



APPLICATIONS & APPEALS SERVICES

**LAND AT LYNCORTE, BENTONS LANE, DIAL
POST, WEST SUSSEX RH13 8NW**

**SUPPORTING PLANNING, DESIGN AND ACCESS
STATEMENT**

MAY 2025



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APPENDICES

Appendix NJA/1 – Cowfold Lodge Cottage, Cowfold

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1. INTRODUCTION

- 1.1 Planning permission is sought for the construction of a two-storey detached three-bedroom dwelling together with the introduction of vehicular access on land at Lyncorte, Bentons Lane, Dial Post. The proposed dwelling will be sited on land to the south of Lyncorte, which currently forms part of its substantial curtilage. A separate access and parking area off Worthing Road will be provided to serve the new dwelling.

Figure 1.1: Site Location Plan



- 1.2 The details of the proposals will be described and appraised having regard to the following aspects:

- **Physical Context** – explains the physical context of the site and its surroundings;
- **Planning Context** – the planning history of the site and broad policy requirements;
- **Use** – the purpose of the proposed additional accommodation;
- **Amount** – the extent of development on the site;
- **Scale** – the physical size of the development;
- **Layout** – the relationship of the proposed dwelling to neighbouring properties;
- **Appearance** – details of materials, style and impact upon the visual amenities of the area;
- **Landscape** – impact of the proposal on the existing landscape;
- **Access** – access to the development and parking provision.

- 1.3 This planning application is submitted in light of two recent appeal decisions, these decisions relate to Cowfold Lodge Cottage, Cowfold (Appendix NJA/1) and Marlpost Meadows, Southwater (Appendix NJA/2) whereby Planning Inspectors granted planning permission for the construction of single dwellings on sites outside of a built-up area boundary. In

considering the planning balance, the Planning Inspectors gave weight to locational sustainability and the Council's under provision of housing. These two appeal decisions together with the issues of location and housing land supply are addressed in more detail at Sections 4 and 5 of this Statement.

- 1.4 In addition, the Council has issued an updated Authority Monitoring Report (AMR) for the period 1st April 2023 - 31st March 2024 (published 30 April 2025). This confirms that the Council's five-year housing land supply has dropped to just 1.0 year supply.
- 1.5 The Council's emerging Local Plan is not yet adopted (it is due to be withdrawn at time of writing) and therefore in light of the under provision of housing within the District, significant weight should be given to the Council's Facilitating Appropriate Development (FAD) guidance. This document should be considered along with the relevant policies of the NPPF (updated in December 2024) and in particular, the presumption in favour of sustainable development.

2. PHYSICAL CONTEXT & PROPOSAL

- 2.1 The application site is approximately 0.4 ha of undeveloped land and currently forms part of the extensive curtilage of Lyncorte, which sits to the north of the application site. Lyncorte is located on the eastern side of Bentons Lane and west of Worthing Road. The application site forms the southern section of the curtilage of Lyncorte and abuts Worthing Road along its eastern boundary.
- 2.2 The eastern, southern and western boundaries of the site are formed by mature hedgerows and trees, eliminating any visual impact on nearby residential dwellings and the wider landscape. The northern boundary abuts the existing garden of Lyncorte, the existing landscape features along this boundary will be enhanced to screen the proposed dwelling. The application site contains some existing trees, none of which are covered by Tree Protection Orders.
- 2.3 The site is not subject to any environmental designations for its landscape or ecological value. There are no heritage

assets on or immediately adjacent to the site and it is wholly located in Flood Zone 1.

- 2.4 The application site is located on the southern edge of Dial Post, outside the built-up area boundary. Dial Post contains services to serve the local community including a village hall, public house and a locally run farm shop. The site is also approximately 3.5 km from Ashington, this village contains a variety of amenities to meet the everyday needs of local residents including pre-schools, a primary school, supermarket, restaurants, churches and employment facilities. There is a regular bus service from Dial Post to Ashington which takes approximately 30 minutes.
- 2.5 The following are photographs of the application site:



3. PLANNING HISTORY & PROPOSAL

Planning History

3.1 The following application is the relevant planning history for Lyncorte, Bentons Lane:

- WG/18/95 – Single-storey extension. Approved 01 June 1995

3.2 The following application to the south of the site along Worthing Road is also relevant to the proposals:

- WG/34/96 – Vehicular access site: Woodmans Stud (Land Adj) Worthing Road, Dial Post. Approved 03 September 1996

3.3 Due to the age of these applications the supporting planning documents are not available online.

Proposal

3.4 The proposal is for the construction of a two-storey detached, three- bedroom dwelling together with the introduction of

vehicle access on the southernmost section of curtilage at Lyncorte, which currently forms part of its private garden.

3.5 The proposed dwelling is of a high quality with a sloping roof on the front elevation facing Worthing Road. Different materials are proposed to ensure the dwelling compliments the existing Lyncorte dwelling and to add character to the proposal. Facing brick work is proposed on the ground floor section of the dwelling, above this timber cladding is proposed and the roof will be plain clay tiles. Further details on materials are included in the submitted plans.

3.6 The new dwelling will be situated in a spacious plot, screened by the existing mature hedgerows and trees. New boundary planting is proposed on the northern boundary to separate the dwelling from Lyncorte.

3.7 The proposal includes the creation of a new bell-mouth junction onto Worthing Road that can accommodate two-way vehicle flows. A driveway to the front of the dwelling will be laid out to provide space for the parking of at least four vehicles. A short section of hedgerow will be removed to accommodate the access to the driveway and there is

sufficient space for vehicles to turn and leave the property in a forward gear.

