

Horsham District Council  
Planning Department

10 September 2025

Dear Sir/Madam

**Objection Letter – Planning Reference: DC/25/1312**

**Proposal – Hybrid planning application (part outline and part full planning application)  
for a phased, mixed use development**

**Site – Land West of Ifield, Charlwood Road, Ifield, West Sussex**

LRJ Planning Ltd has been instructed by [REDACTED] the legal owner occupier of Yew Trees, Rusper Road, Ifield, Crawley, RH11 0LN to review and draft a formal response to the above planning application that has been lodged with the Council.

Following a review of the submitted plans and the supporting documents with my client, he has serious concerns about the development as a whole, including the block of flats adjacent to his property and therefore strongly **OBJECTS** to this aspect of the application for reasons that will be detailed below.

My client formally requests that the case officer visits his property, so that the level of harm can be fully understood.



## Relationship between application site and Yew Trees, Rusper Road



## 2.0 SUMMARY GROUNDS OF OBJECTION

The following is a summary of my client's objection to this speculative proposal:

- i) The proposal will inflict severe harm on the residential amenity of my client's property at Yew Trees, through an unacceptable increase in overlooking, overbearing impact, loss daylight/outlook, overshadowing noise and disturbance; and
- ii) The provision of blocks of flats adjacent to Yew Trees will result in an adverse impact on the character and appearance of the area;
- iii) The proposal as a result of the intensification in use of the site will be detrimental to highway safety and impact on connectivity;
- iv) The intensification in built form at the site will impact on the surface and



foul water regime and lead to increase in flood events to the detriment of third parties;

- v) The development will have an unacceptable impact on the local environment through an adverse impact on biodiversity; and
- vi) Local infrastructure is not in place to meet demands that will be generated by future residents.

### 3.0 PLANNING POLICY CONTEXT

In December 2024, the Government published the latest version of the National Planning Policy Framework (NPPF). The NPPF sets out the Government's planning policies for England and sets out how they are expected to be applied. The NPPF took immediate effect.

Paragraph 2 of the NPPF states that "*Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise.*"

Paragraphs 7 and 8 confirm that the purpose of the planning system is to contribute to the achievement of sustainable development, which comprises economic, social and environmental dimensions.

The NPPF retains a presumption in favour of sustainable development. Paragraph 11 reaffirms that "*applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise.*"

The Courts have held that Central Government's policy is a material consideration that must



be taken into account by the decision maker, as are relevant appeal decisions. The development plan consists of the Horsham District Planning Framework (adopted in November 2015), The Ruster Neighbourhood Plan (made in June 2021), The West Sussex Joint Minerals Local Plan (adopted in July 2018) (Partial Review March 2021)); and West Sussex Waste Local Plan (adopted in April 2014) A summary of the relevant planning policies is produced at **Appendix A**.

## **4.0 DETAILED GROUNDS OF OBJECTION**

### **i. Severe harm on Residential Amenity**

The proposed development would introduce a substantial and intensive built form in immediate proximity to my client's property. The consequences of this are severe and would lead to an unacceptable and irreversible diminution of residential amenity. The development would, in effect, blight Yew Trees, creating conditions wholly at odds with established planning principles designed to protect existing occupiers.

The National Planning Policy Framework (NPPF) provides clear guidance in this respect. Paragraph 135 requires that planning decisions secure developments which are visually attractive, sympathetic to local character, and which create places with a high standard of amenity for existing and future users. Paragraph 196 further requires that proposals are appropriate to their location, taking account of their effect on health, living conditions, and the environment. The current proposal fails against both of these tests.

### **Overlooking and Privacy**

The orientation and scale of the development would introduce direct views into my client's primary living spaces, including the conservatory, as well as into the private garden area. Such intrusive overlooking would represent a significant and unacceptable erosion of privacy,



incompatible with the requirement to protect residential amenity set out in both national and local policy.

At present, Yew Trees benefits from a high degree of privacy owing to the open aspect and separation from neighbouring properties. This proposal would irrevocably compromise that, subjecting the property to direct and sustained overlooking that would fundamentally alter its character as a private dwelling.

### **Overbearing Impact**

The proposed development, by virtue of its massing, proximity and form, would give rise to an oppressive and overdominant relationship with Yew Trees . The siting of such a large building immediately adjacent to the property would create a sense of enclosure that is alien to the established pattern of development in the locality.

Rather than respecting the scale and setting of surrounding dwellings, the scheme would impose a visually intrusive structure that is disproportionate in this context, fundamentally altering the living conditions of existing residents. The resulting environment would be unduly oppressive, diminishing the enjoyment of both the dwelling and garden, and cannot be considered acceptable in planning terms.

### **Loss of Daylight, Outlook and Overshadowing**

The positioning of the proposed buildings to the west of Yew Trees will inevitably restrict daylight and sunlight reaching both the internal living areas and the external amenity space of my client's property. The bulk and proximity of the structures would materially reduce the quality of natural light, creating a significant sense of enclosure and overshadowing.



