

Planning Statement

Land at Oxcroft Farm, Henfield Road, Small Dole

Permission in Principle application for residential development on part of the site

Land at Oxcroft Farm, Henfield Road, Small Dole

Planning Statement
on Behalf of
The Trustees of E G Collins

September 2025

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Prepared by: LDS/PR

Checked by: PR

Date: 19th August 2025

FINAL

Prepared by: PR

Checked by: LDS

Date: 3rd September 2025

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1. Introduction

- 1.1 This statement has been prepared on behalf of The Trustees of E G Collins in respect of the submission of a Permission in Principle (PiP) application for the residential development of up to 9no. dwellings on land at Oxcroft Farm, Henfield Road, Small Dole.
- 1.2 A PiP application is a 2-stage process. The first stage (PiP) establishes whether a site is suitable in principle, the scope of the considerations for a PiP is limited to location, land use and the amount of development permitted. If the PiP is granted then all other matters are considered as part of the second stage, which is known as a technical details consent application.
- 1.3 It is noted that an LPA cannot grant PiP for 'habitats development' which is "development which is likely to have a significant effect on a European Site (either alone or in combination with other plans or projects) and is not directly connected with or necessary to the management of the site."
- 1.4 Recent case law has confirmed that water neutrality is not a matter for the second stage of PiP (technical details consent application), as in short it is an aspect of location, and therefore a stage one PiP issue. The statement therefore considers the site and surrounding area, planning history, the scheme itself, relevant planning policy including water neutrality, and an appraisal of the scheme in light of these considerations. It concludes that the proposal is a carefully considered scheme that complies with development plan policy and the National Planning Policy Framework.

2. The Site and Surroundings

2.1 The application site is located on the western side of Henfield Road, within the village of Small Dole. The application site area in total extends to approximately 5471m² (0.547ha) in total.

2.2 The application site is a brownfield site comprising of hardstanding and various shelters and buildings which are used in connection with the wider agricultural use of the farm.

2.3 The application site is flanked to the north by the wider agricultural land of Oxcroft Farm, to the northeast there is a pair of semi-detached properties, to the east runs Henfield Road and beyond is Mackley Industrial Estate. To the south of the application site is an access road and beyond a former landfill site, part of which has recently been granted planning permission for the installation of a Solar PV Panel array. There are therefore a mixture of residential properties, agricultural farmland, and other uses such as the Village Hall, a Pub and Industrial Estate in the surrounding area. The wider context of the site can be seen in the image below.



Approximate site boundary outlined in red. Image taken from Google Maps



- 2.4 The site is adjacent to the built-up-area boundary of Small Dole which runs alongside Henfield Road, and the site is not subject to any other character or environmental designations nor does it lie in an area prone to flooding.
- 2.5 The nearest neighbouring dwellings are Nos 1 & 2 Henfield Road, which abut this site to the northeast. The boundaries of the site feature strong edgings of close boarded timber fencing and trees, shrubs and hedges which help to screen views of the site from the neighbouring dwellings and the wider surrounding area.
- 2.6 There are bus stops located approximately 60m south of the site (around a 1-minute walk). These stops serve several bus services which run frequently (hourly or more) and provide connections to Burgess Hill town centre, Horsham, Henfield Storrington, Pulborough and Worthing. There are also further bus stops to the north of the site located approximately 250m from the site which are accessible by public footpath from the site.
- 2.7 The services and facilities of Small Dole are all within 500m of the site. These include; a general village store, Post Office, Playing Fields and Skate Park, a Public House, and the Key Employment site of Mackley Industrial Estate.

3. Planning History

Historic application

- 3.1 There was a previous refusal for an application (ref: UB/27/90) for a Haulage and agricultural contractors depot and portacabin offices in 1990.
- 3.2 There are no other relevant planning applications or planning history for the site on the Council's Planning webpages.

4. The Scheme

- 4.1 Planning in Principle (PiP) is sought for the demolition of the existing buildings on site and the erection of 9no. dwellings. As set out in paragraph 1.2 above, the scope of the considerations for a PiP is limited to location, land use and the amount of development permitted.
- 4.2 The scheme proposes residential development of the site comprising 9no. dwellings. Whilst the full details and final specifications of the scheme would be reserved for the technical details stage, the proposal would comprise of a mixture of semi-detached and detached dwellings which would be in keeping with the character of the surrounding residential properties.
- 4.3 An Indicative layout plan has been submitted in support of the application and demonstrates how the application site could comfortably accommodate 9no. units.
- 4.4 Although not for consideration at PiP stage the site is currently accessed via an access lane in the southern end of the site and served from a further access onto Henfield Road. The applicant has undertaken further work on the potential for a new access to the site and this work has concluded that a new access point could be constructed opposite the junction serving Mackleys Industrial Estate on Henfield Road, and this has the initial support of West Sussex County Council.

