



## APPLICATIONS & APPEALS SERVICES

**DEMOLITION OF EXISTING BUILDINGS AND  
ERECTION OF FOUR DWELLINGS WITH  
ASSOCIATED GARAGES, ACCESS AND  
LANDSCAPING**

**GREENACRES, SAUCELANDS LANE, SHIPLEY,  
HORSHAM, WEST SUSSEX, RH13 8PU**

**PLANNING STATEMENT**

**DECEMBER 2025**





## CONTENTS

<b>1.0</b>	<b>INTRODUCTION.....</b>	<b>4</b>	<b>APPENDICES .....</b>	<b>55</b>
<b>2.0</b>	<b>PHYSICAL CONTEXT.....</b>	<b>5</b>	<b>NJA-1 Appeal decision – Horsham Golf Course</b>	
<b>3.0</b>	<b>PROPOSAL .....</b>	<b>10</b>	<b>NJA-2 – Appeal decision – Land adjacent Mcveigh</b>	
<b>4.0</b>	<b>PLANNING HISTORY.....</b>	<b>16</b>	<b>Parker Ltd</b>	
<b>5.0</b>	<b>POLICY CONTEXT .....</b>	<b>18</b>	<b>NJA-3 – Appeal decision – Land south of Hilland</b>	
<b>6.0</b>	<b>PLANNING COMPLIANCE APPRAISAL.....</b>	<b>33</b>	<b>Farm</b>	
<b>7.0</b>	<b>CONCLUSIONS .....</b>	<b>52</b>	<b>NJA-4 – Officer report – Former Arun Feedmills,</b>	
			<b>Rusper</b>	
			<b>NJA-5 – Committee report – Potters Field, Partridge</b>	
			<b>Green</b>	
			<b>NJA-6 – Decision notice DC/25/0780</b>	

## 1.0 INTRODUCTION

1.1 Planning permission is sought for the demolition of existing storage buildings and the erection of four detached dwellings with associated access, garages and landscaping at Greenacres, Saucelands Lane, Horsham, West Sussex RH13 8PU. This application is a resubmission of application DC/25/0780 and seeks to address reasons for refusal.

1.2 This supporting Planning, Design and Access Statement sets out the detail of the proposal which is described and appraised having regard to the following aspects.

- **Physical Context** – explains the physical context of the site and its surroundings;
- **Planning Context** – relevant planning history of the site and broad policy requirements;
- **Use** – the purpose of the proposed development;
- **Amount** – the extent of development on the site;
- **Scale** – details of the physical size of the proposed development;
- **Layout** – the relationship of the proposed development to the site and its setting;

1.3 The Statement will demonstrate that the proposed development accords with the relevant planning policies and is acceptable in all respects, overcoming the Council's concerns raised.

- **Appearance** – details of materials, style and impact upon the existing and neighbouring properties;
- **Landscape** – impact of the proposal on the existing landscape and proposed planting and surfacing;
- **Access** – access to the proposed development and associated parking.

## 2.0 PHYSICAL CONTEXT

2.1 The application site measures approximately 0.65ha and is situated to the south side of Saucelands Lane, outside the Built-Up Area and in the countryside. The roughly L-shaped plot comprises a long drive leading south from the Lane. The site then opens out to the east at the developed southern section of the site. There are six single storey buildings used as commercial storage and offices (B1 and B8 use classes) with open storage bays, parking and hard standing areas.

2.2 The site is divided into three areas –

- the western yard with buildings and external storage bays arranged along the outer edges and hard surfacing throughout,
- an open area to the south of the above including hard surfaced parking area and a pond and
- the eastern yard comprising a storage barn with open areas for storage and other external operations.

2.3 The buildings are of varied design and materials and generally located to the west and south perimeter of the site, whilst the

storage bays are to the north and east of southern section of the site.



Figure 1 - Site location plan

2.4 The site boundaries are defined by mature trees and shrubs. Whilst mostly level, there are bunds to the rear of the open storage bays and to the south.

2.5 The surrounding area is rural in character with limited, small-scale development surrounded by open fields. There are open

fields around the site, and a public right of way (footpath) runs parallel to the west boundary of the site. The nearest development is at Fayreholme, a residential dwelling to the northeast.

