref: DC/24/1912 – Outline Application for the demolition of existing dwelling and erection of 4no self-build dwellings with all matters reserved – Decision: Refusal, 10/03/2025.

Planning Application – Ref: DC/24/1913 – Outline Application for the demolition of existing buildings and erection of 2no self-build dwellings with all matters reserved – Decision: Refusal, 10/03/2025.

Planning Application – Ref: DC/24/1933 – Outline application for the erection of 7No self-build dwellings with all matters reserved – Decision: Refusal, 10/03/2025.

3.2 As detailed above, prior approval has been granted for the change of use of one of the barns to the rear of the dwelling at Delta to 1no dwelling under reference DC/22/2293 in 2023. This barn is located outside of the defined built-up area boundary along the western boundary of the site / red line area, as detailed within the submitted plans and Figures 2 and 3, however the development has been proven to be water neutral and the pre-commencement condition attached to this prior approval permission has been discharged, as detailed in paragraph 3.1 above.

#### **4. Proposals**

4.1 As detailed above, PIP is sought for the demolition of the existing buildings on site and erection of up to 9no single storey dwellings. The proposals, while full and final specifications would be reserved for the technical details stage, would consist of single storey dwellings, which is considered to be in keeping with the majority of dwellings to the south of the site along Shoreham Road.

4.2 As evident from the submitted indicative plans, the site is partly located within the defined built-up area. The location of the site is therefore considered to be appropriate for housing. The proposed use of the site for residential purposes is also considered to be acceptable given existing residential properties to the south, north and east of the site on the opposite side of Shoreham Road. The indicative site plans provided show how up to 9no dwellings would be comfortably accommodated on the site.



Figure 3: Indicative Site Plan

## 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 Wales 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 only limited 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:

5.8 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 38 - Strategic Policy: Flooding
- Policy 40 - Sustainable Transport
- Policy 41 - Parking

#### Henfield Neighbourhood Plan (HNP) (2021)

5.9 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)

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

- Facilitating Appropriate Development – Specifically Paragraph 5.7
- Biodiversity and Green Infrastructure

## **6. Planning Considerations**

### Location of Site

- 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 is partly located within the defined built-up area boundary of Small Dole. The section of the site outside of the built-up area 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 In addition to the above, Policy 1: A spatial plan for the parish of the HNP steers new housing development to within the defined settlements of the Parish, including Small Dole, which the application site is partly within.
- 6.4 Notwithstanding the above, the Council is currently unable to demonstrate a five-year housing land supply, with the latest Authority Monitoring Report (January 2024) detailing a supply of only 2.9 years. Therefore, the tilted balance contained in paragraph 11(d) of the NPPF is engaged.
- 6.5 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.
- 6.6 Moreover, given the site location partly within the defined built-up area of Small Dole, the site is considered to be in close proximity to 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 (bus stop located a short distance away from the site to the south) to Henfield to the north and Upper Beeding to the south.

6.7 It is therefore considered that there is opportunity for future residents of the indicative proposals 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.

6.8 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 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.

6.9 Section 5 of the FAD document provides advice as to how the Council will continue to facilitate appropriate development. Specifically, Paragraph 5.7 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 site is located partly within the defined settlement boundary of Small Dole and would therefore comply with this 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 up to 9no dwellings, where there are existing dwellings located to the south / south-west beyond the defined BUAB boundary. 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 and given that the FAD post-dates the Neighbourhood Plan, the proposal would deliver sustainable and appropriate housing development, which takes into account 'established character', as required by paragraph 5.14 of the FAD. The indicative plans also show an appropriate mix of dwelling sizes which could be accommodated on site. The above criteria is therefore met.

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

The proposal is for up to 9no dwellings of an appropriate scale, which would make a positive contribution to the Council's housing numbers. Given the scale and nature of the indicative development and the surrounding context, the proposal would not individually or cumulatively prejudice comprehensive long-term development, as it effectively represents windfall development, with part of the site located within the built-up area.

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

The indicative dwellings would be comfortably contained within the site area which is bounded by mature and established boundary hedging and foliage. The existing landscape features to the west of the site would be retained acting to preserve the rural and soft landscaped character of the site, given the indicative single storey designs of the dwellings and the extent of the proposals.