Figure 3.1: Proposed Site Plan

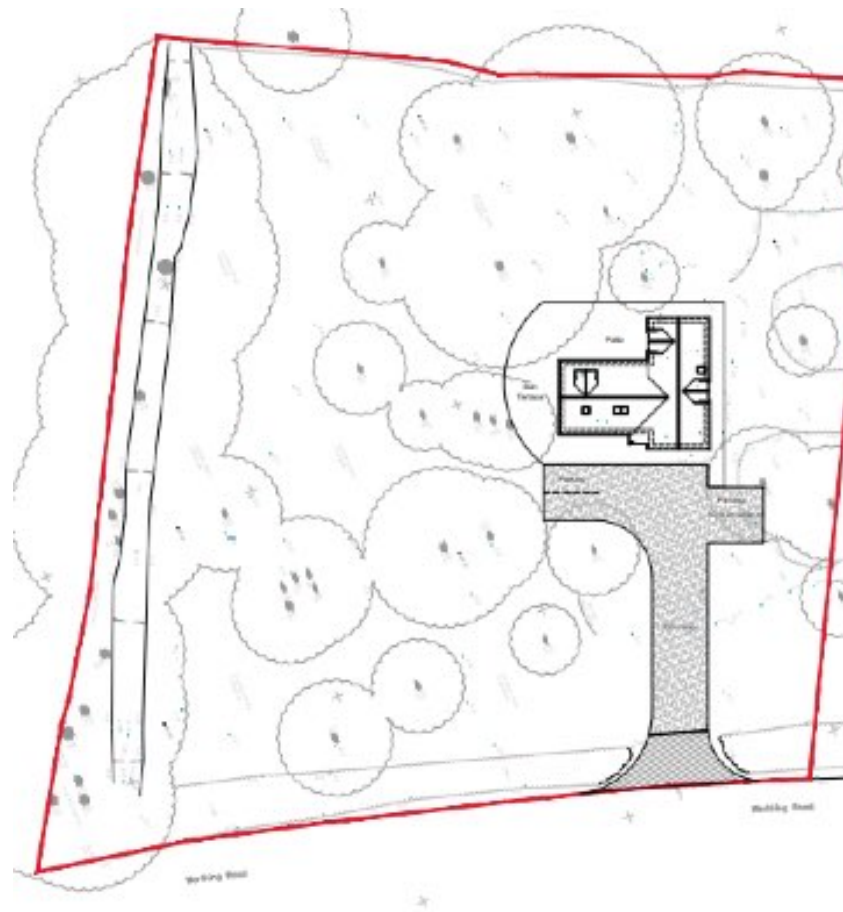


Figure 3.2: Proposed Floor Plan

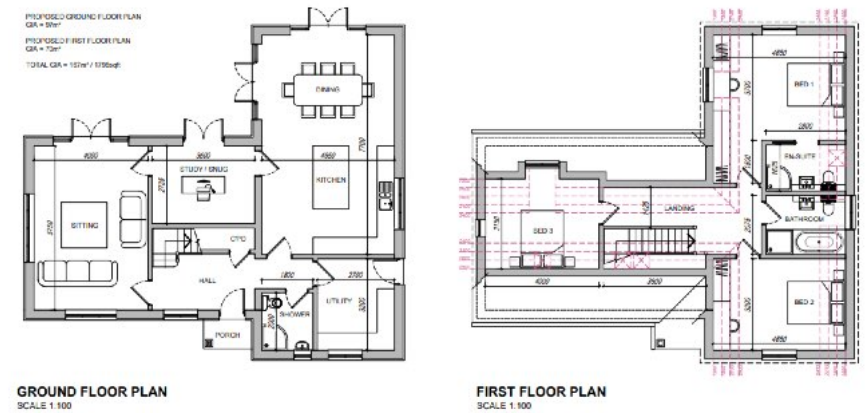


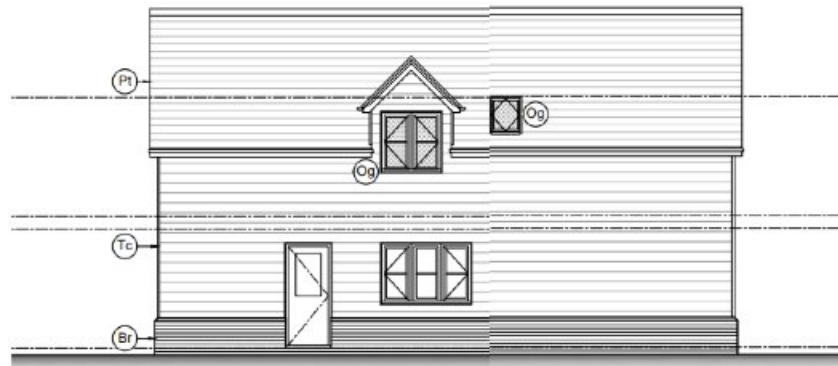
Figure 3.3: Proposed Elevations



FRONT ELEVATION
SCALE 1:100



SIDE ELEVATION
SCALE 1:100



SIDE ELEVATION
FACING LYNCORDE
SCALE 1:100



REAR ELEVATION
SCALE 1:100

4. PLANNING POLICY CONTEXT

National Planning Policy Framework (NPPF) (December 2024)

Sustainable Development

- 4.1 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.
- 4.2 Paragraph 2 of the NPPF sets out that ***'Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework must be taken into account in preparing the development plan and is a material consideration in planning decisions. Planning policies and decisions must also reflect relevant international obligations and statutory requirements'***.

- 4.3 Paragraph 7 states that the purpose of the planning system is to contribute to the achievement of sustainable development. Achieving sustainable development means that the planning system has the following three overarching objectives which are independent but need to be pursued in mutually supportive ways:

- a) ***'an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure.***
- b) ***a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed, beautiful and safe places, with accessible services and open spaces that reflect*** current and future needs and

support communities' health, social and cultural well-being; and

- c) an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment, including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution and mitigating and adapting to climate change, including moving to a low carbon economy'.*

4.4 Paragraph 10 states ***'So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development (Paragraph 11).*** For decision-taking this means approving development proposals that accord with an up-to-date development plan without delay.

4.5 Paragraph 12 of the Framework states 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. Where a***

planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not normally be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed'.

Plan and Decision Making

4.6 Paragraph 34 requires local plans and spatial development strategies to be reviewed to assess whether they need updating at least once every five years and should then be updated as necessary. In particular, 'Relevant strategic policies will need updating at least once every five years if their applicable local housing need figure has changed significantly; and they are likely to require earlier review if local housing need is expected to change significantly in the future'.

4.7 In terms of decision-making, the Framework states at paragraph 39 that ***'Local planning authorities should approach decisions on proposed development in a***

positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible'.

Housing Provision

- 4.8 Paragraph 61 states ***'To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay. The overall aim should be to meet as much as an area's identified housing need as possible, including with an appropriate mix of housing types for the local community'.***

- 4.9 Paragraph 62 states that to determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning practice. Within this context, paragraph 64 requires the size, type and tenure of housing needed for different groups in the community to be assessed and reflected in planning policies. These groups include (inter alia) people wishing to commission or build their own homes.

- 4.10 Paragraph 72 requires strategic policy-making authorities to have a clear understanding of the land available in their area through the preparation of a strategic housing land availability assessment. Planning policies should identify a supply of specific, deliverable sites for five years following the intended date of adoption and specific deliverable sites or broad locations for growth for the subsequent years 6-10 and where possible, years 11-15 of the remaining plan period.

- 4.11 Paragraph 73 sets out that ***'Small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built out relatively quickly'.***

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- 4.12 Paragraph 78 requires local planning authorities to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old.
- 4.13 In rural areas, paragraph 82 requires planning policies and decisions to be responsive to local circumstances and support housing developments that reflect local needs. To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities (Paragraph 83).
- 4.14 Paragraph 84 states that planning policies and decisions should avoid the development of isolated homes in the countryside, unless certain circumstances apply.

Highways and Car Parking

- 4.15 Paragraph 109 requires transport issues to be considered from the earliest stages of plan-making and development proposals, using a vision-led approach to identify transport solutions that deliver well-designed, sustainable and popular

places. This is to ensure that (inter alia) the potential impacts of development on transport networks can be addressed.

- 4.16 Paragraph 112 states that if setting local parking standards for residential and non-residential development, policies should take into account the accessibility of the development, its type, mix and use, the availability of land and opportunities for public transport, local car ownership levels and the need to ensure that adequate provision of spaces for charging plug-in and other ultra-low emission vehicles.
- 4.17 Paragraph 116 makes it clear that ***'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe'***.

Effective Use of Land

- 4.18 Paragraph 124 requires planning policies and decisions to promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring healthy living conditions.

4.19 Paragraph 125 states that planning policies and decision should encourage multiple benefits from both urban and rural land. Furthermore, paragraph 128 sets out that local planning authorities should take a positive approach to applications for alternative uses of land which is currently developed but not allocated for a specific purpose in plans where this would help to meet identified needs.

4.20 Paragraph 129 states that ***'Planning policies and decisions should support development that makes efficient use of land.....'***

Design

4.21 In terms of design, Section 12 seeks to achieve well designed places sets out that the ***'The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities'*** (Paragraph 131).

4.22 Paragraph 135 further states that planning policies and decisions should ensure that developments function well and add to the overall quality of the area, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping. Development should also be sympathetic to local character and history and should be designed with a high standard of amenity for existing and future users.

4.23 Paragraph 139 states that ***'Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to:***

- a) ***development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes: and/or***

b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit with the overall form and layout of their surroundings'.

Climate Change

- 4.24 Paragraph 161 requires the planning system to support the transit to a low carbon future and to taking into account flood risk. New development should be planned in ways which avoid increased vulnerability to the range of impacts arising from climate change (paragraph 164).

Countryside

- 4.25 Paragraph 187 states that planning policies and decisions should contribute to and enhance the natural local environment by: (inter alia) ***'recognising the intrinsic character and beauty of the countryside....'***
- 4.26 Paragraph 189 sets out that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and National Landscapes which

have the highest status of protection in relation to these issues. The scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.

Biodiversity

- 4.27 Paragraph 192 requires the protection and enhancement of biodiversity and geodiversity. Paragraph 193 states that when determining planning applications, local planning authorities should avoid significant harm to biodiversity which should be adequately mitigated or, as a last resort, compensated for. Development should not result in the loss of deterioration of irreplaceable habitats unless there are wholly exceptional reasons and a suitable compensation strategy exists.

Ground Conditions and Pollution

- 4.28 Paragraph 196 requires planning policies and decisions to ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. Where a site is affected by contamination or land stability issues, responsibility for

securing a safe development rests with the developer and/or landowner (paragraph 197).

4.29 Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment (paragraph 198).