- 2.6 The site is approximately 3.9km from the boundary of West Chiltington, a “Medium Village” to the southwest. It is within the Southern Low Weald Landscape Character Area.
- 2.7 The site is within Flood Zone 1, which the Environment Agency designates as a low risk of fluvial flooding. The site is also within the Sussex North Water Supply Zone.
- 2.8 The following are photographs and images of the application site:



Figure 2 - Entrance to site from Saucelands Lane © Google Maps



Figure 3 - View east along Saucelands Lane © Google Maps



Figure 4 – Existing site layout with buildings highlighted

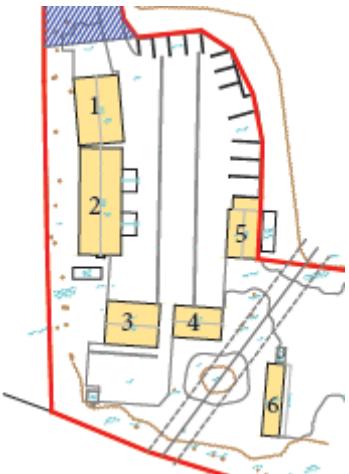


Figure 5 - Existing site layout - buildings numbered



Figure 6 - View south along access towards building 1



Figure 7 – Entry into western yard from access



Figure 8 – Western yard parking and buildings



Figure 10 – Southern parking area (building 3)



Figure 9 – Western yard - external storage bays and buildings 4 and 5



Figure 11 - Pond and buildings 3 and 4 viewed from southern section of site



Figure 12 - External storage bays, building 5 and entrance to eastern yard



Figure 14 – South boundary of eastern yard, building 6 to right



Figure 13 - View to northwest from eastern yard

## 3.0 PROPOSAL

3.1 Planning permission is sought for the demolition of the existing buildings and the erection of four detached dwellings. The application follows the refusal of application DC/25/0780 in August 2025 and includes information to overcome the reasons for refusal. This is identical to the previous application with the following exceptions:

- Minor adjustment of landscaping and BNG details. The statutory 10% BNG is still achieved.
- Removal of information regarding water neutrality.
- Market assessment of viability for continued occupation.

3.2 The Statement also assesses the scheme in relation to recent relevant planning decisions and appeals as set out in Section 6. References are made to the following sites, for which appeal decision letters and Council reports are appended:

- Horsham Golf Course
- Land adjacent Mcveigh Parker Ltd
- Land south of Hilland Farm and
- Former Arun Feedmills
- Potters Field.

3.3 As with the previous application, the development would provide the following:

- Plots 1 and 2 – two-storey, three-bedroom dwellings with detached double car port.
- Plot 3 and 4 – 1.5 storey, four-bedroom dwellings with detached double car port and integral double car port respectively.

3.4 The barn-style dwellings would feature brick plinths and timber cladding to the elevations with pitched and tiled roofs over. The dwellings in plots 3 and 4 would be built to an L-shaped plan with forward projecting single storey wings faced in brick. The Design and Access Statement prepared by Starc Architects notes that this reflects the historic vernacular and rural setting of the surrounding area.

3.5 The proposal reuses the existing access which leads to an L-shaped drive providing access to the plots.



Figure 15 - Proposed site layout

3.6 Boundary trees would be retained. The existing pond, between plots 3 and 4, would be enhanced with neutral grassland reinstated around it. This area would be outside the residential curtilages of the proposed dwellings as communal natural green space.