6.10 The above criteria set out within paragraph 5.7 of the FAD 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 FAD and the HDPF and would therefore represent appropriate residential development in this location.

6.11 In addition to the above, and as set out at paragraph 3.2, the existing building towards the western portion of the site, outside of the defined built-up area, benefits from Class Q Prior Approval permission under planning reference DC/22/2293, which established the change of use / conversion of the building to form 1no dwelling. This is a significant material consideration in the determination of this current planning application.

6.12 Furthermore, the Prior Approval permission has been shown to be water neutral and the pre-commencement condition attached to application reference DC/22/2293 has been discharged. The presence of the Prior Approval for residential use of the existing building on site, which could still be implemented, represents a viable and realistic fall-back position, were the current application to be refused. A refusal of the current application would not therefore prevent the introduction of a dwelling(s) outside of the defined built-up area boundary.

6.13 It is therefore considered that refusal of the application on the basis of the conflict with Policies 4 and 26 of the HDPF would not be warranted and would not prevent a dwelling(s) from being created on the site, outside of the built-up area boundary. On this basis, the location for residential development would be acceptable.

6.14 Lastly, it is noted that there are a number of recent decisions which have granted residential developments outside of the defined built-up areas. 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 in April 2024.

6.15 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".

6.16 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.

6.17 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.

6.18 Up to 9no additional dwellings would contribute significantly 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.

6.19 In summary, given the lack of a 5-year housing supply, the location of the site partly within the built-up area of Small Dole, compliance with the FAD, and relevant recent examples of housing developments permitted outside of settlement boundaries, the location of the site for housing is considered to be acceptable.

The type of land use proposed

6.20 As detailed above, the application proposes the use of the site for residential development. The proposed use of the site for residential purposes is also considered to be acceptable, given existing residential properties to the south, north and east of the site on the opposite side of Shoreham Road.

6.21 Policy 3 of the Horsham District Planning Framework (HDPF) states that development will be permitted within towns and villages which have defined built-up areas. Any infilling will be required to demonstrate that it is of an appropriate nature and scale to maintain characteristics and function of the settlement, in accordance with the settlement hierarchy.

6.22 Policy 1: A spatial plan for the parish of the HNP steers new housing development to within the defined settlements of the Parish, including Small Dole, which the application site is partly within.

6.23 These policies seek to prioritise appropriate development, including infilling, redevelopment, and conversion, within built-up area boundaries, with a focus on brownfield land. Proposals will need to ensure that development is of a scale that can retain the character and role of the settlement in terms of the range of services and facilities and community cohesion.

6.24 The direct surroundings of the site to the south, north and east, and the wider locality of Small Dole, is characterised primarily by residential development. While it is recognised that part of the application site sits within a back land setting, the site is well contained with extensive foliage to the boundaries. This position is further enhanced by the compliance of the scheme with the FAD and the fall-back position, as well as the Council's housing land supply position, as set out above.

6.25 Given the spatial context of the site, which sits within close proximity to a number of residential dwellings, it is considered that a residential use would be an appropriate use of the site. In addition, given the location of the site within the built-up area boundary, where development is considered acceptable in principle, it is considered that the site is appropriate for development.

6.26 The application site lies partly within the built-up area of Small Dole, with the application seeking to develop the site for residential purposes. Such development and use is considered to be commensurate with the character and uses within the immediate and wider vicinity, and would therefore represent an appropriate form of development.

#### The amount of development

6.27 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.

6.28 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.

6.29 Policy 12 of the Henfield Neighbourhood Plan states that as appropriate to their scale, nature and location development proposals will be supported where their design and detailing meet the relevant requirements in the Henfield Parish Design Statement. In addition, as appropriate to the site concerned, development proposals should comply with the following criteria:-

- a) The design respects the amenities of occupiers/users of nearby property and land.
- b) The design achieves satisfactory access without harming the amenities of neighbouring properties and residents.
- c) The scale, density, massing, height, landscape design, layout and materials of all development proposals, including alterations to existing buildings, are of a high quality and reflect the architectural and historic character and the scale of the surrounding buildings and street-scene/ landscape.
- d) The design preserves or enhances the character or appearance of the Henfield Conservation Area and/or preserves any adjacent listed buildings and its setting.