5. Planning Policy Context

5.1 A key role of the planning system is to regulate the development and use of land in the public interest. At the heart of the planning framework are statutory Development Plans which seek to guide the decision-making process. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that, where the Development Plan contains relevant policies, an application for planning permission should be determined in accordance with the Development Plan, unless material considerations indicate otherwise.

5.2 In this case, the Development Plan comprises of the following:

- (i) The Horsham District Planning Framework (HDPF), which was adopted November 2015
- (ii) Facilitating Appropriate Development (FAD), which was published October 2022
- (iii) The Upper Beeding Neighbourhood Plan (HNP), which was made by Horsham District Council on 23rd June 2021.
- (iv) The National Planning Policy Framework (NPPF) (December 2024)
- (v) The application proposal must also be considered against national planning guidance where such guidance is material to the consideration of the application.

Horsham District Planning Framework (2015) (HDPF)

5.3 The HDPF was adopted by the Council in November 2015. This document provides the strategic planning policy framework for the District over the plan period 2011- 2031.

5.4 Due to the fact that the HDPF is over 5 years old those policies within the HDPF which relate to housing delivery are considered out of date, nonetheless, it is considered prudent to list all Local Plan policies considered relevant to the proposed development, and these are set out below.

5.5 Policy 1 (Sustainable Development), this policy states that the Council will take a positive approach to development which reflects the presumption in favour of sustainable development.

5.6 Policy 2 (Strategic Development). This policy sets out the Council's strategic approach to development which generally encourages new development to take place within built up area boundaries in sustainable locations in accordance with the Settlement Hierarchy.

5.7 Policy 3 (Development Hierarchy) sets out the characteristics and functions of settlements and sets out a settlement hierarchy on this basis. Henfield is listed as a Small Town / Larger Village, which is the second tier of settlement behind the main town of Horsham. The policy advises that these settlements have a good range of services and facilities, strong community networks and local employment provision together with reasonable rail and / or bus

services. These settlements act as hubs for smaller villages to meet their daily needs, but also have some reliance on larger settlements / each other to meet some of their requirements.

- 5.8 Policy 4 (Settlement Expansion) relates primarily to areas outside of built-up-areas and explains this land is considered to be in the countryside where development will be more strictly controlled. However, it also recognises that, in order to allow some communities to grow and thrive, it will be necessary for them to be able to expand beyond their current built form. It states that in these cases development can be bought forward by allocating sites in the Local Plan, or in Neighbourhood Plans.
- 5.9 Policy 15 (Housing Provision) sets out the number of homes to be delivered over the plan period and the broad distribution of these homes in the District. This policy advises that provision is made for the development of a minimum of 16,000 homes, and that 1,500 of these are provided through allocations in Neighbourhood Plans. Given that this policy relates to housing delivery and is based on out-of-dates housing need figures it is considered to be out of date and as such limited weight can be given to it.
- 5.10 Policy 25 (The Natural Environment and Landscape Character) sets out that the natural environment and landscape character of the District will be protected against inappropriate development. Proposals that protect and enhance landscape character, maintain green infrastructure and enhance biodiversity will be supported.
- 5.11 Policy 31 (Infrastructure and Biodiversity) advises that development proposals are expected to contribute to the enhancement of existing biodiversity and should create and manage new habitats where appropriate. The policy does not set out any biodiversity net gain requirements.
- 5.12 Policy 32 (The Quality of New Development) states that good design is a key element in sustainable development, and seeks to ensure that development promotes a high standard of urban design, architecture and landscape.
- 5.13 Policy 33 (Development Principles) states that development proposals should make efficient use of land, integrate effectively with the character of the surrounding area, use high quality and appropriate materials, landscaping where feasible (and mitigate loss if necessary) and ensure no conflict with the character of the surrounding town or landscape.
- 5.14 Policy 35 (Climate Change) requires that development mitigates to the impacts of climate change through measures including improved energy efficiency, reducing flood risk, reducing water consumption, improving biodiversity and promoting sustainable transport modes.
- 5.15 Policy 37 (Sustainable Construction) states that proposals must seek to improve the sustainability of development.

5.16 Policy 38 (Flooding) confirms that Priority will be given to development sites with the lowest risk of flooding. The development will be safe and flood risk will not be increased elsewhere.