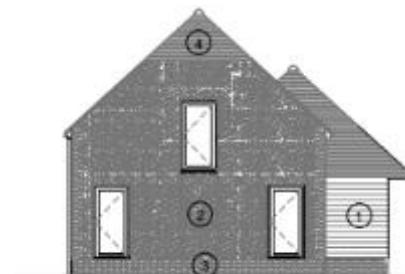
Plot 1



PROPOSED EAST ELEVATION



PROPOSED WEST ELEVATION

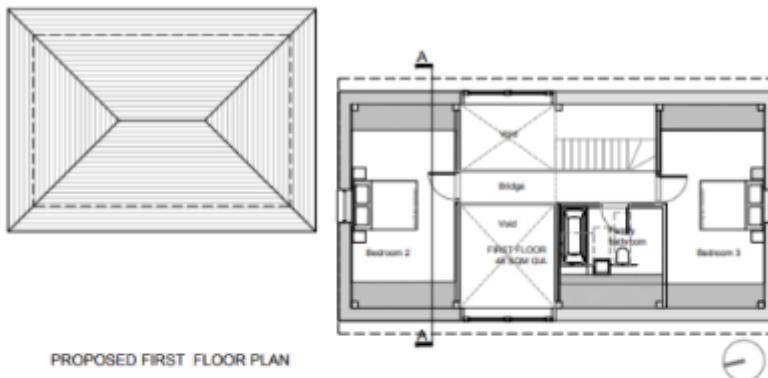


PROPOSED SOUTH ELEVATION

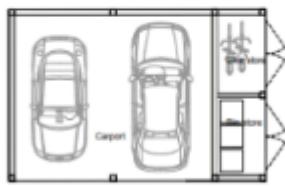
## Plot 2



PROPOSED NORTH ELEVATION



PROPOSED FIRST FLOOR PLAN



PROPOSED GROUND FLOOR PLAN



PROPOSED EAST ELEVATION



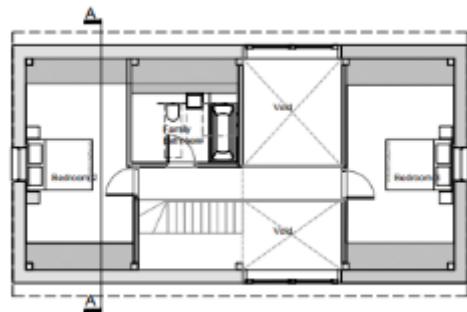
PROPOSED WEST ELEVATION



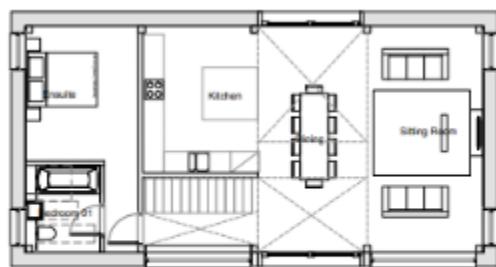
SOUTH ELEVATION



PROPOSED NORTH ELEVATION



PROPOSED FIRST FLOOR PLAN



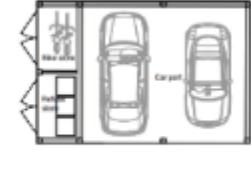
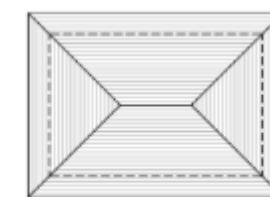
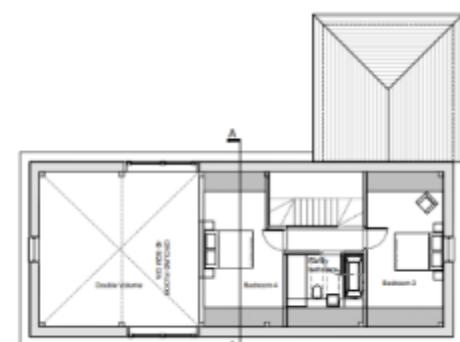
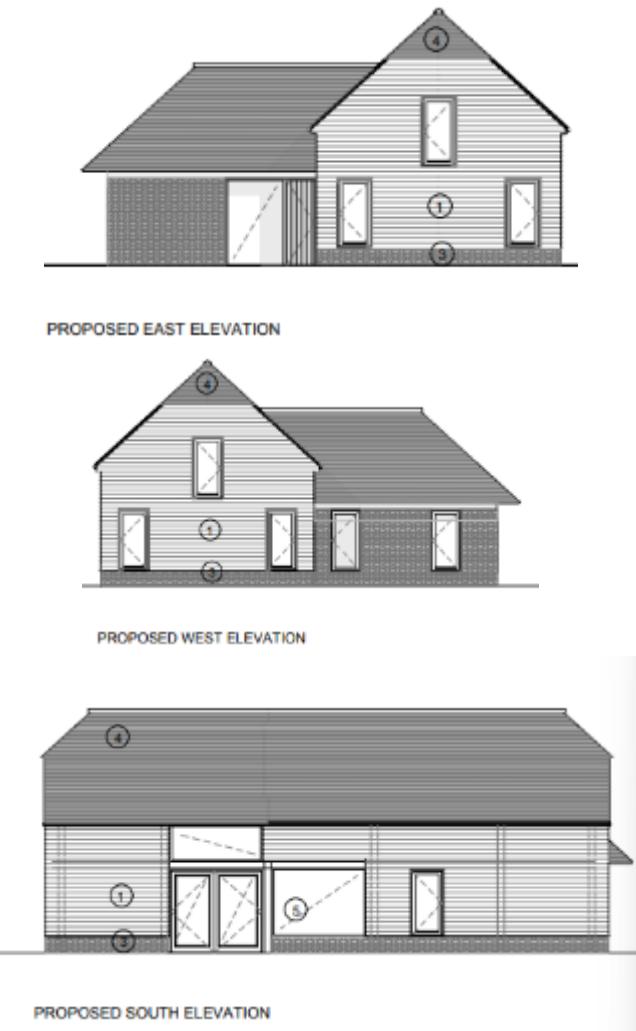
PROPOSED GROUND FLOOR PLAN