4.30

Horsham District Planning Framework (2015)

4.31 Local planning policy is contained within the Horsham District Planning Framework, November 2015 (HDPF). The following policies are relevant to the proposal:

- Policy 1: 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 24: Strategic Policy: Environmental Protection
- Policy 25: The Natural Environment and Landscape Character
- Policy 26: Strategic Policy: Countryside Protection
- Policy 31: Green Infrastructure and Biodiversity
- Policy 32: 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 39: Strategic Policy: Infrastructure Provision
- Policy 40: Sustainable Transport
- Policy 41: Parking

Emerging Policy

4.32 The emerging Local Plan for Horsham faced some challenges at public examination and as such it does not represent adopted policy. Having regard to NPPF paragraph 48, the

Council's emerging Local Plan carries limited weight at this stage. Nevertheless, the following draft policies are noted below as being relevant to the planning application:

- Policy 1: Sustainable Development
- Policy 2: Development Hierarchy
- Policy 3: Settlement Expansion
- Policy 6: Climate Change
- Policy 7: Appropriate Energy Use
- Policy 8: Sustainable Design and Construction
- Policy 9: Water Neutrality
- Policy 10: Flooding
- Policy 11: Environmental Protection
- Policy 13: The Natural Environment and Landscape Character
- Policy 14: Countryside Protection
- Policy 15: Settlement Coalescence
- Policy 16: Protected Landscapes
- Policy 17: Green Infrastructure and Biodiversity
- Policy 19: Development Quality
- Policy 20: Development Principles
- Policy 24: Sustainable Transport

- Policy 25: Parking
- Policy 37: Housing Provision
- Policy 38: Meeting Local Housing Needs

West Grinstead Neighbourhood Plan

4.33 A referendum on the West Grinstead Neighbourhood Plan was held in May 2021 and it is now a 'made' plan. The Neighbourhood Plan contains an undertaking to review it, taking into account any revised housing numbers which are allocated to the Parish in the HDC emerging Local Plan. The following policies of the Neighbourhood Plan are relevant to the proposal:

- Policy 1: Local Gap
- Policy 4: Green Infrastructure: Existing Trees, Hedgerows, Habitats and Wildlife
- Policy 6: Broadband
- Policy 9: Car Parking

Relevant Legislation and Case Law

4.34 In considering the issue of the principle of the proposed development it is necessary to also consider the legal framework within which planning decisions are made. Planning legislation holds that the determination of a planning application shall be made in accordance with the Development Plan unless material considerations indicate otherwise (as also confirmed at paragraph 2 of the NPPF).

4.35 Specifically, Section 70 (2) of the Town and Country Planning Act 1990 states that in dealing with planning applications, the Authority shall have regard to the provisions of the development plan (so far as material to the application), a post examination draft neighbourhood development plan, any local finance considerations (so far as material to the application) and any other material consideration.

4.36 Section 38(6) Planning and Compulsory Purchase Act 2004 provides:

"If regard is to be had to the development plan for the purposes 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."

4.37 When considering whether or not a proposed development accords with a development plan, it is not necessary to say that it must accord with every policy within the development plan. The question is whether it accords overall with the development plan (see *Stratford on Avon v Secretary of State for Communities and Local Government* (2014)). Even if a proposal cannot be described as being in accordance with the development plan, the statutory test requires that a balance be struck against other material considerations.

4.38 The Courts have emphasised that a planning authority is not obliged to strictly adhere to the development plan and should apply inherent flexibility (see *Cala Homes (South) Limited v Secretary of State for Communities and Local Government* (2011) and *Tesco Stores Ltd v Dundee City Council* (2012)).

4.39 More recently in *Corbett v Cornwall Council* [2020] the appeal court judge emphasised the importance of considering the plan as a whole when he said:

4.40 ***“Under section 38(6) the members’ task was not to decide whether, on an individual assessment of the proposal’s compliance with the relevant policies, it could be said to accord with each and every one of them. They had to establish whether the proposal was in accordance with the development plan as a whole. Once the relevant policies were correctly understood, which in my view they were, this was classically a matter of planning judgment for the council as planning decision-maker.”***

4.41 Paragraph 3 of the NPPF confirms that the Framework should be read as a ‘whole’ and the Government’s National Planning Policy Guidance (NPPG) confirms *that ‘Conflicts between development plan policies adopted, approved or published at the same time must be considered in the light of all material considerations, including local priorities and needs, as guided by the National Planning Policy Framework’* (Paragraph 012 21b-012-20140306).

Housing Land Supply (Case Law)

4.42 The NPPF requires local planning authorities to identify and update annually a supply of specific deliverable sites sufficient

to provide a minimum of five worth of housing subject to criteria. This is unless their adopted plan is less than five years old; and that adopted local plan identifies at least a five year supply of specific deliverable sites at the time its examination concluded.

4.43 Plans and decisions should apply a presumption in favour of sustainable development (NPPF paragraph 11). Where there are no relevant development policies, or the policies which are most determining the application are out-of-date as per NPPF footnote 8, planning permission should be granted unless:

- i. 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*
- ii. 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’* (NPPF paragraph 11 d).

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- 4.44 The 'Suffolk Coastal' case (Suffolk Coastal District Council v Hopkins Homes Ltd and Richborough Estates Partnership LLP v Cheshire East Borough Council [2017] UKSC 36) had regard to the meaning and effect of the provisions of the NPPF on housing land supply and the presumption in favour of sustainable development in having regard to the NPPF (2012 version). This is considered to still apply to the present NPPF.
- 4.45 The judgement noted the purpose of the NPPF is to have regard to the Development Plan policies unless these are not determined to be up to date. When the most relevant policies are not considered to be up to date, the balance is 'tilted' in favour of the grant of planning permission unless the benefits are 'significant and demonstrably' outweighed by the adverse effects or where specific policies indicate otherwise. Weight is required to be afforded to such policies in the overall tilted balance (NPPF paragraph 11 d).
- 4.46 Importantly, the judgement determined that the decision-taker need not concern themselves with the specific reasons as to what is causing a lack of housing supply but attribute weight proportionally to addressing the problem to significantly boost

an adequate supply of housing land (as required by NPPF paragraph 60).

Rural Housing (Case Law)

- 4.47 In terms of the provision of housing within the countryside, the 'Braintree' case (Braintree DC v SSCLG [2018] Civ 610) afforded particular attention in the assessment of 'isolation' when having regard to the NPPF. The term 'isolated' was considered by the Court of Appeal (who upheld a High Court decision) confirming that the word 'isolated' should be given its ordinary meaning as being 'far away from other places, buildings and people; remote'.
- 4.48 In ruling on the case, Lindblom LJ held that, in the context of paragraph 55 of the NPPF 2012 version, (now paragraph 84 in the present NPPF), 'isolated' simply connotes a dwelling that is physically separate or remote from a settlement. Whilst previous hearings had considered that the term 'isolated' could have a dual meaning, in that it referred to physical and functional (i.e. from services and facilities) isolation; this argument was rejected by the Court.

4.49 The Judgement additionally drew reference to transport opportunities in rural areas where it is consistent with the Framework that sustainable transport opportunities are likely to be more limited in rural areas. This therefore further acknowledges that rural areas should not necessarily preclude new development.

4.50 The Court of Appeal's judgment in *Bramshill v SSHCLG* [2021] forms more recent case law addressing the interpretation of 'isolated dwellings' in the countryside. This upheld the previous interpretation of *Braintree* that the term 'isolated' should be given its ordinary meaning as being 'far away from other places, buildings and people; remote' and that in determining whether a particular proposal is for "isolated homes in the countryside", the decision-maker must consider whether the development would be physically isolated, in the sense of being isolated from a settlement. What is a "settlement" and whether the development would be "isolated" from a settlement are both matters of planning judgment for the decision-maker on the facts of the particular case.

Horsham District Council's Housing Land Supply Position

4.51 NPPF paragraph 61 states that to support the Government's objective of '**significantly boosting the supply of homes**', it is important that a sufficient amount and variety of land can come forward where it is needed. To determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance unless exceptional circumstances apply (NPPF paragraph 62).

4.52 Based on this, planning policies should identify a supply of specific deliverable sites for five years following the intended date of adoption and specific deliverable sites or broad locations for growth for the subsequent years 6-10 and, where possible, for years 11-15 of the remaining plan period (NPPF paragraph 72).

4.53 Local planning authorities are further required to monitor their deliverable land supply against their housing requirement, as set out in adopted strategic policies (NPPF paragraph 79). Local Planning Authorities are not required to identify and

update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing if their adopted plan is less than five years old and that adopted plan identified at least a five-year supply of specific, deliverable sites at the time that its examination concluded (NPPF paragraph 76).