5.17 Policy 40 (Sustainable Transport) states that to manage anticipated growth in demand for travel, development proposals that promote improved and integrated transport networks are encouraged. Development will be supported if, amongst other criteria, it provides safe and suitable access for all vehicles, including pedestrians, and is located in an area where there is a choice of modes of transport available.

5.18 Policy 41 (Parking) requires adequate parking facilities be provided within developments to meet the needs of future users. Consideration should be given to the needs of cycle parking, motorcycle parking, charging plug-in or other low emission vehicles and the mobility impaired.

5.19 Policy 42 (Inclusive Communities) notes that is important that development should contribute towards meeting the needs of all sections of the community and help encourage social cohesion. The policy advises that positive measures which help create a socially inclusive and adaptable environment for a range of occupiers and users to meet their long term needs will be encouraged and supported.

Facilitating Appropriate Development (FAD)

5.20 In light of the Council's inability to demonstrate a 5-year supply of deliverable housing sites, the Council published the FAD in October 2022. This document now forms a material planning consideration in decision making. It is noted however that the advice contained in the FAD is guidance only and does not form policy, and does not alter the statutory decision-making framework.

5.21 The FAD sets out the weight that can be given to current and emerging local policy. For development proposals located outside the defined Built-Up Area Boundary, the FAD (at paragraph 5.7) echoes the requirements of HDPF Policy 4 and states that applications will be considered positively provided that all of the following criteria are met:

- The site adjoins a Built-Up Area Boundary
- The level of expansion is appropriate to the related settlement
- The proposal meets local housing needs
- The impact does not prejudice long term development
- The development is within an existing defensible boundary

Upper Beeding Neighbourhood Plan (UBNP)

5.22 The Upper Beeding Neighbourhood Plan (UBNP) was formally 'made' on 23rd June 2021. The UBNP allocated a total of 4 sites for development. The application site forms part of a wider site which is allocated for the

development of around 20 houses under Policy 2 and Policy 4 of the Upper Beeding Neighbourhood Plan (UBNP).

5.23 In accordance with paragraph 14 of the NPPF, due to the fact that the HNP is less than 5 years old and allocates sites for housing development, the policies within which relate to housing delivery are given added protection under the NPPF.

National Planning Policy Framework (2024) (NPPF)

5.24 The National Planning Policy Framework sets out the Government's planning policies for England and how these are expected to be applied. The NPPF must be taken into account in the preparation of local and neighbourhood plans, and is a material consideration in planning decisions.

5.25 Paragraph 7 of the NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. Paragraph 8 sets out the 3 objectives to sustainable development: social, economic and environmental.

5.26 Paragraph 9 advises that these objectives should be delivered through the application of policies in the Framework, and that they are not criteria against which every decision can or should be judged. Decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.

5.27 Paragraph 10 indicates that in order to pursue sustainable development in a positive way, a presumption in favour of sustainable development is at the heart of the National Planning Policy Framework.

5.28 Paragraph 11 states that, for decision-taking, this means:

- Approving development proposals that accord with an up-to-date development plan without delay; or
- Where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - The application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

- 5.29 Paragraph 12 confirms that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making, and advises that where a proposal conflicts with an up-to-date development plan (including any neighbourhood plans that form the development plan) permission should not usually be granted.
- 5.30 Paragraph 14 goes on to say that in situations where the presumption (at paragraph 11d) applies to applications involving the provision of housing that conflicts with the neighbourhood plan will only be relevant if the neighbourhood plan was 'made' five years or less ago, and the neighbourhood plan contains policies and allocations to meet its identified housing need.
- 5.31 Paragraph 30 notes that "Neighbourhood planning gives communities the power to develop a shared vision for their area."
- 5.32 Paragraph 73 identifies that small and medium sites can make an important contribution to the housing requirement in an area, and are often built-out relatively quickly.
- 5.33 Section 11 refers to making effective use of land, paragraph 124 within this section states that planning decisions should promote an effective use of land in meeting the need for homes. Paragraph 125 c) states that planning decisions should give substantial weight to the value of using suitable brownfield land within settlements for homes and promote the development of under-utilised land and buildings.
- 5.34 Paragraph 195 confirms that the presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site.

6. Scheme Appraisal

6.1 This section of the Planning Statement provides an assessment of the relevant considerations of a PiP application.

6.2 The principal matters for consideration in relation to this PiP application are:

- The principle of development
- The location of development
- The Type of development (land use)
- Amount of development
- Water Neutrality

The principle of the proposal

6.3 Section 38(6) of the Planning and Compulsory Purchase Act 2004 (PCPA 2004) states 'If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise'.