FRONT ELEVATION  
GARAGE , REFUSE & BIKE STORE

GROUND FLOOR PLAN  
GARAGE , REFUSE & BIKE STORE

## Plot 3



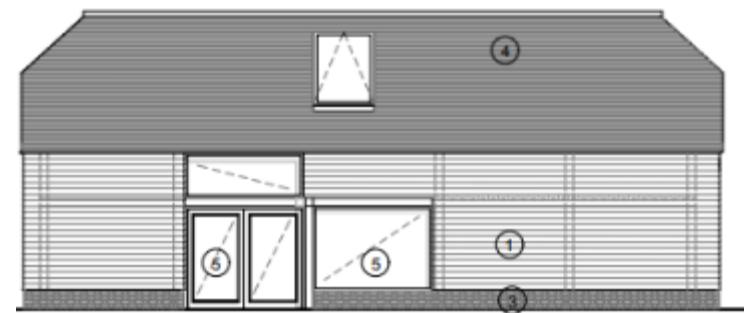
## Plot 4



PROPOSED WEST ELEVATION



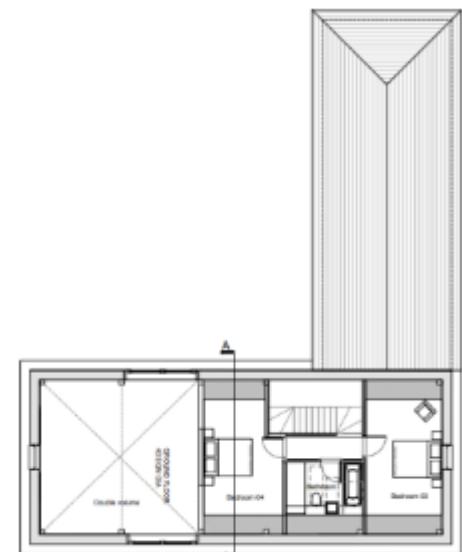
PROPOSED EAST ELEVATION



PROPOSED NORTH ELEVATION



PROPOSED GROUND FLOOR PLAN



PROPOSED FIRST FLOOR PLAN

## 4.0 PLANNING HISTORY

4.1 The relevant planning history for the application site is as follows:

- DC/25/0780 - Demolition of existing buildings. Erection of four barn style detached dwellings with associated garages utilising existing access together with landscaping. Refused 22 August 2025.
- DC/20/0168 - Outline Application for the demolition of existing buildings and the erection of 4no. dwellings with associated parking and amenity space, with all matters reserved except for access. Refused 23 March 2020.
- DC/15/1894 - Outline application for the erection of 4 dwellings with all matters reserved except for access. Withdrawn. 20 October 2014

4.2 This application is a re-submission of the scheme detailed in application DC/25/0780, which was refused for the following reasons.

1. *The development is within a countryside location outside of the built-up area boundary of any settlement on a site which has not been allocated for development within the*

*Horsham District Planning Framework or an adopted Neighbourhood Plan. The development would be contrary to the overarching strategy and hierarchical approach of concentrating development within the main settlements and is not essential to its countryside location. It has not been demonstrated that there are any material considerations of significant weight to justify a departure from this overarching spatial strategy. The proposed development would therefore be contrary to Policies 2, 3, 4, and 26 of the Horsham District Planning Framework (2015) and the National Planning Policy Framework.*

2. *It has not been demonstrated to the satisfaction of the Local Planning Authority that the existing commercial floorspace is no longer needed and/or viable for employment use, contrary to Policy 9 of the Horsham District Planning Framework (2015).*
3. *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.*

- 4.3 This application seeks to overcome the reasons for refusal.

## 5.0 POLICY CONTEXT

5.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act (2004), the determination of an application must be made in accordance with the Development Plan unless material considerations indicate otherwise. This includes national and local planning policies.

5.2 On the national level, the National Planning Policy Framework (2024) and the following are material considerations.

- National Planning Policy Guidance (NPPG)
- National Design Guide
- Technical Housing Standards

### National Planning Policy Framework 2024 (the “NPPF”)

5.3 The NPPF sets out the Government’s key objectives and planning policies for England and Wales. It provides a framework for the preparation of local plans for housing and other development and for the consideration of planning applications. Paragraphs 2 and 232 confirm that it is a material consideration in planning decisions from the date of its publication. Paragraph 3 notes that the NPPF should be read

as a whole and in conjunction with other Government policy publications “e.g. National Planning Policy Guidance (PPG), Written Ministerial Statements, the National Design Guide etc.”

