



## DELEGATED APPLICATIONS - ASSESSMENT SHEET

### APPLICATION NO./ADDRESS:

DC/25/0447  
Land at Hillybarn Farm, The Mount, Ifield, West Sussex,

### DESCRIPTION:

Erection of 4no. new build dwellings and amended access details. (Alternative to permission granted under DC/22/1918 Prior Approval of Proposed Change of Use of Agricultural Building to form 5 dwellinghouses).

### RELEVANT PLANNING HISTORY:

DC/22/1918	Prior Notification for Change of Use of Agricultural Building to residential (Use Class C3) to form 5no dwellinghouses.	Prior Approval Required and PERMITTED on 01.12.2022
HRA/24/0010	Application under Regulation 77 of the Conservation of Habitats and Species Regulations 2017 relating to Prior Approval consent DC/22/1918	Permitted on 23.12.2024

### DESCRIPTION OF THE SITE

The application site is a parcel of land containing a single-story barn in a state of disrepair located to the east side of Hillybarn Road, outside of any built up area, and is a rural location. The site is accessed from the highway via an existing timber five bar gate set back from the highway. Boundary treatment to the highway consists of timber post and rail either side the timber gate and mature hedging and trees either side.

The site is surrounded by agricultural land to the east, north and west. To the north of the parcel of land a public footpath (PROW 3711) runs west to east. A further public footpath (PROW1506) runs west to east to the south of the parcel of land and further south are buildings associated with Hillybarn Farm. The nearest listed building is 350 metres to the southwest.

### DESCRIPTION OF THE APPLICATION

Unit 1 would have 4 bedrooms and would have some eaves accommodation including a hobby area and a gym area, with a ridge of 6.632 metres and an eaves of 2.7 metres at ground floor and the loft accommodation having a max height of 3.33metres. The roof pitch would be single pitched and would have a storm porch and would have a three bay detached garage of 62.86m<sup>2</sup>. The garage height would be 4.5metres height.

Unit 2 and 3 would have 2 bedrooms and have an eaves height of 2.64 metres and a maximum ridge height of 5.25 metres, width of 11.77 metres and a depth of 10 metres. The proposed would have a single bay garage with a footprint of 42 sqm.

Unit 4 would be 6.125 metres to ridge height, 3.16 to eaves, in an L shaped configuration. The proposal would have 4 bedrooms, each bedroom with an ensuite in addition to an additional shower room and largest ensuite at first floor level. The depth would be 18.51 metres and the width would be 25.15 metres. Unit 4 would benefit from a detached double garage and a cycle store. Some indicative

hardstanding has been outlined, with native hedging indicated as the site boundary treatment. At first floor level would have another bathroom and master bedroom.

The materials would be white render, slate tiles, and brick plinth. The proposal would have a modern appearance with black vertical metal cladding and the garage would have a footprint of 42sqm and would reflect the materials of the main dwelling. Two new accesses would be created.

The development would be sited closer to the road outside of the red line boundary under DC/22/1918. It is noted that the applicant has submitted the previous location plan and proposed floor plan marked 'proposed' in addition to the proposed plans to be considered as part of the current assessment. There is a public right of way running to the south and north of the application site.

## RELEVANT PLANNING POLICIES

### **The National Planning Policy Framework (NPPF)**

#### **Horsham District Planning Framework (HDPF)**

- Policy 1 - Strategic Policy: Sustainable Development
- Policy 2 - Strategic Policy: Strategic Development
- Policy 3 - Strategic Policy: Development Hierarchy
- Policy 4 - Strategic Policy: Settlement Expansion
- Policy 15 - Strategic Policy: Housing Provision
- Policy 16 - Strategic Policy: Meeting Local Housing Needs
- Policy 24 - Strategic Policy: Environmental Protection
- Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
- Policy 26 - Strategic Policy: Countryside Protection
- Policy 27 - Settlement Coalescence
- Policy 31 - Green Infrastructure and Biodiversity
- Policy 32 - Strategic Policy: The Quality of New Development
- Policy 33 - Development Principles
- Policy 35 - Strategic Policy: Climate Change
- Policy 36 - Strategic Policy: Appropriate Energy Use
- Policy 37 - Sustainable Construction
- Policy 38 - Strategic Policy: Flooding
- Policy 39 - Strategic Policy: Infrastructure Provision
- Policy 40 - Sustainable Transport
- Policy 41 - Parking