6.30 The application site measures to an area of approximately 0.76 hectares. The wider surroundings are generally characterised by detached bungalows and chalet style bungalows set within varying sized plots. While reserved for later consideration, the proposed dwelling would be of a single storey design to respect this prevailing character and limit any perceived landscape harm, with the extensive soft landscaping enclosing the site, ensuring that the indicative built form would not appear prominently.

6.31 To the front of the site, the 2no dwellings fronting on to Shoreham Road would be in keeping with the layout, configuration and scale of the neighbouring properties to the south, with these dwellings appearing most prominently from public vantage points. As detailed above, given the proposed single storey nature of the dwellings, the dwellings located towards the west of the site would not be visible or prominent from public vantage points.

6.32 The indicative plans clearly show that the quantum of development would be appropriate, with the proposed dwellings comfortably accommodated within the site area. The indicative plans also show a linear pattern of development from east to west, which mimics the layout of the existing built form on site. The proposals would not result in built form encroaching to the west beyond that of existing development located further to the south, where there are also examples of back land development present.

6.33 The indicative plans also indicate that sufficient space would be available for an appropriate build pattern, vehicular access, and gardens, and that existing landscape features such as trees within the site, would be retained. The indicative proposals would also be acceptable in terms of neighbouring amenity. Furthermore, the indicative proposals also show an appropriate mix of dwelling sizes ranging from 2no to 4no bedrooms.

6.34 It is considered that the application site could accommodate between 5-9 dwellings comfortably, with the site capable of providing an appropriate layout and configuration. As detailed above, part of the site is located within the built-up area, and there are a number of existing buildings present on site. It has been identified that development adjoining built-up areas is appropriate, in accordance with the FAD document. As set out above the site is contained within defensible boundaries with the development continuing the linear pattern of development within the site from east to west with dwellings consisting of a single storey design. It is considered that the indicative proposals would not harm the landscape character or visual amenities of the locality.

6.35 Overall, the indicative proposals would represent appropriate development within this setting and would be in accordance with Policies 25, 32 and 33 of the HDPF.

#### Water Neutrality

6.36 The application site falls within the Sussex North Water Supply Zone as defined by Natural England which draws its water supply from groundwater abstraction at Hardham. Natural England has issued a Position Statement for applications within the Sussex North Water Supply Zone which states that it cannot be concluded with the required degree of certainty that new development in this zone would not have an adverse effect on the integrity of the Arun Valley SAC, SPA and Ramsar sites.

6.37 Natural England advises that plans and projects affecting sites where an existing adverse effect is known will be required to demonstrate, with sufficient certainty, that they will not contribute further to an existing adverse effect. The received advice note advises that the matter of water neutrality should be addressed in assessments to agree and ensure that water use is offset for all new developments within the Sussex North Water Supply Zone.

6.38 The application is supported by a detailed Water Neutrality Statement which sets out through the use of efficient fixtures and fittings and rainwater harvesting using the roof areas of the proposed dwellings / buildings, that the proposed development would be water neutral. Full details are set out within the Water Neutrality Statement and are not repeated in this statement to avoid duplication of the information.

6.39 The grant of PIP would not therefore adversely affect the integrity of these sites or otherwise conflict with Policy 31 of the HDPF, NPPF paragraph 180 and the Council's obligations under the Conservation of Habitats and Species Regulations 2017.

## **7. Summary and Conclusion**

7.1 Overall, given the position of the Council with regards to its 5-year housing land supply, the location of the site partly within a settlement boundary, the uses within the immediate and wider vicinity, the appropriate quantum of dwellings proposed and recent decisions relating to residential development outside of built-up areas, the proposal represents an appropriate form of development in this location.

7.2 It is considered that the application site could comfortably accommodate a range of development of between 5-9 dwellings. The indicative proposals would be acceptable in terms of design and impact on the setting, and would not appear prominently within this context given the residential nature of the surroundings. The proposed development would also be water neutral, as evidenced within the submitted supporting information.

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 asked to grant PIP accordingly.