- 4.54 The Council's Local Plan is over five years old and does not take into account the standard method in the policies relating to the supply of new homes. In addition, the Council's most recent Authority Monitoring Report (AMR) 2023/24 (published 30 April 2025) demonstrates **only 1.0 years' supply of housing**. Therefore, the Council's housing land supply is significantly below even the requirement of the NPPF.
- 4.55 As the Council cannot demonstrate the necessary level of housing land supply as required by the Framework, the provisions of NPPF paragraph 11 d) (and the 'tilted balance') apply to the proposal.
- 4.56 Having regard to paragraph 11 d) i, NPPF footnote 7, the site is not located within a 'protected area' (a habitats site, and/or designated Sites of Special Scientific Interest, land

designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, a National Park, within the Broads Authority, Heritage Coast, irreplaceable habitats, designated heritage assets (or other heritage assets of archaeological interest) or an area at risk of flooding of coastal change.

- 4.57 The Water Neutrality Statement which accompanies this planning application sets out that the proposed development would be water neutral through the installation of water efficient fittings within the proposed dwelling, along with the implementation of rainwater harvesting techniques. The remaining water demand can be offset through the purchase of 160 water credits from Sussex Water Neutrality. This will offset the remaining water demand. As such, there would be no adverse impact upon the protected sites of the Arun Valley SPA, SAC and RAMSAR.
- 4.58 Therefore, the policies of the NPPF do not provide a clear reason for refusing the development and this does not prevent the consideration of the application in favour of sustainable development under the provisions of NPPF paragraph 11 d). For the reasons set out in this Statement, and having regard

to 11 d) ii, there are no adverse impacts of granting planning permission that would significantly and demonstrably outweigh the benefits, when assessed against the policies of this Framework taken as a whole.

Facilitating Appropriate Development (October 2022)

4.59 Due to the under provision of housing combined with the delays in progressing the new Local Plan, the Council published a document named Facilitating Appropriate Development (FAD) in October 2022 to provide clarity and guidance in respect of new residential development.

4.60 The justifications for the FAD are described at paragraph 1.6 as follows:

‘As described above, the Council has been disrupted in efforts to produce a Local plan and cannot currently demonstrate that it has a five-year housing land supply. Though the Council will seek to progress a revised Local Plan as quickly as possible, and regularly monitors its housing land supply, it recognises that it is unlikely to be able to report a five-year housing land supply until a new Local plan is adopted, and there is uncertainty as to when

adoption will occur. Because of this situation, and notwithstanding issues relating to the current position on water neutrality, it expects to receive planning applications proposing housing development in locations not supported by the HDPF of in Neighbourhood Plans’

4.61 As the Council’s HDPF is over five years old and because the Council cannot demonstrate a five year supply of housing, the Council’s policies that affect the supply of housing (HDPF policies 2, 3, 4, 15 and 26) are out of date and should be considered to hold less weight in the decision-making process. This is confirmed by appeal decision at Moat Cottage, Dial Post (ref: APP/Z3825/W/23/3321982) ***“The Council accept that, given the absence of a five year housing land supply, policies 2, 4 and 26 of the HDPF should now carry only moderate weight. The restrictive approach of Policy 26 to development in the countryside is also not entirely consistent with the Framework.”***

4.62 The FAD acknowledges that NPPF paragraph 11 d) is a key material consideration in applications for housing development and states that:

‘This has the effect of reducing the weight that may be afforded to such policies and engages the ‘presumption in favour of sustainable development’ where there is an expectation that planning applications for housing should be approved. As such, the relevant policies of the HDPF are unlikely to be sufficient to justify refusals’ (Paragraph 2.4).

4.63 In respect of Neighbourhood Plans, as these form part of the Development Plan, the FAD confirms (at Section 3) that they are not immune from the requirements of NPPF paragraph 11 d) and as such, policies may be considered to be out of date due to the Council being unable to demonstrate a five year supply of housing. However, NPPF paragraph 14 gives additional support to adopted Neighbourhood Plan which should be taken into account.

4.64 The FAD provides further guidance in respect of water neutrality (at Section 4) and the Position Statement of Natural England (September 2021) which states that it cannot be ruled out that the abstraction of water for drinking supplies is having a negative impact on the environmental sites in the Arun Valley. Natural England have therefore advised that any

new development must not add to this impact and should not increase the amount of water abstracted. The Council has published advice to applicants on how to demonstrate water neutrality however, the FAD states that if an application cannot demonstrate water neutrality, it will not be approved.

4.65 The Council has not been able to demonstrate a five-year supply of housing for some time. As a result, and even with the updates to the NPPF, the presumption in favour of sustainable development is engaged where water neutrality is demonstrated. Whilst paragraph 232 of the NPPF confirms that development plan policies should not be considered out of date simply because they were adopted before the latest NPPF, it is reiterated that the Council’s current policies in respect of housing (including the amount and location) should be considered out of date. The FAD provides further guidance in respect of site allocations, locational suitability, scale, deliverability, meeting local housing needs, biodiversity, climate change, transport and design.

4.66 As set out, the FAD states that the Council acknowledges that it is likely to receive applications for residential development outside of the defined built-up area boundaries and on

unallocated sites as it is unable to demonstrate a five-year housing land supply. Given this, paragraph 5.7 of the FAD states that the Council will consider such proposals positively where the following criteria is met:

- ***‘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 either 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’.***

4.67 The above essentially follows the principles of HDPF policy 4 with the exception that it does not contain the same

requirement for sites to be allocated for development in the Local or a Neighbourhood Plan. Consideration of the FAD and its implications in respect of the proposed development is addressed at Section 5 of this Statement.

Biodiversity and Green Infrastructure Planning Advice Note (October 2022)

4.68 The Council’s Biodiversity and Green Infrastructure Planning Advice Note (PAN) provides guidance on how biodiversity and net gain should be taken into account within development proposals and applicants are encouraged to seek to achieve a 10% biodiversity net gain (BDG) or more.

4.69 The purpose of the PAN is to provide interim guidance on how Biodiversity and Green Infrastructure should be taken into account within development proposals in accordance with the HDPF and NPPF following the enactment of the Environment Act 2021.

5. DETAILS OF THE PROPOSAL: USE, AMOUNT & SCALE OF DEVELOPMENT

The Principle of Development

- 5.1 NPPF paragraph 7 states that the purpose of the planning system is to contribute to the achievement of sustainable development. Achieving sustainable development means that the planning system has three overarching objectives: economic, social and environmental (NPPF paragraph 8).
- 5.2 Paragraph 10 of the NPPF states ***‘So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development (paragraph 11). For decision-taking, this means approving development proposals that accord with an up-to-date development plan without delay’.***
- 5.3 HDPF Policy 1 states that when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained within the NPPF. Therefore planning applications

that accord with the policies of the HDPF will be approved without delay (unless material considerations indicate otherwise). Where there are no policies relevant to the application, or relevant policies are out of date, Policy 1 states that the:

Council will grant permission, unless material considerations indicate otherwise – taking into account whether:

- Any adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or***
- Specific policies in that Framework indicate that development should be restricted’.***

- 5.4 The application site is located within the countryside, outside of a settlement boundary. Within the examination version of the emerging Local Plan, Dial Post is now defined as a Secondary Settlement and a settlement boundary is due to be

introduced, the application site is adjacent to the proposed settlement boundary.

- 5.5 HDPF policy 26 seeks to protect the countryside from inappropriate development and states that new development must meet one of the following criteria:

- 1. Support the needs of agriculture or forestry;**
- 2. Enable the extraction of minerals or the disposal of waste;**
- 3. Provide for quiet informal recreational use; or**
- 4. Enable the sustainable development of rural areas’.**

- 5.6 In addition, the policy requires proposals to be of a scale appropriate to the countryside character and location and that it should not lead individually, or cumulatively, to a significant increase in the overall level of activity in the countryside. New development should protect and/or conserve, and/or enhance the key features and characteristics of the landscape character in which it is located.

- 5.7 The design of the proposed dwelling to the south of Lyncorte will be in keeping with the existing dwellings on Bentons Lane.

Additionally, its impact upon the visual amenities of the countryside will be minimal due to the presence of existing mature vegetation.