The proposal would also dominate views from the property, eroding the outlook currently afforded to my client. Such harm to the basic amenities of light and outlook represents a serious planning concern, particularly in the absence of any robust daylight/sunlight assessment to demonstrate otherwise.

### **Noise and Disturbance**

The intensified residential use of this site, arising from the introduction of flats and associated communal spaces, will inevitably lead to greater levels of noise and disturbance. The close proximity of parking areas, circulation routes and external lighting to my client's property will exacerbate these effects, eroding the peaceful enjoyment of the home and garden.

The likelihood of extended hours of activity, together with light pollution from both internal and external sources, will significantly reduce residential amenity. The adverse impacts in this regard are unambiguous and have not been adequately addressed or mitigated by the applicant.

### **Policy Conflict**

The proposal is clearly contrary to adopted planning policy, both at the national and local level.

- **National Planning Policy Framework (NPPF):** The scheme fails to comply with Paragraph 135, which requires development to deliver high-quality places that provide a high standard of amenity for existing and future users, and with Paragraph 196, which requires proposals to be appropriate to their location, taking account of their effect on health, living conditions and the environment.
- **Horsham District Planning Framework (HDPF, 2015):** The development is in direct conflict with Strategic Policy 24: Environmental Protection, which seeks to protect



people, landscape, biodiversity and the historic environment from unacceptable impacts. The policy makes clear that development will be permitted only where it does not result in unacceptable harm to amenity, including through noise, pollution, loss of privacy, or overshadowing. The proposed scheme would give rise to each of these harms.

Taken together, the proposal represents a failure to accord with the statutory development plan and with national planning policy, and should therefore be refused.

Overall, the proposed development adjacent to Yew Trees represents a form of development that would cause substantial harm to the residential amenity of Yew Trees through overlooking, loss of privacy, overshadowing, overbearing impact, and noise and disturbance. In addition, it would introduce a scale and form of development fundamentally at odds with the established character of the locality.

It is requested that the illustrative masterplan is updated to reflect the above serious issues.

The scheme is directly contrary to the NPPF and to the adopted Horsham District Planning Framework (2015), including Strategic Policy 24: Environmental Protection. For these reasons, the application should be refused.

Ultimately, the proposal would unreasonably interfere with my client's established right to the quiet enjoyment of their home, engaging Article 8 of the Human Rights Act 1998, which safeguards the right to respect for private and family life. The planning authority, as a public body, is under a statutory duty to give proper weight to this in the exercise of its functions.



## ii. Adverse Impact on Character and Appearance of the Area

The objectives of the NPPF include those seeking to secure high quality design and a good standard of amenity (Section 12 – Achieving well-designed places). Paragraph 131 highlights that 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. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.

Notably, paragraph 40 of the National Design Guide stipulates that “well designed new development responds positively to the features of site itself and the surrounding context beyond the site boundary.” Paragraph 49 goes on to say that the “identity or character of a place comes from the way buildings, streets, spaces, landscape and infrastructure combine together and how people experience them. In addition, paragraph 51 describes that local identity is made up of typical characteristics such as the pattern of housing, and special feature that are distinct from their surroundings. Paragraph 52 articulates that this includes considering the composition of street scenes, individual buildings and their elements and the height, scale, massing and relationships between buildings.

A particularly serious concern relates to the positioning of blocks of flats immediately adjacent to Yew Trees. This form of development represents a significant intensification in a location that is presently characterised by low density, individually scaled dwellings set within generous plots.

The insertion of high density residential blocks at this sensitive edge of the site creates an



abrupt and inappropriate transition, to Yew Trees. This results in an unacceptable juxtaposition between large, communal buildings and a modest, long established dwelling.

The submitted masterplan does not properly acknowledge the sensitivity of Yew Tree's position at the site boundary. To mitigate the harm, the scheme should be reconfigured to ensure a softer edge treatment in this location, incorporating increased separation distances and a greater provision of open space adjacent to Yew Trees. Without such amendments, the proposal will result in significant and avoidable harm to both amenity and character.

Beyond the direct residential impacts, the scheme also raises significant concerns with respect to character and appearance. The established character of the area is one of modestly scaled, individually distinctive dwellings set within generous plots. The introduction of a block form of flats, of a scale and mass out of keeping with its context, would jar with this prevailing character.

Rather than contributing positively to local distinctiveness, the development would appear discordant and urbanised, causing demonstrable harm to the appearance of the area. This conflict with the local plan's design policies and with Section 12 of the NPPF is clear.

### **iii. Flood Risk, Surface Water and Sewage Infrastructure**

The proposed intensification of built development, with extensive impermeable surfaces, will fundamentally alter the local surface water regime. In particular:

- There is a clear risk of increased surface water flooding events, contrary to the NPPF and local flood management policies.
- Existing foul drainage and sewage networks are already operating at or beyond capacity. The introduction of up to 10,000 dwellings would exacerbate this, leading to



unacceptable risks of sewer flooding and environmental pollution.