#### **Regulation 19 Horsham District Local Plan 2023-2040 (HDLP)**

- Strategic Policy 1 – Sustainable Development
- Strategic Policy 2 – Development Hierarchy
- Strategic Policy 3 – Settlement Expansion
- Strategic Policy 6 – Climate Change
- Strategic Policy 7 – Appropriate Energy Use
- Strategic Policy 8 – Sustainable Design and Construction
- Strategic Policy 9 – Water Neutrality
- Strategic Policy 10 – Flooding
- Strategic Policy 11 – Environmental Protection
- Strategic Policy 12 – Air Quality
- Strategic Policy 13 – The Natural Environment and Landscape Character
- Strategic Policy 14 – Countryside Protection
- Strategic Policy 17 – Green Infrastructure and Biodiversity
- Strategic Policy 19 – Development Quality
- Strategic Policy 20 – Development Principles
- Strategic Policy 24 – Sustainable Transport
- Policy 25 – Parking
- Strategic Policy 37 – Housing Provision
- Strategic Policy 38 – Meeting Local Housing Needs

## Policy 40 – Improving Housing Standards in the District

Paragraph 33 of the NPPF requires that all development plans complete their reviews no later than 5 years from their adoption. Horsham District Council is currently in the process of reviewing its development plan however at this stage the emerging policies carry only limited weight in decision making. As the HDPF is now over 5 years old, the most important policies for the determination of this application must be considered as to whether they are 'out of date' (NPPF paragraph 11d). This includes, for applications involving the provision of housing, whether the Council can demonstrate a five year supply of deliverable housing sites (NPPF footnote 8).

The Council is currently unable to demonstrate a five year supply of deliverable housing sites, with the supply currently calculated as being 1 year. The presumption in favour of development within Paragraph 11d) of the NPPF therefore applies in the consideration of all applications for housing development within the District (unless footnote 7 or Paragraph 14 applies to relevant applications), with Policies 2, 4, 15 and 26 now carrying only moderate weight in decision making.

All other policies within the HDPF as itemised above have been assessed against the NPPF and are considered to be consistent such that they continue to attract significant weight in decision making.

### **Horsham District Local Plan (2023-40) (Regulation 19):**

Strategic Policy 1: Sustainable Development

Strategic Policy 2: Development Hierarchy

Strategic Policy 3: Settlement Expansion

Strategic Policy 4: Horsham Town

Strategic Policy 6: Climate Change

Strategic Policy 7: Appropriate Energy Use

Strategic Policy 8: Sustainable Design and Construction

Strategic Policy 9: Water Neutrality

Strategic Policy 10: Flooding

Strategic Policy 11: Environmental Protection

Strategic Policy 12: Air Quality

Strategic Policy 13: The Natural Environment and Landscape Character

Strategic Policy 14: Countryside Protection

Strategic Policy 15: Settlement Coalescence

Strategic Policy 16: protected Landscapes

Strategic Policy 17: Green Infrastructure and Biodiversity

Policy 18: Local Green Space

Strategic Policy 19: Development Quality

Strategic Policy 20: Development Principles

Policy 21: Heritage Assets and Managing Change within the Historic Environment

Policy 22: Shop Fronts and Advertisements

Strategic Policy 23: Infrastructure Provision

Strategic Policy 24: Sustainable Transport

Policy 25: Parking

Policy 26: Gatwick Airport Safeguarding

Strategic Policy 27: Inclusive Communities, Health and Wellbeing

Policy 28: Community Facilities, Leisure and Recreation

Strategic Policy 29: New Employment

Strategic Policy 30: Enhancing Existing Employment

Policy 31: Rural Economic Development

Policy 32: Conversion of Agricultural and Rural Buildings to Commercial, Community and Residential Uses

Policy 33: Equestrian Development

Strategic Policy 34: Tourism Facilities and Visitor Accommodation

Strategic Policy 35: Town Centre Hierarchy and Sequential Approach

Strategic Policy 36: Town Centre Uses

Strategic Policy 37: Housing Provision

Strategic Policy 38: Meeting Local Housing Needs

Policy 39: Affordable Housing

Policy 40: Improving Housing Standards in the District  
Policy 41: Rural Exception Homes  
Policy 42: Retirement Housing and Specialist Care  
Strategic Policy 43: Gypsies and Travellers  
Policy 44: Rural Workers Accommodation  
Policy 45: Replacement Dwellings and House Extensions in the Countryside  
Policy 46: Ancillary Accommodation