- 5.8 Whilst it is acknowledged the site’s location is currently within the countryside and not adjacent to the BUAB, for the reasons described within this Statement, the site is considered to be sustainably located and there are a number of material planning considerations that weigh heavily in favour of the proposal when considered in the planning balance. These matters are addressed as follows:

Housing Land Supply

- 5.9 As set out at Section 4, it remains the case that the Council is unable to demonstrate a five-year supply of housing as required by the NPPF. The latest AMR confirms that the Council can demonstrate only 1.0 years. As a result, it is reiterated that the Council’s policies in respect of the supply and location of new homes (HDPF policies 2, 3, 4, 15 and 26) are out of date and the tilted balance of NPPF paragraph 11 d) is engaged.

5.10 Although the application site is located within the countryside, it is not situated within a protected countryside landscape such as an Area of Outstanding Natural Beauty (AONB) and water neutrality is demonstrated. As such, there is no conflict with NPPF paragraph 11 d)(i). This Statement further confirms that overall there are no adverse impacts of granting planning permission for the proposal that would significantly and demonstrably outweigh the benefits of the provision of a new home.

5.11 The proposal will positively contribute towards the supply of windfall homes within the District; this is an important source of supply as noted at NPPF paragraph 73 which states that ***‘Small and medium sites can make an important contribution to meeting the housing requirement of an area and are often built-out relatively quickly’***. Furthermore, the proposal will provide for a new home within the rural area; such homes help to support rural communities (NPPF paragraph 83).

Location and Facilitating Appropriate Development

5.12 In terms of the Council’s spatial strategy, Policy 2 of the HDPF seeks to maintain the rural character of the District and states that new development should be focused in and around ***‘the key settlement of Horsham’*** with growth in the rest of the District in accordance with the settlement hierarchy set out at HDPF Policy 3 and also in accordance with HDPF Policy 4.

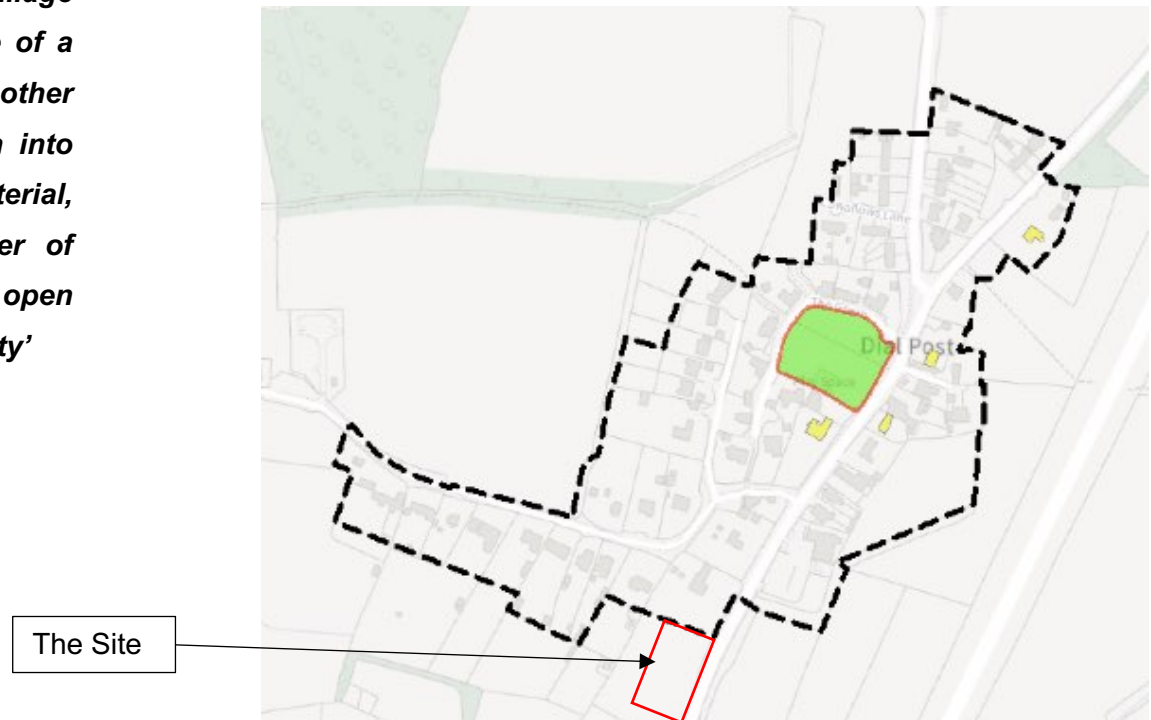
5.13 Policy 3 establishes the settlement hierarchy for the District and confirms that development will be permitted within towns and villages which have defined built-up areas. Dial Post is presently an ***‘Unclassified Settlement’***.

5.14 The Council’s *draft* Local Plan (examination version) at Policy 2 (Development Hierarchy) proposes to introduce ‘Secondary Settlements’ which includes some presently unclassified settlements such as Dial Post. The proposed settlement boundary for Dial Post is shown at Figure 5.1 - the application site is situated adjacent to the proposed boundary to the south.

5.15 Draft Policy 2 describes ‘Secondary Settlements’ as:

‘Very small villages and hamlets that generally have some limited local employment, services or facilities (which may include primary schools, allotments, village halls, playing fields or a church) and/or evidence of a defined local community. Proximity and access to other services, facilities and employment is also taken into account. Additionally, settlement character is material, for example, density, age and historic character of dwellings, and the overall sense that one has left the open countryside and entered a defined village community’

Figure 5.1: Proposed Dial Post Settlement Boundary (extract from Draft Local Plan, 2024)



- 5.16 Whilst the application site is not currently located within an existing defined settlement boundary, this does not mean to say that the site is unsustainably located by definition. The site is within walking distance of the facilities provided in Dial Post which supports the rural economy. There is a regular bus

service from Dial Post to Ashington which takes approximately 30 minutes.

5.17 The scale of development is small (just one dwelling) and the proposal will not result in a significant increase in vehicle movements within the rural area. In this case, the day to day needs of the occupiers may be met with short journeys and this does not represent an unusual pattern of vehicle movements in the rural area.

5.18 Importantly, the NPPF paragraph 110 requires the planning system to actively manage patterns of growth but states that it should be recognised that 'opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making'. Similarly, and as referred to within the Transport Sustainability Statement, the West Sussex Transport Plan (2011-2026) notes the difference in application and expectations between urban and rural areas accepting that the reliance on the car is greatest in rural communities and different considerations and flexibility should be applied to the provision of new housing within rural areas.

5.19 Having regard to the cases of Braintree District Council v Secretary of State for Communities and Local Government (2018) and Bramshill v Secretary of State for Housing, Communities and Local Government (2021) (referred to previously at Section 2) the appeal site is not 'physically' isolated from a settlement given it's located within Dial Post and its proximity to Ashington described above. This demonstrates that the application site's location within the countryside does not necessarily make it 'unsustainable' simply by definition and the proposal will not create unsustainable travel patterns given the site's proximity to nearby settlements and links to public transport.

5.20 Furthermore, the new dwelling will not be remote from other built form as it will be situated adjacent to Lyncorte and the dwellings on Bentons Lane. The dwelling has been carefully designed to ensure that it is of an appropriate height, scale and siting, in keeping with the adjoining dwellings and respectful of the spacious character of the area. As such, the proposed dwelling would not be isolated from other development or from a settlement and local community.

5.21 HDPF Policy 4 supports the growth of settlements across the District in order to meet identified local housing, employment and community needs. Therefore, outside built up area boundaries (BUAB), Policy 4 permits the expansion of settlements subject to the following:

1. ***'The site is allocated in the Local Plan or in a Neighbourhood Plan and adjoins an existing settlement edge.'***
2. ***The level of expansion is appropriate to the scale and function of the settlement type.***
3. ***The development is demonstrated to meet the identified local housing needs and/or employment needs or will assist the retention and enhancement of community facilities and services.***
4. ***The impact of the development individually or cumulatively does not prejudice comprehensive development, in order to not conflict with the development strategy; and***
5. ***The development is contained within an existing defensible boundary and the landscape and***

townscape character features are maintained and enhanced'

5.22 The supporting text for HDPF Policy 4 (and 3) sets out the following justification - 'to ensure that development takes place in a manner that ensures the settlement pattern and the rural landscape character of the District is retained and enhanced, but still enables settlements to develop in order for them to continue to grow and thrive' (HDPF Paragraph 4.6).