#### Sustainable development

5.4 Chapter 2 confirms that the “purpose of the planning system is to contribute to the achievement of sustainable development.” (paragraph 7) As such, there are three overarching objectives detailed in paragraph 8 – economic, social and environmental - 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 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 protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.*

5.5 Paragraph 9 makes clear that these objectives should be delivered through plans, but they are not criteria against which every decision can or should be judged. Planning decisions should actively guide development towards sustainable solutions, “but in doing so should take local circumstances into account to reflect the character, needs and opportunities of each area.”

5.6 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. Where there are no relevant development plan policies or the relevant policies are out of date, paragraph 11d) states that planning permission should be granted unless

- i. *the application of policies in this Framework that protect areas or assets of particular importance provides a strong 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, 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.*

5.7 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.**”

5.8 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.”**

Supply of homes

5.9 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, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.”**

5.10 Paragraph 73 sets out that “**Small and medium sized sites can make an important contribution to meeting the housing requirement of an area, are essential for Small and Medium Enterprise housebuilders to deliver new homes, and are often built out relatively quickly.**” The development of a good mix of sites should be promoted, and local planning authorities should:

a) *identify, through the development plan and brownfield registers, land to accommodate at least*

**10% of their housing requirement on sites no larger than one hectare; unless it can be shown, through the preparation of relevant plan policies, that there are strong reasons why this 10% target cannot be achieved;**

**b) seek opportunities, through policies and decisions, to support small sites to come forward for community-led development for housing and self-build and custom-build housing;**

**c) use tools such as area-wide design assessments, permission in principle and Local Development Orders to help bring small and medium sized sites forward;**

**d) support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes; and**

**e) work with developers to encourage the subdivision of large sites where this could help to speed up the delivery of homes.**

5.11 Paragraph 78 sets out the requirement that local planning authorities “**should 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.**” The supply should include an appropriate buffer (as detailed in the paragraphs 78 and 79).

5.12 Paragraph 83 states that “**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.**”

5.13 Paragraph 84 states that “**Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:**

- a) *there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside;*
- b) *the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets;*
- c) *the development would re-use redundant or disused buildings and enhance its immediate setting;*
- d) *the development would involve the subdivision of an existing residential dwelling; or*
- e) *the design is of exceptional quality, in that it:*
  - is truly outstanding or innovative, reflecting the highest standards in architecture, and would help raise standards of design more generally in rural areas; and*
  - would significantly enhance its immediate setting and be sensitive to the defining characteristics of the local area."*

Transport

5.14 Chapter 9 highlights the importance of transport issues, which should be considered from the earliest stages of development proposals (paragraph 109). This is to ensure that (inter alia) the potential impacts of development on transport networks can be addressed. The planning system should actively manage growth to support sustainable transport, but it is acknowledged that opportunities to maximise solutions will vary between urban and rural areas, which should be taken into account in decision making (paragraph 110).

5.15 In assessing development proposals, paragraph 117 states that it should be ensured that there are appropriate opportunities to promote sustainable transport modes, that there is safe and suitable access to the site (for all road users) and that any significant impacts on the transport network or on highway safety terms can be cost effectively mitigated to an acceptable degree.

5.16 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, following mitigation, would be severe, taking into account all reasonable future scenarios.**”

5.17 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. Maximum parking standards for residential and non-residential development should only be set where there is a clear and compelling justification that they are necessary for managing the local road network, or optimising the density of development in city and town centres and other locations that are well served by public transport.

5.19 Paragraph 125 confirms that planning policies and decisions should (inter alia) “**a) encourage multiple benefits from both urban and rural land, including through mixed used schemes... d) promote and support development of under-utilised land and buildings, especially if this would help meet identified needs for housing where land supply is constrained and available sites could be used more effectively (for example converting space above shops, and building on or above service yards, car parks, lock-ups and railway infrastructure).**”

5.20 Paragraph 126 states that local planning authorities “**should take a proactive role in identifying and helping to bring forward land that may be suitable for meeting development needs.**” Whilst paragraph 127 notes that ‘**Planning policies and decisions need to reflect changes in demand for land.**’

#### Making effective use of land

5.18 Paragraph 124 of the Framework states that “**Planning policies and decisions should promote an effective use of**

5.21 When considering land which is developed but not allocated for a specific purpose in the local plan, local planning

authorities should take a positive approach to application for alternative uses including using ‘**retail and employment land for homes in areas of high housing demand, provided this would not undermine key economic sectors or sites or the vitality and viability of town centres, and would be compatible with other policies in this Framework...**’ (paragraph 128).