**Supplementary Planning Guidance:**

Planning Obligations and Affordable Housing SPD (2017)  
Community Infrastructure Levy (CIL) Charging Schedule (2017)

**Rusper Neighbourhood Plan:**

Policy RUS1 – Spatial Plan  
Policy RUS3 – Design  
Policy RUS5 – Green Infrastructure and Biodiversity

**Planning Advice Notes:**

Facilitating Appropriate Development  
Biodiversity and Green Infrastructure

**REPRESENTATIONS AND CONSULTATIONS RESPONSES**

Where consultation responses have been summarised, it should be noted that Officers have had consideration of the full comments received, which are available to view on the public file at [www.horsham.gov.uk](http://www.horsham.gov.uk)

**Consultations:**

**Natural England:** No objection subject to appropriate mitigation.

**Ecology Consultant:** Objection

Further information required in respect of protected species, habitats and bats. There is an absence of ecological information to help assess the potential use of the site by bats.

**Highways response:** No Objection subject to recommended conditions

Two new vehicle crossovers would be formed to serve the dwellings. There is no evidence to suggest the existing access is operating unsafely or that the proposal would exacerbate an existing safety concern.

There are no objections to the proposed parking provision. There is no expectation that the proposal would give rise to an increase in the character of traffic in the vicinity of the site.

There is a nearby public right of way.

**HDC Environmental Health:** Conditions recommended

**Southern Water:**

General comments in respect of proposed soakaways and new connections for public sewers

**PUBLIC CONSULTATIONS:**

**Representations:**

11 representations received, with 9 coming within the district. Concerns relating to:

- General harm to residential amenity
- Concern over public safety
- Flight path over the development

- Contaminated land
- Incorrect details within the submission
- Overdevelopment
- Trees and landscaping
- Traffic
- Harm to the character of the area
- Harm to biodiversity
- Light pollution
- Industrial waste issues

Parish Comments:

**Parish Council:** Objection [Summary]

Parish council call-in. It was resolved to strongly object to the planning application. It is an isolated development well outside of any built boundaries contrary to both the existing and emerging local plans. It is off a very narrow country lane more than 2 miles from the nearest public transport and 2.5 miles to the nearest shops.

Environmental Health concerns. Highlight recent enforcement concern EN/22/0121 in regards to importation of waste.

The planning statement references DC/24/0862 - Erection of 1No. dwelling (in the alternative to permission granted under DC/22/0435 - Prior Notification for the change of use of an agricultural building to residential (Class C3) to form 1no. Dwellinghouse). - South House Farm Marringdean Road Billingshurst RH14 9HH, but this bears little or no comparison with this proposal, as it is for a single dwelling only 1.4 miles from Billingshurst Station and local amenities. This proposal is for 4 dwellings almost double the distance from the nearest station and significantly more to Crawley's amenities.

The proposal is under the flight path so aircraft noise will be an environmental issue for residents.

Poor design which is out of keeping with the dwellings in the locality in a remote location. Concern in regards to external lighting and biodiversity.

General complaint that there was no site notice posted

[Officer note]

A site notice was put up outside the application site on 22.04.2025]

Member Comments:

None received

HUMAN RIGHTS AND EQUALITY:

The application has been considered having regard to Article 1 of the First Protocol of the Human Rights Act 1998, which sets out a person's rights to the peaceful enjoyment of property and Article 8 of the same Act, which sets out their rights in respect to private and family life and for the home. Officers consider that the proposal would not be contrary to the provisions of the above Articles.

The application has also been considered in accordance with Horsham District Council's public sector equality duty, which seeks to prevent unlawful discrimination, to promote equality of opportunity and to foster good relations between people in a diverse community, in accordance with Section 149 of the Equality Act 2010. In this case, the proposal is not anticipated to have any potential impact from an equality perspective.

PLANNING ASSESSMENT

**Principle of Development:**

Policy 2 of the Horsham District Planning Framework (HDPF) states that sustainable growth of the District will be met by focusing development in and around the key settlement of Horsham and allowing for growth in the rest of the District in accordance with the identified settlement hierarchy. This includes continuing to support in principle the sustainable development of settlements through an appropriate scale of development which retains the existing settlement pattern over the plan period, and managing development around the edges of existing settlements in order to prevent the merging of settlements and to protect the rural character and landscape.