5.23 Given the fact that the Council cannot demonstrate an appropriate supply of housing, the Council's FAD previously referred to acknowledges that the Council is likely to receive applications for residential development outside of the defined built up area boundaries and on unallocated sites. Given this, it is repeated that paragraph 5.7 of the FAD sets out that the Council will consider such proposals positively where the following criteria is met. The proposed development meets the below criteria (text in bold italics) as set out below. The below essentially follows the same principles of HDPF policy 4 with the exception that it does not contain the same requirement for sites to be allocated for development in the Local or Neighbourhood Plan.

1. 'The site adjoins the existing settlement edge as defined by the BUAB;

The application site adjoins the existing settlement edge of Dial Post proposed in the emerging Local Plan. The proposal would form a logical extension to the BUAB and form a defensible boundary to align with the gardens of the properties located on the southern side of Bentons Lane.

2. The level of expansion is appropriate to the scale and function of the settlement the proposal relates to;

A single dwelling is proposed, the low density of development is wholly appropriate to the settlement and location within the countryside but adjacent to other built form and the proposed BUAB.

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

The proposed development meets local housing needs in respect of the clear need for new housing within the District through windfall development. The

occupants of the dwelling will support the facilities and services within Dial Post and other local settlements.

4. The impact of the development either individually or cumulatively does not prejudice comprehensive long-term development; and

The site once developed will form a defensible boundary for further development and is not of a scale to facilitate comprehensive, long-term development.

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

The site is a distinctively self-contained area which is visually separated from the wider countryside. The development is wholly contained within an existing defensible boundary and important landscape features will be retained and enhanced by new landscaping (to be agreed by condition). The development aligns with the defensible boundary formed by the gardens of the properties located on the

southern side of Bentons Lane. The application site's boundaries are formed by mature vegetation creating an appropriate development plot. The proposed development will not result in any harmful encroachment into undeveloped countryside.

- 5.24 The application site is considered to be sustainably located and in a suitable position to accommodate a new dwelling without conflicting with the Council's development strategy in this regard.
- 5.25 In summary of HDPF policies 1, 2, 3 and 4, these policies encourage sustainable development and allow for the expansion of settlements outside of built up area boundaries where the level of expansion is appropriate to the scale and function of the settlement type.
- 5.26 Given the small scale of development proposed, the sustainable location of the application site and the lack of any harm caused to the visual amenities of the countryside landscape (as further addressed within this Statement) the proposal does not conflict with the overarching principles of the Council's development strategy or the Council's FAD.

Similarly, there is also no overriding conflict with HDPF Policy 26 in respect of its intention to protect the countryside from inappropriate development.

Rural Housing and Countryside Impact

- 5.27 It has been acknowledged that HDPF Policy 26 seeks to protect the rural character and undeveloped nature of the countryside against inappropriate development. However Policy 26 must also be read in the context of the text at HDPF paragraph 9.18 which sets out that ***'The Council is seeking to identify the most valued parts of the district for protection, as well as maintain and enhance this natural beauty and the amenity of the district's countryside'***.
- 5.28 The NPPF supports the provision of rural homes at paragraph 83 where it states:
- 5.29 ***'To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements,***

development in one village may support services in a village nearby’.

- 5.30 This recognises the importance of allowing new residential development within the rural areas which can help to sustain local rural communities. As such, appropriate residential development on sustainably located sites, such as the application site is arguably ‘essential’ to rural areas and allows the sustainable development of rural areas (HDPF policy 26, criterion 4).
- 5.31 As set out, the proposed dwelling will be situated to the south of Lyncorte. The site is screened on its eastern, southern and western boundaries and the northern boundary with Lyncorte will be enhanced to ensure sufficient screening between the two dwellings.
- 5.32 The proposed dwelling is well designed and of an appropriate height, scale and mass to ensure that it will not appear as an unduly prominent feature within the countryside landscape and that the visual amenities of the rural area will be protected.

- 5.33 Just one dwelling will not result in any significant increase in the overall level of activity within the countryside. Furthermore, and as set out, given the proximity of the site to existing residential development along Bentons Lane, the dwelling will not appear at odds with the context of the site’s surroundings. The proposal complies with policy 26 in respect of its requirement for proposals to be of a scale appropriate to the countryside character and location and to protect/conserv/enhance key features and characteristics of landscape character.

Self-Build Housing

- 5.34 In addition to ensuring that the supply of a sufficient amount of new homes, the NPPF at paragraph 63 requires the size, type and tenure of housing needed for different groups in the community to be assessed and reflected in planning policy. This includes ‘**people wishing to commission or build their own homes**’. The proposed dwelling is a one-off, self-build dwelling.
- 5.35 The Planning Portal advises that self-build projects account for 7-10% of new housing in England each year (around

12,000 homes) and it is reiterated that the Government's PPG acknowledges that self-build or custom build homes help to diversify the housing market and increase consumer choice. Self-build and custom housebuilders choose the design of their own home and can be innovative in its design and construction. The provision of such homes is clearly supported by the Framework and which play an important role in helping to tackle the housing crisis, with projects cumulatively making an important contribution to meeting housing need and increased choice and variety in the type of new homes.

- 5.36 This is even more important at this present time given the historic rise in inflation which has seen higher costs of raw materials, fuel and energy. These higher costs, combined with supply chain issues mean that construction has become costlier which may impact upon the longer-term provision of homes, potentially making it more difficult for the Government to secure its aim to build 300,000 homes per year by the mid 2020's. There is as such a need to apply a more flexible approach to planning policy (in accordance with the principles of sustainable development) especially where there is a clear

under provision and high need for new homes, such as within the Horsham district.

- 5.37 The present HDPF does not contain a policy in relation to self-build/custom build homes. However draft Local Plan policy 38 (Examination Version) states that residential developments will be supported where homes are provided as either self-build or custom-build serviced plots in accordance with the latest demand on the Self and Custom build register.
- 5.38 Paragraph 10.33 of the draft Local Plan (Examination Version) encourages a range of different housing types and tenures in order to respond to both strategic and local housing needs and to maintain the delivery of homes over the Plan period. It states that this may include opportunities for self and custom build and therefore the proposed dwelling, as a self-build, is supported by the NPPF and emerging Local Plan policy 38.

Efficient Use of Land

- 5.39 Paragraph 124 of the NPPF states that ***'Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while***

safeguarding and improving the environment and ensuring safe and healthy living conditions’.

Case Studies

1. DC/22/2250 - Cowfold Lodge Cottage, Cowfold

5.40 Planning permission was granted at appeal for the construction of a log style dwelling at Cowfold Lodge Cottage, near Cowfold (see Appendix NJA/1). Cowfold Lodge is located outside of the settlement boundary of Cowfold, a ‘Medium Village’ with a moderate level of services and facilities. The Planning Inspector found that the site was not in isolated countryside and that the appearance of the dwelling (a log cabin design) would not be inappropriate to the rural area and close to other buildings.

5.41 Whilst the Planning Inspector found that there would be some harm to the character and appearance of the area by way of a reduction in the openness of the countryside (and thereby resulting in conflict with HDPF policies 25, 26, 32 and 33), as the site is not isolated and the dwelling would not be unduly prominent, this harm would be modest.

5.42 In respect of location, the Planning Inspector found that the site would not be in a suitable location when judged against the policies of the HDPF but gave weight to the Council’s deficient housing land supply situation. The Planning Inspector found that the proposed dwelling would contribute towards the much needed supply of houses noting that:

‘Small sites can often be built-out relatively quickly and in this case the appellant intends to occupy the dwelling. There would be economic benefits arising from construction to spend in the local economy. Although these benefits are tempered by the small contribution that one house would make in the economic context of the current circumstances the additional dwelling would be valuable’ (paragraph 24).

5.43 Importantly and having regard to the provisions of NPPF paragraph 11 d), the Planning Inspector found that the adverse impacts of granting planning permission would not significantly or demonstrably outweigh the benefits of an additional dwelling when assessed against the policies of the NPPF taken as a whole. As a result, the Planning Inspector in applying the NPPF’s presumption in favour of sustainable

development found that planning permission should be granted.