5.22 Paragraph 129 states the planning policies and decisions should support development that makes efficient use of land taking into account identified housing need, land availability, local market conditions, the desirability of maintaining an area’s prevailing character and setting or of promoting regeneration and change and the importance of securing well-designed, attractive and healthy places.

Design

5.23 In terms of design, Chapter 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).

5.24 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.

5.25 The contribution of trees to the character and quality of urban environments and to the mitigation of climate change is highlighted in paragraph 136.

5.26 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, flooding and coastal change

5.27 Paragraph 161 states that the planning system should support the transition to net zero by 2050, taking into account all climate impacts. Development should plan for climate change, and paragraph 164 states that new development should be planned in ways that “avoid increased vulnerability to the range of impacts arising from climate change”, managing risks through adaptation measures, and help to reduce greenhouse gas emissions.

- 5.28 Paragraph 166 continues and sets out that, in determining applications, local planning authorities should expect new development to a) comply with development plan policies on local requirements for decentralised energy supply (unless it can be demonstrated that this is not feasible or viable) and b) take into account landform, layout, building orientation, massing and landscaping to minimise energy consumption.
- 5.29 Paragraph 167 advises that significant weight should be given to “the need to support energy efficiency and low carbon heating improvements to existing buildings (including through installation of heat pumps and solar panels where these do not already benefit from permitted development rights).”
- 5.30 Paragraph 170 states that development should be directed away from areas at highest risk of flooding (existing or future). Where development is necessary in these areas, the development should be “made safe for its lifetime without increasing flood risk elsewhere.” To ensure that development does not increase flood risk elsewhere, applications should be supported by site specific flood-risk assessments where appropriate (paragraph 181). Applications which could affect drainage on or around the site should incorporate sustainable

drainage systems proportionate to the nature and scale of the proposal. (paragraph 182).

### The Natural Environment

5.31 Paragraph 187 states that planning policies and decisions should contribute to and enhance the natural and local environment by (inter alia) recognising the intrinsic character and beauty of the countryside; minimising impacts on and providing net gains for biodiversity; and preventing new and existing development from contributing to, being put at unacceptable risk from or being adversely affected by unacceptable levels of soil, air water or noise pollution or land instability.

5.32 If development results in significant harm to biodiversity which cannot be avoided, paragraph 193 states that planning permission should be refused unless this can be adequately mitigated or, as a last resort, compensated for.

5.33 Planning decisions should also ensure that development sites are suitable for the proposed use having regard to ground conditions and risks arising from land instability and contamination (paragraph 196). Paragraph 198 states that

decisions should ensure that development is appropriate to its location taking into account “the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.”

### **Development Plan**

5.34 The Development Plan is made up of the Horsham District Planning Framework 2015 and the Shipley Neighbourhood Plan. Policies relevant to the proposal are set out below:

#### Horsham District Planning Framework 2015 (the “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 9 - Employment Development
- 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 31 - Green Infrastructure and Biodiversity
- Policy 32 - Strategic Policy: The Quality of New Development
- Policy 33 - Development Principles
- Policy 35 - Strategic Policy: Climate Change
- Policy 36 - Strategic Policy: Appropriate Energy Use
- Policy 37 - Sustainable Construction
- Policy 38 - Strategic Policy: Flooding
- Policy 40 - Sustainable Transport
- Policy 41 – Parking
- Ship HD3 – High Quality Design
- Ship TT1 – Active Travel
- Ship CO2: Employment
- Ship Co3 – Broadband and Mobile Reception

#### The Shipley Neighbourhood Plan 2019-2031

5.35 The Shipley Neighbourhood Plan (the “Neighbourhood Plan”) was made on 23 June 2021. This includes the Shipley Design Guidance at Appendix 2 of the Plan. Relevant policies are detailed below:

- Ship HD1 – New housing Development
- Ship HD2 – Housing Mix

#### Other material considerations

5.36 Other material considerations include

- Horsham Landscape Character Assessment 2003
- The National Planning Practice Guidance 2014 (NPPG)
- National Design Guide (2021)
- Technical Guidance: Nationally Described Space Standards 2015 (as amended)

#### **Emerging Local Plan**

5.37 The draft Horsham Local Plan 2023-2040 was submitted for final examination under Regulation 19, and the first week of hearing sessions was held on 10-12 December 2024. During the hearings, the Planning Inspector voiced significant concerns about the soundness and legal compliance of the plan, which were repeated in a letter to the Council dated 16

December 2024. It has been reported<sup>1</sup> that the concerns relate to whether:

- the Local Plan would meet housing needs and the Sustainability Appraisal
- the Council has discharged its duty to cooperate
- the required further work to address the above could be completed within six months as per the guidance on pauses in examination set out in the Procedure Guide for Local Plan Examinations 2024.