Policies 3 and 4 of the HDPF direct growth within the District and define the settlement hierarchy. Policy 3 outlines that development will be permitted within towns and villages which have defined built-up areas. Policy 4 directs the growth of settlements outside of the built-up areas, and states that the expansion of settlements will be supported where: the site is allocated in the Local Plan or in a Neighbourhood Plan and adjoins an existing settlement edge; the level of expansion is appropriate to the scale and function of the settlement type; the development is demonstrated to meet the identified local housing need; the impact of the development individually or cumulatively does not prejudice comprehensive long term development in order not to conflict with the development strategy; and the development is contained within an existing defensible boundary and the landscape and townscape character features are maintained and enhanced.

Policy 26 protects the countryside against inappropriate development unless it is considered essential and appropriate in scale; whilst also meeting one of four criteria. The four criteria are: (1) supporting the needs of agriculture or forestry; (2) enabling the extraction of minerals or the disposal of waste; (3) providing for quiet informal recreational use; or (4) enabling the sustainable development of rural areas. The erection of a dwelling is not considered to be essential to its countryside location, nor does it meet any of the other criteria set out in Policy 26, therefore this proposal does not accord with Policy 26.

Policy RUS1 of the Ruser Neighbourhood Plan states confirms that the Neighbourhood Plan defines the built-up area boundary for Ruser, as shown on the Policies Map, for the purpose of applying Policy 4 of the HDPF.

The development relates to new build development in the countryside, where the development would comply with Policies 3 and 4 of the HDPF. In addition, the development would not be essential to the countryside location, nor meet any of the criteria under Policy 26 of the HDPF. The development would therefore be contrary to these policies.

The submitted Design and Access Statement advises that the current proposal is submitted as an alternative to an extant prior approval consent for the conversion of the barn to five dwellings (DC/22/1918). This prior approval consent had attached to it a pre-commencement condition outlining the need for a preliminary contamination report. This condition is considered to represent a condition precedent, which goes to the heart of the planning permission. In order to represent a reasonable fallback, this condition would need to have been discharged. This is no record of this matter having been dealt with, where the Prior Approval scheme could not be commenced without this condition being addressed. It is not therefore possible at this stage to commence development of the Prior Approval scheme, where the condition of the permitted development right is that the development should be completed within 3 years of Prior Approval being granted. Whilst there is an approved Regulation 77 application (HRA/24/0010) application relating to water neutrality, there is no viable fallback as the Pre-Commencement condition has not been discharged.

Without the presence of a viable fallback permission for the conversion of the barn to five dwellings as a significant material consideration the proposed development would be in conflict with the spatial strategy for housing within the development plan as set out in Policies, 2, 3, and 4 of the HDPF. In addition, the proposal would not meet any of the exceptions as identified within Policy 26 of the HDPF.

### **Design and Appearance:**

Policy 32 of the HDPF states that good design is a key element in sustainable development and seeks to ensure that development promotes a high standard of urban design, architecture and landscape. Policy 33 of the HDPF states that development proposals should make efficient use of land, integrate effectively with the character of the surrounding area, use high quality and appropriate materials, retain

landscaping where feasible (and mitigate loss if necessary) and ensure no conflict with the character of the surrounding town or landscape.

Policy 25 of the HDPF, The Natural Environment and Landscape Character, sets out that proposals will be required to protect, conserve, and enhance the landscape character, taking into account areas identified as being of landscape importance, the individual settlement characteristics, and maintains settlement separation.

Policy RUS3 of the Ruser Neighbourhood Plan states that proposals for new development must be of the highest design standards, and will be required to reflect the character and scale of surrounding buildings. Proposals should take into account, among other things, the retention of key views out to the countryside.

Within the immediate locality, there are few examples of development with the nearest dwelling being Hilly Barn Farmhouse to the south of the application site. Within the wider locality there are a number of rural agricultural buildings and farmhouses, with a distinctiveness rural character and appearance. The dwellings largely sit on generous plots.