2. DC/22/0495 – Marlpost Meadows, Southwater

- 5.44 Planning permission was granted at appeal for the construction of a detached dwelling, outside of a built-up area boundary at Marlpost Meadows near Southwater (see Appendix NJA/2).
- 5.45 Marlpost Meadows is located approximately 1.5km from the village centre of Southwater (a ‘Small Town/Larger Village’, as per HDPF policy 3). In noting the provisions of NPPF paragraph 11 d) and the lack of a five year supply of housing within the District, the Planning Inspector found the proposal to be acceptable in the planning balance.
- 5.46 Limited weight was given to HDPF policy 26 in respect of development outside of built-up area boundaries on the basis that the housing shortfall dictates that those boundaries are out of date. The Planning Inspector found that the site’s location outside of a settlement boundary did not therefore constitute a reason for refusing planning permission and found the proposal to be acceptable for the following reasons:

‘The proposal would increase the supply of housing in the District and help to address the identified shortfall in new homes. The benefits of a single dwelling are very modest, but cumulatively windfall sites have a significant influence on supply. The Framework explains that small and medium sized sites can make an important contribution to meeting the housing requirement of an area and are often built out relatively quickly. The land forms part of the curtilage of an existing dwelling in the countryside and it would qualify as previously developed land under the definition set out at Annex 2 of the Framework. The site has reasonably good accessibility to services and facilities within Southwater, despite its location outside of the built-up area’ (Paragraph 17).

- 5.47 On the basis that the proposed development would be ‘water neutral’, the Planning Inspector concludes that:
- 5.48 ***‘In the overall planning balance, I conclude that there are no adverse impacts that would significantly and demonstrably outweigh the benefits. The proposal would therefore constitute an acceptable form of development in terms of the Framework, and this would be a material***

consideration sufficient to outweigh the conflict with the development plan arising from the location of development outside of settlement boundaries' (Paragraph 18).

Sustainable Development

5.49 Given that the tilted balance at NPPF paragraph 11d) is engaged in this case, it is reiterated that the proposal should be considered against the presumption in favour of sustainable development set out within the Framework. Having regard to the three key objectives of sustainable development set out at paragraph 8 of the NPPF, the proposed development complies as follows:

- a) an economic objective – the proposal will make a small contribution to the local building industry and associated trades in constructing the new dwelling. Furthermore, occupiers of the new dwelling will help to support local services and facilities. The proposal complies with the economic objective of sustainable development.
- b) a social objective – the proposal provides a suitable site for the creation of a new dwelling in close proximity to local

services and facilities including schools, public transport and work opportunities. The proposal will also make a modest but important contribution to the supply of new homes within the district (contributing towards the Council's windfall target) and will provide an opportunity for a self-build home. The proposal complies with the social objective of sustainable development.

- c) an environmental objective – The proposal would not result in harm to the visual amenities of the countryside landscape. The proposed dwelling is sustainably located, adjacent to the draft built up area boundary and of a highly sustainable design. The proposal complies with the environmental objective of sustainable development.

6. LAYOUT, DESIGN & APPEARANCE

- 6.1 The NPPF sets out that the Government attaches great importance to the design of the built environment and that good design is a key aspect of sustainable development. Developments should be visually attractive and sympathetic to the local character of the surrounding area and should optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (paragraphs 131 and 135).
- 6.2 HDPF policy 32 requires high quality design for all development in the District. In addition, HDPF Policy 33 sets out the Council's key development control criteria and states that development should make efficient use of land, should not cause harm to neighbouring residential amenities, should be appropriate in scale, massing and appearance and be of a high standard of design. Development should also be locally distinctive in character and should use high standards of building materials, finishes and landscaping.

- 6.3 HDPF Policy 33 (text in bold italics) is addressed in detail as follows:

In order to conserve and enhance the natural and built environment developments shall be required to:

1. ***Make efficient use of land, and prioritise the use of previously developed land and buildings whilst respecting any constraints that exist.***

Despite not being previously developed land, development at the application site would make efficient use of land that is currently within the large curtilage of Lyncorte and is therefore underutilised. As such, the proposal complies with criterion 1.

2. **Ensure that it is designed to avoid unacceptable harm to the amenity of occupiers/users of nearby property and land, for example through overlooking or noise, whilst having regard to the sensitivities of surrounding development;**

The proposed dwelling will be located to the south of Lyncorte and set back by a substantial distance. It will also be set well back from Worthing Road, in line with Lyncorte. As such, by virtue of its small overall scale and siting, the dwelling will result in no unacceptable overbearing, overshadowing or overlooking impacts upon the residential amenity of Lyncorte, or any dwellings along Bentons Lane.

The proposed development will not give rise to any noise or disturbance harmful to the residential amenity of neighbours. The proposal complies with criterion 2.

3. ***Ensure that the scale, massing and appearance of the development is of a high standard of design and layout and where relevant relates sympathetically with the built surroundings, landscape, open spaces and routes within and adjoining the site, including any impact on the skyline and important views;***

The height, scale and massing of the proposed dwelling respects the established scale of neighbouring development and the dwelling will fit comfortably within the street scene as shown in the street scene sketch at Figure 8. Furthermore, the overall design of the proposed dwelling is high quality and its traditional appearance complements neighbouring development. The boundary hedgerows will be retained and new planting can be carried out and secured under a landscaping scheme. New landscaping will further assist with the integration of the dwelling into the street scene with no harm caused to the visual amenities of the countryside landscape. The proposal complies with criterion 3.

4. ***Are locally distinctive in character, respect the character of the surrounding area (including its overall setting, townscape features, views and green corridors) and, where available and applicable, take account of the***

recommendations/policies of the relevant Design Statements and Character Assessments;

The application site is located adjacent to residential development and the new dwelling has been designed so as to appear in keeping with the established character of the street scene and wider locality. The application site provides the opportunity to deliver additional housing, in a sustainable location, without adversely impacting upon the established character of the wider locality. The proposal complies with criterion 4.

5. Use high standards of building materials, finishes and landscaping; and includes the provision of street furniture and public art where appropriate;

The materials used in the construction of the proposed dwelling will reflect those already present within the immediate locality of the application site. This will ensure that the

dwelling will appear further integrated with the established character of the locality. The proposal therefore complies with criterion 5.

6. Presume in favour of the retention of existing important landscape and natural features, for example trees, hedges, banks and watercourses. Development must relate sympathetically to the local landscape and justify and mitigate against any losses that may occur through the development; and

The existing hedgerows on the site will be retained and new planting will further enhance the character and appearance of the development. The site is an existing private residential garden and there will be no loss of important landscape or natural features at the site. The proposal complies with criterion 6.

6.4 Proposals will also need to take the following into account where relevant:

8. Incorporate where appropriate convenient, safe and visually attractive areas for the parking of vehicles and cycles, and the storage of bins/recycling facilities without dominating the development or its surroundings;

9. Incorporate measures to reduce any actual or perceived opportunities for crime or antisocial behaviour on the site and in the surrounding area; and create visually attractive frontages where adjoining streets and public spaces, including appropriate windows and doors to assist in the informal surveillance of public areas by occupants of the site;

10. Contribute to the removal of physical barriers; and,

11. Make a clear distinction between the public and private spaces within the site.

6.5 The site will be accessed from Worthing Lane and adequate car parking for the scale of residential property is proposed.

Space is also available within the site for the discreet storage of refuse and recycling bins ensuring no adverse impacts upon the surrounding locality.

6.6 The proposed development does not conflict with parts 8, 9, 10 or 11 of policy 33.

6.7 In summary, the proposed dwelling is of a scale, siting and design that is appropriate to its countryside location and no harm will be caused to the visual amenity of the surrounding countryside landscape. The application site is large and the proposed dwelling can be easily accommodated with sufficient space retained to the boundaries to ensure that the new dwelling would not appear cramped. Adequate amenity space is proposed for the new dwelling and retained for the host dwelling. There will also be no harm caused to the residential amenities of neighbouring properties and overall, the proposal complies in full with the design advice of the NPPF and the requirements of Policies 32 and 33.

Climate Change

6.8 The proposed dwelling has been carefully and specifically designed to ensure that it is environmentally sustainable in its

construction and future occupation. The dwelling will be constructed to the highest insulation standards. The dwelling will also incorporate mixed renewable energy technology including solar PV panels and/or an air source heat pump. Details may be agreed and secured by condition to ensure compliance with the NPPF and HDPF policies 35, 36 and 37 and the Council's target to become carbon neutral by 2030 (direct emissions) and by 2050 (indirect emissions).

6.9 HDPF Policy 35 sets out that development will be supported where it makes a clear contribution to mitigating and adapting to the impacts of climate change and to meet the District's carbon reduction targets. Development must be designed to mitigate the effects of climate change and to adapt to the impacts of climate change.