5.38 Consequently, the Inspector instructed those hearings scheduled in December and January 2025 be cancelled on this basis, and the examination has been put on hold. The Council has requested that the Inspector consider whether the hearings could be reopened to consider the expediency of adding further sites to deliver housing need, and the Inspector has indicated that he will respond, but this response has not been published.

5.39 In light of the serious concerns voiced by the Inspector and the cancellation of the Local Plan hearings, the draft Local Plan policies should not be afforded weight in the assessment of applications at this time.

## Housing Land Supply

5.40 The NPPF requires Local Planning Authorities (LPAs) to ensure that there is adequate provision of land to meet the housing need for their areas and are required to identify sites to meet five years' worth of housing. The NPPF also sets out a requirement for an additional buffer over the Plan's housing requirements which should be between 5% and 20% where there has been a significant under delivery of housing for the previous 3 years.

5.41 The Council's Core Strategy is over 5 years old, and the Council's latest Annual Monitoring Report (AMR) (2022/2023) confirms that the Council has a housing land supply of just 2.9 years when measured against standard methodology figures. As such the Council's adopted policies in respect of housing

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<sup>1</sup> King, A. (2024). "Inspector cancels local plan examination hearings after just one session due to 'significant' soundness and legal concerns." *Planning Resource*. 19 December. Available at:

<https://www.planningresource.co.uk/article/1900503/inspector-cancels-local-plan-examination-hearings-just-one-session-due-significant-soundness-legal-concerns>  
(Accessed 23 February 2025)

are out of date and the tilted balance set out at paragraph 11d of the NPPF is engaged. This makes it clear that 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 as a whole'.***

5.42 Whilst the AMR states that the lack of supply should be considered against the housing allocations and policies of the emerging Local Plan (paragraph 7.33), the cancellation of the final examination hearing sessions mean that no real weight can be afforded to these policies. Whilst the Council awaits the Inspector's response to recommence hearings, the significant concerns raised points to considerable delays to the adoption of a new local plan. In the meantime, the gap between supply and demand is widening creating a greater deficiency in housing provision within the District.

5.43 The Council withdrew the Facilitating Appropriate Development document (FAD) and replaced this document with the Shaping Development in Horsham Planning Advice Note (SDPAN) in September 2025. Like the FAD, the SDPAN recognises that the Council is likely to receive applications outside of defined Built Up Area Boundaries (BUABs) and on unallocated sites (such as this proposal) as it is unable to demonstrate a five-year housing land supply. Given this position and the principles behind HDPF Policy 4, the SDPAN repeats the provisions of the FAD. It notes that the Council will consider positively applications that meet all of the following criteria:

- 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 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.

5.44 Whilst the Council considers the SDPAN to be a material consideration, this Statement sets out that it should be given limited weight for reasons detailed in the next section.

## Relevant Legislation

5.45 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).

5.46 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.

5.47 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."***

5.48 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 (Stratford on Avon v SSCLG [2014] JPL 104). 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. The Courts have emphasised that a planning authority is not obliged to strictly adhere to the development plan and should apply inherent flexibility: Cala Homes (South)

Limited v SSCLG [2011] JPL 1458 and Tesco Stores Ltd v Dundee City Council [2012] 2 P.&C.R. 9.

5.49 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;

***“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.”***

5.50 Part 6 of the Localism Act (enacted in January 2012) requires Local Planning Authorities to have regard to local finance considerations (so far as material to the application) as well as the provisions of the Development Plan and any other material considerations. The New Homes Bonus started in April 2011 and will match fund the additional Council tax raised for new homes and empty properties brought back into use, with an additional amount for affordable homes. The New Homes Bonus is as such an important consideration.

5.51 Conservation of Habitats and Species Regulations 2017 includes the duty on the competent authority to consider the implications of development upon the conservation objectives of the site within the framework of an Appropriate Assessment. In particular, there is the impact upon designated special habitats and areas of conservation.