The existing building is considered to be a large, albeit modest proportioned building. The approved conversion would result in the addition of windows and doors, adding a degree of domesticity to the building. The current proposal seeks to demolish this building, with the erection of 4no. detached buildings, spaced across the site. These buildings would primarily be single storey in nature, albeit that Unit 4 seeks to incorporate a double height barn feature. While the proposal would result in a more suburban and domestic character, there would be some benefits to the scheme arising from the modest scale of the proposed dwellings and the generous spacing proposed. Whilst not of a specifically traditional or rural design, the overall character and appearance of the proposed dwellings is considered to sit comfortably within the context of the site and surroundings. There are however some reservations regarding the proposed material palette, and specifically the use of render and slate roof. Had the development been considered acceptable in all other regards, further discussion on this matter would have taken place.

Each dwelling would benefit from a detached garage and cycle store. These would be positioned to the front of the site, forward of the principal elevation of Units 2, 3, and 4. These are considered to add a greater degree of suburban and domestic character to the site, with the scale and proportion of these buildings considered to compete with the proportions and hierarchy of the site. While this in itself is not a reason to refuse the scheme, should a later application be submitted, it would be anticipated that greater consideration be given to the scale and proportion of these outbuildings.

### **Residential Amenity:**

Policy 33 states that development should consider the scale, massing and orientation between buildings, respecting the amenities and sensitivities of neighbouring properties. Policy 33(2) of the HDPF states that permission will be granted for development that does not cause unacceptable harm to the amenity of the occupiers/users of nearby properties and land.

Officers are satisfied that the proposed development will not result in adverse harm to neighbouring amenity with the nearest neighbour being Hilly Barn Farmhouse to the south. This is located a sufficient distance from the proposed development so as not to result in an unacceptable relationship in terms of loss of light, obtrusive appearance, or loss of privacy. The proposed dwellings themselves would be sited a sufficient distance from one another so as not to result in overlooking.

The dwellings would satisfactorily meet with Nationally described Space standards and would have sufficient amenity space to provide for each dwelling. Overall there are no objections to the development in light of policy 33(2) of the HDPF.

### **Highways Impacts:**

Policy 40 of the HDPF states that transport access and ease of movement is a key factor in the performance of the local economy. The need for sustainable transport and safe access is vital to

improve development across the district. Policy 41 of the HDPF that development that involved the loss of existing parking spaces will only be allowed if suitable alternative provision has been secured elsewhere. Adequate parking facilities must be provided within the developments to meet the needs of the anticipated users.

There would be two new accesses included within the proposal and hardstanding created for parking provision. In addition, each dwelling would benefit from a garage and dedicated cycle parking. The Local Highways Authority have been consulted during the course of the application and have comments that they have no objection subject to conditions ensuring the parking provision on site is carried out in accordance to the plans. There is no reason to suggest that the site is operating unsafely and it is not anticipated that the proposal would give rise to a significant material intensification in the number of vehicles accessing the site. No objections in light of Policies 40 and 41 of the HDPF.

### **Ecology:**

Policy 31 of the HDPF states that development proposals will be required to contribute to the enhancement of existing biodiversity and should create and manage new habitats where appropriate and that particular consideration will be given to the hierarchy of site and habitats in the district. Furthermore, Policy 31 states that any development with the potential to impact the Mens SAC will be subject to a Habitats Regulation Assessment to determine the need for an Appropriate Assessment and will be required to accord with any necessary mitigation measures. Strategic Policy 11 of the emerging HDLP requires development proposals to minimise lighting impacts on biodiversity. Strategic Policy 17 of the emerging HDLP resists any loss of green infrastructure unless it can be demonstrated that new opportunities will be provided that appropriately mitigates and/or compensates for the respective harm and ensures that the ecosystem services or the area are retained and enhanced.

Circular 06/2005 identifies that the presence of protected species is a material consideration when considering a development proposal that, if carried out, would be likely to result in harm to the species or its habitat. Therefore, it is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed application, is established before planning permission is granted. Information on biodiversity impacts and opportunities should inform all stages of development, and an ecological survey is usually necessary where the type and location of development are such that the impact on biodiversity may be significant and existing information is lacking or inadequate.

The Council's Ecologist has been consulted during the course of the application and has objected to the proposal given that the Bat Roost Potential Report (Sylvatica, July 2023) is out of date. The information submitted was more than 18 months old when it was submitted to support the application. Further information would be required including an up to date report, or an addendum to the initial report to show the validity of the initial report, further surveys and appropriate scope, timing and methods for the update surveys for bat roosts.