6.4 Development should therefore be determined in accordance with the Local Plan unless material considerations indicate otherwise.

6.5 Currently for the purposes of Section 38(6) of the PCPA 2004, the current development plan for the area in which the application site is located comprises of the Horsham District Planning Framework (2015) (HDPF) and the Upper Beeding Neighbourhood Plan (2021) (UBNP).

6.6 Due to the fact that the HDPF is over 5 years old, and the Council cannot demonstrate a 5-year housing land supply, those policies within the HDPF which relate to housing delivery are considered out of date, and the weight to be afforded to them is diminished. Nonetheless, it is considered prudent to set out these policies.

6.7 Policy 2 of the HDLP sets out the spatial strategy for the District to 2031. It confirms that development will be primarily focussed on the highest tier settlement of Horsham but acknowledges that growth will also be acceptable within the District in accordance with the settlement hierarchy. It also supports in principle the sustainable development of settlements, providing that any proposal maintains the existing settlement patterns.

6.8 The policy also encourages the effective use of land by reusing land that has been previously developed (brownfield land). It also sets out high level policy aims in relation to environmental, economic, and social considerations, including the protection of areas of landscape value, enhancing the natural environment, and providing housing to meet local needs. As will be

highlighted further below, the application scheme is considered to comprise sustainable development and therefore complies with Policy 2 in this respect.

- 6.9 Policy 4 of the HDPF recognises that in order to allow some communities to grow and thrive, it will be necessary for them to be able to expand beyond their current built form. It states that in these cases development can be brought forward by allocating sites in the Local Plan, or in Neighbourhood Plans.
- 6.10 The application site forms part of a wider site which is allocated for residential development of around 20 houses under Policy 4 of the Upper Beeding Neighbourhood Plan.
- 6.11 The principle of residential development on the site is therefore established and is supported by Policy 4 of the HDPF and Policy 4 of the UBNP.

Location of the Site

- 6.12 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.
- 6.13 The site is outside of but adjacent to the defined built-up area boundary of Small Dole, however, the site a brownfield site forming part of a larger site which is allocated for development within the UBNP for residential development. As a result, the principle of residential development in this location would comply with the requirements of Policies 2 and 4 (Settlement Expansion) of the HDPF, as well as Policy 4 of the HNP.
- 6.14 The site is considered to be in close proximity (within 500m) of a number of the services and facilities within the village of Small Dole, such as a Pub, a shop, and playing fields all within a short walking distance. The site is also within very close proximity to public transport links, with bus stops located 60m to the south and 250m to the north of the site. these bus stops provide links to Worthing, Burgess Hill and Horsham and destinations in between these locations.
- 6.15 The majority of the roads to the north of the site have footways provided and are street lit and subject to a 30mph speed limit. Overall, there is relatively good footpath connectivity, providing a suitable walking environment for future residents of the site. The site is located in a relatively easily accessible area with good footpath connectivity providing sustainable walking access. It is therefore considered that there is a very likely opportunity for residents of the proposed scheme to access the facilities within the village and surrounding towns and villages by sustainable modes of transport and that they would not be unduly reliant on the use of private

vehicles for day-to-day needs. The site is therefore considered to be sustainably located.

The type of development (Land Use)

- 6.16 The application proposes the use of the site for residential development of 9no. dwellings. The proposed land use of the site for residential purposes is acceptable given its allocation for such land use in the UBNP.
- 6.17 The proposal would be located on the brownfield part of the site and therefore the removal of the existing buildings and hardstanding on site would be required to facilitate any development of the site.
- 6.18 The wider context and character of the surroundings of the site is considered to be mixed, but predominantly residential in nature. The direct vicinity of the site, particularly northwards is mostly residential in nature. As such it is considered that the residential use of the site would be commensurate with the character and land uses within the immediate and wider locality, it would therefore be considered an acceptable and appropriate form of development and land use in this context.

Amount of development

- 6.19 A PiP application cannot be granted for proposals which would be a form of 'major development'. The proposal complies with this requirement in that it proposes a total of 9no. dwellings and is therefore not classed as major development.
- 6.20 The application site measures 0.547ha but forms part of a wider site allocation of a total of 1.31ha which is allocated in the UBNP for residential development of around 20 homes. It should be noted that Government Guidance within the NPPG confirms that a PiP application can be applied for on a part of a larger site (ref: NPPG para 050 Ref ID: 58-050-20190315).
- 6.21 An illustrative layout plan is submitted in support of this application which helps to demonstrate how the application site can accommodate 9no. dwellings, and also how the wider site can comfortably accommodate additional dwellings in accordance with the allocation set out in Policy 4 of the UBNP. This illustrative layout is for information purposes and not for consideration as part of the application, however, this plan clearly demonstrates that the application site and the wider site would be capable of providing an appropriate layout and configuration for up to 29no. units. It should be noted on this point that the allocation in policy 4 of the UBNP is for around 20 homes, but the UBNP notes at 7.33 that "the site may be capable of accommodating more houses than the number anticipated in the policy. This will be a detailed matter for Horsham District Council to determine on a case-by-case basis."