- The applicant has failed to provide robust evidence of funded and deliverable upgrades to local water and sewage infrastructure.

### Evidence of flooding





This represents an unsustainable approach that places existing residents and third parties at heightened risk, contrary to national planning guidance and the HDPF.

#### **iv. Biodiversity, Protected Species and Dark Skies**

Yew Trees is home to a substantial roost of more than one hundred bats within the roof and annexe, representing a vital population of a species group that is strictly protected under both the Wildlife and Countryside Act 1981 and the Conservation of Habitats and Species Regulations 2017.



The scale and proximity of the proposed development would inevitably sever established commuting routes, diminish foraging habitats, and introduce extensive new lighting across the area. These changes would directly undermine the conditions that have allowed this important colony to survive and would erode the quality of the dark skies that are essential to its viability.

The effect would not be limited to a single property. By fragmenting habitats and disrupting ecological connectivity, the scheme would cause wider landscape scale harm to biodiversity. The bats at Yew Trees are an indicator of a functioning ecosystem, and their loss or decline would signal the degradation of the local environment more generally. This runs counter to the principles of biodiversity protection and enhancement embedded in national planning policy and the statutory duty to deliver measurable net gain under the Environment Act 2021.

#### v. Transport, Highway Safety and Connectivity

The proposals will cause significant and demonstrable harm to the transport network through:

- **Loss of connectivity:** The closure of the southern access route from my client's road will sever direct links to Rusper Village services (including the shop and post office) and to the dual carriageway network. This will force residents into longer, more circuitous journeys, contrary to the sustainable transport objectives of the NPPF.
- **Highway safety risks:** The scale of development, combined with inadequate on-site parking provision, will result in overspill parking, congestion, and increased vehicle conflict on a sensitive section of the local network.
- **Traffic impacts:** The intensified use of the site will materially worsen peak-hour congestion, with knock-on safety and amenity impacts for the wider community.



## **vi. Local Infrastructure Capacity**

The delivery of up to 10,000 homes will create substantial demands for education, healthcare, utilities, and other public services. There is currently no evidence that:

- New schools and GP surgeries will be delivered at pace with housing completions.
- Local utilities (electricity, water, broadband) have capacity to serve the development.
- The scheme is supported by a clear and enforceable infrastructure delivery plan.

Permitting development without securing appropriate infrastructure first would lead to significant social harm and is contrary to the NPPF and local infrastructure policies.

## **5.0 SUMMARY**

For the reasons set out above, the proposal as submitted would cause substantial and unacceptable harm to the amenity of my client at Yew Trees and would fail to respect the prevailing character of this part of the settlement. The proximity, scale and intensive nature of the development in this sensitive location are fundamentally at odds with the requirements of the NPPF and with Strategic Policy 24 of the Horsham District Planning Framework (2015).

My client is strongly opposed to the scheme in its present form, it is recognised that the application will establish parameters to guide future reserved matters. On this basis, the masterplan requires fundamental amendment to ensure that the edge of the site adjacent to Yew Trees is treated in a more sensitive and appropriate manner. In particular, this should include:

- Increased separation distances between new buildings and Yew Trees;
- Greater provision of open space and landscaping along this boundary;
- A revised layout that avoids the siting of high-density blocks of flats directly adjacent to



existing low density Yew Trees..

These changes are essential if the development is to provide an acceptable framework for detailed design and to avoid locking in an inappropriate and harmful relationship with my client's property.

However, it is clear that the proposed development of up to 10,000 homes is wholly unsustainable. It will increase flood risk and overwhelm sewage infrastructure, harming existing residents and third parties. The scheme threatens a significant bat roost of over 100 individuals in the roof and annexe of Yew Trees, with lighting and habitat loss undermining protected species and dark skies. Highway changes will sever direct access to Rusper Village and the wider network, forcing longer car journeys while inadequate parking and traffic growth will compromise safety on an already sensitive network.

Crucially, no evidence is provided that schools, healthcare, utilities or other essential infrastructure will be delivered in step with the housing. Taken together, the scheme conflicts with national and local planning policy and should be refused.

Accordingly, my client respectfully requests that the application is refused without delay.

Yours faithfully

Lloyd Jones MRTPI  
Director



## **Appendix A – Relevant Planning Policies**

### **HDPP (2015)**

- Strategic Policy 24 'Environmental Protection'
- Strategic Policy 25 'The Natural Environment and Landscape Character'
- Strategic Policy 32 'The Quality of New Development'
- Strategic Policy 35 'Climate Change'
- Strategic Policy 38 'Flooding'
- Strategic Policy 39 'Infrastructure Provision'
- Policy 31 'Green Infrastructure and Biodiversity'
- Policy 33 'Development Principles'

### **The Rusper Neighbourhood Plan (Made June 2021)**

- Policy RUS3: Design
- Policy RUS5 'Green Infrastructure and Biodiversity'
- Policy RUS10 'Dark Skies'