Given the above, the proposal would not be considered to be in accordance with Policy 31 of the HDPF.

### **Water Neutrality:**

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

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

The application has submitted a dedicated Water Neutrality statement. The proposed development would be for four dwellings consisting of 2x 2 bed properties and 2x 4 bed properties. The occupancies would therefore be 1.88 people for the two beds and 2.86 people for the four beds. The total water use for the entire site would be 911.98 litres per day. The daily water usage per person would be 96.2 litres. The proposed form of mitigation would be rainwater harvesting with the 2 bedrooms having a roof area of 120sqm and the 4 bedrooms would have a roof area of 220 sqm. When using a conservative yield co-efficient of 0.8, the calculation we use for this is  $Yr = A \times e \times AAR \times H$ . In this case, the annual yield is 368,477.856 and the daily yield would be 1,009.53. A 35 day tank capacity to supply the development would be 35,333.49 litres. Provided the rainwater harvesting tank size and mitigation is ensured by a suitably worded condition, the proposal would result in a water neutral proposal. Natural England have been consulted following an Appropriate Assessment and no objection has been raised.

It is noted that the proposal has submitted a Borehole report dated 2023 for the application site, however an assessment has not been made in this regard given that it is not required.

### Climate Change:

Policies 35, 36 and 37 require that development mitigates to the impacts of climate change through measures including improved energy efficiency, reducing flood risk, reducing water consumption, improving biodiversity and promoting sustainable transport modes. These policies reflect the requirements of Chapter 14 of the NPPF that local plans and decisions seek to reduce the impact of development on climate change. The proposed development includes the following measures to build resilience to climate change and reduce carbon emissions:

- Requirement to provide full fibre broadband site connectivity
- Dedicated refuse and recycling storage capacity
- Opportunities for biodiversity gain

Subject to the above conditions, the proposal would be acceptable in respect of the above.

### **Biodiversity Net Gain (BNG):**

Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) mandates that every development must achieve at least a 10% Biodiversity Net Gain (BNG (unless the development qualifies as exempt under the Biodiversity Gain Requirements (Exemptions) Regulations 2024). A metric has been submitted however there are inconsistencies with the metric where the percentage of units reduced on site would be high, yet the on site change is reported to be in excess of 10%. Had the development been considered acceptable, the Local Planning Authority would have sought clarification on these matters.

### **Conclusions:**

Planning permission is sought to demolish an agricultural barn and replace it with four dwellings. The site would not be allocated for development with the HDPF or a made neighbourhood plan, owing to the site's location outside of the built-up area boundary. There is relevant material planning history with a prior notification being granted for five dwellings. This would be a viable fallback if the pre-commencement condition had been discharged. This condition has not however been formally discharged, and it is not therefore considered to be a reasonable fallback. This would not therefore represent a material consideration that would justify a departure from the spatial strategy.

The scheme would be contrary to the overarching spatial strategy as expressed through Policies 1, 2, 3, and 4 of the HDPF, where the principle of the development is resisted. It is however recognised that the Council cannot currently demonstrate a 5-year housing land supply of housing sites. Therefore, the presumption in favour of sustainable development at paragraph 11(d) of the NPPF is engaged in this instance.

NPPF paragraph 11(d)(i) states that where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, planning permission should be granted unless 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, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

As per the preceding sections of this report, the granting of this permission would conflict with Policies 1, 2, 3, 4 and 26 of the HDPF. This conflict with the development plan is afforded moderate weight, as it would undermine the strategic process of allocating housing sites for development in appropriate locations, and the democratic process of selecting sites within Neighbourhood Plans. It has also not been demonstrated to the satisfaction of the Local Planning Authority that the development would not result in adverse harm to protected species and habitat or result in biodiversity enhancement as directed by Policy 31 of the HDPF.

The proposal would result in four dwellinghouses in the context of a shortage of housing which would be granted weight in this assessment. Nevertheless, the number of dwellings that the development would result in is modest. The benefit gained from these dwellings would therefore be limited. It is not considered in this instance therefore that the gain of four homes would outweigh the permanent harm to the countryside through inappropriate development.

The material benefits of the development are not therefore considered to outweigh the harm identified above, and the proposal is therefore recommended for refusal.

### COMMUNITY INFRASTRUCTURE LEVY (CIL)

Horsham District Council has adopted a Community Infrastructure Levy (CIL) Charging Schedule which took effect on 1st October 2017. The applicant has outlined that they would have an exemption from CIL given the development has been elected as self-build.