6.10 The supporting Energy and Sustainability Statement confirm the proposal incorporates many sustainable features that are consistent with achieving a high level of overall sustainability. These measures include, but are not limited to, insulation within floors, roofs and walls exceeding the minimum standards required under Part L1 (Conservation of Fuel and Power) of the Building Regulations; heating and hot water

requirement for the proposed dwelling being supplied by an Air Source Heat Pump (ASHP) and an OWL "Standalone" Electricity Monitor will be installed to allow the householders to monitor and understand their electricity consumption.

6.11 Overall, the proposed dwelling has been carefully and specifically designed to ensure that it is environmentally sustainable in its construction and future occupation and meets policy requirements at a national and local level.

Water Neutrality

6.12 The application site falls within the Sussex North Water Supply Zone where Natural England have advised that water abstraction cannot be concluded to result in no adverse effect upon the integrity of the Arun Valley Special Area of Conservation, Special Protection Area and Ramsar sites.

6.13 The Council has advised that it is able to continue to determine most planning applications for householder developments (and some other minor proposals) as it is not considered that this type of development will have a significant effect, either individually or cumulatively, on the Arun Valley sites. In the case of other developments where an

increase in water consumption is more likely, planning applications are required to be submitted with a water neutrality statement setting out the strategy for achieving water neutrality within the development.

- 6.14 A Water Neutrality Report accompanies this planning application and which confirms, the existing site is currently a vacant field, the water demand for which is 0 l/day. The proposed scheme will have a water demand of 271.70 l/day, prior to any mitigation techniques. The installation of water efficient fittings within the proposed dwelling, along with the implementation of rainwater harvesting techniques will greatly lower the water demand of the proposed dwelling to 152.30 l/day.
- 6.15 The remaining water demand can be offset through the purchase of 160 water credits from Sussex Water Neutrality. This will offset the remaining water demand of 152.30 l/day, in addition to satisfying Horsham District Council's requirement for the purchase of an additional 5%'s worth of water credits. As such, this results in the proposals becoming water neutral.

Ecology

- 6.16 The NPPF states that planning decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity.
- 6.17 A Preliminary Ecological Appraisal has been prepared by in support of this planning application. This Assessment confirms that the site comprises grassland that is intensively managed and regularly mown as an ornamental lawn, along with grassland that is less managed and no longer mown. Two 'somewhat' maintained hedgerows form the east and west boundary to the site, with a poor quality hedgerow to the south. There are several formal beds of shrubs within the site, predominantly of non-native ornamental species and a number of scattered trees. The proposed development will involve the removal of some of the amenity grassland, some of the semi-improved grassland, some of the introduced shrub and a small section of hedgerow on the eastern boundary (2-3m). The impact on site flora is therefore regarded as low.
- 6.18 The PEA covers a range of protection measures for the site with regards flora and fauna and these will be implemented in full, as detailed in the report. A number of specific

recommendations have been made in the report for enhancement and this will be adopted in full and include:

- Installation of appropriately located bat and bird boxes;
- Installation of appropriately located hedgehog homes on the boundaries of the site;
- Creation of log piles near areas of retained scrub or nearby trees and compost heaps in areas of retained hedgerow or nearby trees;
- The planting of native species as part of the overall landscaping plans, to replace areas lost and to enhance where possible.

6.19 Overall, the PEA confirmed it is predicted that any development at this location, following the recommendations outlined within the report, would not have any negative residual impacts in isolation or cumulatively across the local area.

6.20 Overall, in view of the ecological gains and recommendations to avoid harm to protected species, there are no biodiversity/ecological grounds that would preclude this development.

7. ACCESS AND PARKING

- 7.1 The NPPF sets out at paragraph 116 that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 7.2 HDPF Policy 40 requires new development to be appropriate in scale to the existing transport infrastructure. Development should also minimise the distance people need to travel. HDPF Policy 41 states that adequate car parking must be provided within new developments.
- 7.3 The new dwelling will be accessed from Worthing Road– a short section of the front boundary hedge will be removed to create the new bell mouth access. The proposed driveway will provide car parking for four vehicles with sufficient space to turn so vehicles can exit in a forward gear. Overall, the proposed access and car parking provision are adequate and the proposal complies with HDPF policies 40 and 41.

8. PLANNING BALANCE AND CONCLUSION

- 8.1 This Statement supports an application for planning permission which seeks the construction of a two-storey detached three-bedroom dwelling together with the introduction of vehicular access on land at Lyncorte, Dial Post.
- 8.2 As set out at Section 2, case law confirms when considering whether a proposal complies with a development plan, it is not necessary to say that it must accord with every policy of the development plan and the question is whether it accords with the development plan overall. In addition, paragraph 3 of the NPPF confirms that the Framework should be read as a 'whole' and the Government's Planning Policy Guidance (PPG) states that any conflicts between the development plan should be considered in light of all material planning considerations including **local priorities and needs**, as guided by the NPPF.
- 8.3 Therefore, whilst the site is currently located outside of a built up area boundary, it is necessary to consider the following aspects of the proposal in the planning balance:

- The Council's HDPF is over five years old and the Council is unable to demonstrate a five year supply of housing as required by the NPPF. As a result, the Council's policies in respect to the supply and location of new homes are out of date and the provisions of NPPF paragraph 11d) and the tilted balance are engaged. This requires the proposal to be considered against the presumption in favour of the proposed development.
- The proposal will make a small but important contribution towards windfall housing provision within the District. The cumulative provision of individual homes should not be underestimated as acknowledged by NPPF paragraph 73. The long term, continued lack of housing supply within the District undermines the Government's intentions to 'significantly boost' the supply of new homes (NPPF paragraph 61).
- NPPF paragraph 83 encourages the sustainable development of rural areas and sets out that housing should be located where it will enhance or maintain the vitality of rural communities. Occupiers of the

proposed dwelling will help to support local services and facilities within the rural community.

- NPPF paragraph 110 makes it clear that whilst the planning system should actively manage patterns of growth (and significant development should be focused on locations which are or can be made sustainable), opportunities to maximise sustainable transport solutions will vary between urban and rural areas. This should be taken into account in both plan-making and decision-making. The proposal is not for significant development and neither will it generate significant levels of vehicle movements.
- The application site is also not located within isolated countryside. The proposed dwelling is sustainably located, adjacent to the proposed settlement boundary of Dial Post with the emerging Local Plan. Dial Post contains a range of local shops and services to serve the local community including a village hall, public house and a locally run farm shop. The application site is within close proximity to Ashington

where this a range of services are provided including pre-schools, a primary school, supermarket, restaurants, churches and employment facilities. Journeys may be made by cycling and public transport.

- The Council is proposing to designate Dial Post as a Secondary Settlement (Local Plan Examination Version, draft Policy 2). The application site will then be adjacent to the settlement boundary, this change recognises the well-established community at Dial Post. Additionally, the proposals would form an extension to the built-up area boundary, rather than sitting outside it. The Inspector for appeal at Moat Cottage, Dial Post (ref: 3321982) confirmed an extension to the built-up area is a more sustainable approach to development.
- The proposed dwelling is not remote from other built form, Bentons Lane and Worthing Road already contain a range of residential dwellings. The proposed dwelling is a high-quality design and the height, scale and mass of dwelling neatly aligns with

surrounding residential dwellings. The site is screened to the east, south and western boundaries and the northern boundary, adjacent to Lyncorte, will be appropriately landscaped with planting to ensure sufficient screening between the two dwellings.

- There will as such be no significant impact upon longer range countryside views and no harm caused to the visual amenities of the countryside landscape. The proposal does not conflict with HDPF policy 26 in this regard which seeks to protect the countryside from inappropriate development.
- The proposed dwelling is a self-build home, the provision of which is supported by the NPPF paragraph 63. This considers the need to provide a variety of size, type and tenure of housing needed for different groups in the community and including people wishing to commission or build their own homes.
- The dwelling is highly sustainable in its design and construction and it will have very little environmental

impact. The proposal complies with the NPPF and HDPF policies in respect of climate change.

- 8.4 This Statement demonstrates that there are no adverse impacts of granting planning permission that would significantly and demonstrably outweigh the benefits of a new home in a sustainable location which will make a small but important contribution towards the supply of much needed new homes within the District. Therefore, in accordance with paragraphs 11 and 39 of the NPPF and HDPF policy 1, planning permission should be granted for the sustainable development proposed.