6.22 Paragraph 68 of the NPPF acknowledges small and medium sites can make an important contribution to meeting the housing requirement of an area and are often built-out relatively quickly. The redevelopment of this site would provide 9no new dwellings and therefore positively contribute to the housing stock of the district. It presents an efficient and effective use of this brownfield land and does not result in the overdevelopment of the site.

6.23 Furthermore, the proposal is considered to make efficient and effective use of the land. In line with Paragraph 137 of the NPPF, the application proposes to make as much use as possible of this brownfield site. It optimises the density of the site and proposes 9no. new dwellings on this 0.5ha site.

6.24 The quantum of development proposed on site is considered to be acceptable.

Water Neutrality

6.25 The application site falls within the Sussex North Water Supply Zone as defined by Natural England. As such, developments in this zone are required to demonstrate the proposal can achieve water neutrality.

6.26 Water Neutrality is considered to be an aspect of location of the development, and therefore an in principle, stage one PiP matter.

6.27 The NPPG states that a LPA can't grant PiP for 'habitats development' which is "development which is likely to have a significant effect on a European Site (either alone or in combination with other plans or projects) and is not directly connected with or necessary to the management of the site." The PPG also states that: This means for sites where development is likely to have a significant effect on a qualifying European site or a European offshore marine site without any mitigating measures in place, the local planning authority should ensure an appropriate assessment has been undertaken before consideration of the grant of permission in principle. If the local planning authority is satisfied, after taking account of mitigation measures in the appropriate assessment and concluding that the development will not adversely affect the integrity of the protected site, then, subject to compliance with other statutory requirements regarding the permission in principle process, it can grant permission in principle." (NPPG Para: 005 Ref ID: 58-005-20190315).

6.28 It should be noted that the application site forms part of a wider site which is an allocated site within a made Neighbourhood Plan, an appropriate assessment has therefore already been undertaken to establish whether the proposal would have a significant effect on any European site. The Council has also undertaken an appropriate assessment as part of its Local Plan review to take into consideration all planned development including those allocated within made NPs.



- 6.29 The Council has recently adopted its SNWCS scheme (formerly known as SNOWS) and that this will be operational in Autumn 2025. The SNWCS scheme provides applicants with a way to demonstrate that the development can be constructed in line with Habitats Regulations requirements. There is a hierarchy system in force for SNWCS for eligible developments, and that planning permissions for sites such as this that are allocated in a made NP would be allowed to use SNWCS and would be placed high up on the priority SNOWS list.
- 6.30 The application would therefore request access to the SNWCS for this scheme in order to offset the proposals water offsetting needs, and the applicant would be willing to enter into a legal agreement to secure such measures if required.
- 6.31 The grant of the proposed PiP application would therefore not adversely affect the integrity of these sites and would not conflict with Policy 31 of the HDPF, paragraph 194 of the NPPF and the Council's obligations under the Conservation of Habitats and Species Regulations 2017.



7. Conclusion

- 7.1 The proposal is considered to comply fully with the requirements of a PiP application.
- 7.2 The application site forms part of a wider site which has been allocated in a made Neighbourhood Plan for residential development. The principle of development in planning policy terms has therefore been accepted.
- 7.3 The location of the site is considered to be sustainably located, with bus stops providing access to neighbouring villages and towns and other further destinations in very close proximity to the site, the future residents of the site have access to public transportation which provides a very real alternative to the use of a private vehicle.
- 7.4 The illustrative layout plan demonstrates that the site can provide an appropriate quantum of development under a PiP application, and that the site can comfortably accommodate the 9no. dwellings proposed. The proposal is considered to be an appropriate form of development given the character of the surrounding area and land uses.
- 7.5 As part of a site allocated for residential development in a made Neighbourhood Plan the scheme would be able to access the SNWCS in order to offset the developments water needs. The proposal would therefore be capable of being water neutral.
- 7.6 Overall, it is considered that the proposal complies with all relevant planning policies at a national level and in the HDPF and is supported by an allocation in the UBNP. It is submitted that there are no material considerations that weigh against the scheme, and planning permission in principle (PiP) should therefore be granted.