### **Recommendation: Application Refused**

#### Reason(s) for Refusal:

- 1 The proposed development would be sited within an unsustainable location in the countryside, outside of a defined built-up area boundary, and on a site not allocated for housing development within the Horsham District Planning Framework, or a made Neighbourhood Plan. Furthermore, the proposed development is not essential to its countryside location. Notwithstanding the absence of a five-year land housing supply, and the provisions of the National Planning Policy Framework (2024) at paragraph 11(d), it is not considered that there are any material considerations in this instance which would outweigh harm arising from conflict with Policies 1, 2, 3, 4 and 26 of the Horsham District Planning Framework (2015).
- 2 Insufficient information has been provided to demonstrate that the proposed development would have no adverse impact on protected species and its habitat, and to establish how the development will contribute to measurable Biodiversity Net Gain, contrary to Policy 31 of the Horsham District Planning Framework (2015) and Paragraphs 193 and 194 of the NPPF.

### POSITIVE AND PROACTIVE STATEMENT

Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received, in order to be able to, where possible, grant permission.

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#### **Plans list for: DC/25/0447**

(The approved plans will form Condition 1 on the Decision Notice of all Permitted applications)

Schedule of plans/documents **not approved**:

<b>Plan Type</b>	<b>Description</b>	<b>Drawing Number</b>	<b>Received Date</b>
Supporting Docs	Preliminary Contamination Risk Assessment by Environmental Assessment Services Ltd dated January 2023	NONE	21.03.2025
Supporting Docs	Bat Roost Potential Report by Sylvatica Ecology Ltd dated 06.07.2023	NONE	21.03.2025
Supporting Docs	Hydrogeological & Water Neutrality Assessment by B.A. Hydro Solutions Limited dated April 2023	NONE	21.03.2025
Supporting Docs	Water Neutrality Report and Water Management Plan by Promethean Planning dated 23.11.2024	NONE	21.03.2025
Section plan	Unit 3 Section DD	2409HI_R8_301 000	21.03.2025
Elevation plan	Proposed Elevations	2409HI_R8_302 000	21.03.2025
Elevation & Floor plan	Proposed Garage	2409HI_R8_303 000	21.03.2025
Section plan	Garage Section EE	2409HI_R8_304 000	21.03.2025
Floor plan	Proposed Ground Floor Plan	2409HI_R8_400 000	21.03.2025
Floor plan	Proposed First Floor Plan	2409HI_R8_401 000	21.03.2025
Section plan	Proposed Unit 4 Section FF	2409HI_R8_402 000	21.03.2025
Elevation plan	Proposed North & South	2409HI_R8_403 000	21.03.2025
Elevation plan	Proposed East & West	2409HI_R8_404 000	21.03.2025
Elevation & Floor plan	Proposed Garage	2409HI_R8_405 000	21.03.2025
Section plan	Proposed Garage Section HH	2409HI_R8_406 000	21.03.2025
Location plan	Location Plan	2209HI_R8_000 000	21.03.2025
Location plan	Existing Location Plan	2409HI_R0_000 R.0	21.03.2025
Block plan	Block Plan	2409HI_R8_001 000	21.03.2025
Floor plan	Proposed Ground Floor	2409HI_R8_100 000	21.03.2025
Floor plan	Proposed First Floor Plan	2409HI_R8_101 000	21.03.2025
Section plan	Unit 1 Section AA	2409HI_R8_102 000	21.03.2025
Elevation plan	Elevations	2409HI_R8_103 000	21.03.2025
Elevation plan	Elevations	2409HI_R8_104 000	21.03.2025
Elevation & Floor plan	Proposed Garage	2409HI_R8_105 000	21.03.2025
Section plan	Garage Section BB	2409HI_R8_106 000	21.03.2025
Floor plan	Proposed Ground Floor Plan	2409HI_R8_200 000	21.03.2025
Section plan	Unit 2 Section CC	2409HI_R8_201 000	21.03.2025
Elevation plan	Proposed Elevations	2409HI_R8_202 000	21.03.2025
Elevation & Floor plan	Proposed Garage	2409HI_R8_203 000	21.03.2025
Floor plan	Proposed Ground Floor	2409HI_R8_300 000	21.03.2025