5.52 The Environment Act 2023 introduced an amendment to the Town and Country Planning Act 1990 (as amended). It added Schedule 7A which details the requirement for development to achieve a 10% biodiversity net gain over existing development. It also sets out a number of exemptions to this requirement.

5.53 The Self-build and Custom Housebuilding Act 2015 (as amended) details the duty placed upon local authorities to address the need for self- and custom-build plots. Section 1 requires that local authorities keep a register of individuals and associations of individuals who are interested in building their own homes. Sections 2 and 2A of the Act relate to the duties

of local authorities in relation to the provision of self-build and custom-build plots. The primary duty is to ensure that there are sufficient permissions for self-build and custom plots to meet the demand for such plots. The demand is measured by way of register, taking into account the number of new entries to the register over a based period between 31 October and 30 October each year. The local authority has three years to provide enough permissions for custom and self-build plots to meet this demand. If demand exceeds 20% of the authority's land identified as available for housing, the local authority may apply to the Secretary of State to be exempt from the duty to grant planning permission.

## **6.0 PLANNING COMPLIANCE APPRAISAL**

6.1 As noted, this is a resubmission of application DC/25/0780. The application was refused for the following reasons:

- Principle and location of development
- Loss of employment land and
- Potential impact upon bats and insufficient detail to secure BNG.

6.2 This Statement will address the reasons for refusal before turning to other policy matters about which the Council has raised no objection.

### **Principle/location of development**

6.3 The first reason for refusal relates to development outside the BUAB, and the Council considered that there were no material considerations of significant weight to justify departure from this spatial strategy. The Council's assessment gives little consideration of significant shortfall in housing land supply and the implications this has upon the weight which may be attributed to development plan policies.

6.4 The policies seeking to restrict development in the countryside are out-of-date. Whilst Policy 15 of the HDPF set out a housing target of at least 16,000 dwellings to be delivered over the twenty-year local plan period (1 April 2011 to 31 March 2031), this policy is more than five years old and therefore is no longer the starting point.

6.5 Following the publication of the revised NPPF and the associated amendment to the Standard Method in December 2024, local housing need for Horsham District increased from 917 to 1357 dwellings per year- a 47% increase to which the 5% buffer should be applied (paragraph 78 of the NPPF). In April 2025, the Council published its Housing Delivery Test Action Plan 2025. This noted that its Annual Monitoring Report (AMR), covering the period between 1 April 2023 – 31 March 2024, confirmed that the Council has a 1.0-year housing land supply. This is a very significant shortfall.

6.6 In accordance with Footnote 8 of the NPPF, policies which seek to restrict housing in the countryside in principle (in this case HDPF Policies 1, 2, 4 and 26) are out of date. This has been established in recent appeals and acknowledged by the Council, for example in the committee report recommending

approval of the proposal for 43 dwellings at Millfields Farm, Rusper (DC/24/0699).

*It should, though, be noted that the Local Planning Authority is presently unable to demonstrate a 5-year supply of deliverable housing sites, with the Council's latest Authority Monitoring Report confirming 2.9 year housing land supply. This represents a substantial shortfall relative to the Council's assessed housing need and significantly diminishes the degree of weight which can be attributed to conflict with existing spatial policy.*

6.7 The Inspector's conclusions in the appeal for proposed residential development at Horsham Golf Course (APP/Z3825/W/24/3355546 – Appendix NJA1) also included a highly critical assessment of these policies in this context: (emphasis added)

*1) First, the Council is unable to demonstrate a 5-year supply of housing or anything close to it. A viable replacement plan is arguably further away now than at any point since the adoption of the last plan and therefore there is no realistic or imminent prospect that the current shortfall will be remedied through the*

development plan process. This means the relevant policies, particularly current settlement boundaries, are to be considered out-of-date and the tilted balance in HDPF Policy 1 and NPPF paragraph 11d) is engaged. Having concluded that the settlement boundaries in the HDPF are out of date, it follows that the same boundaries within the Southwater Neighbourhood Plan must also be out-of-date.

2) Second, in seeking to protect the countryside for its own sake and restricting development outside settlement boundaries, Policy 26 and SNP1 are inconsistent with the balanced, cost/benefit approach set out in the NPPF. The balancing of harm against benefit is a defining characteristic of the NPPF's overall approach embodied in the presumption in favour of sustainable development. Because of this, where Policy 26 is used to restrict housing outside settlement boundaries, it cannot be seen to be consistent with the language of the NPPF.

3) Third, and as the Council fairly accepted, greenfield sites outside settlement boundaries (and therefore in the countryside) will need to come forward in Horsham

*district if housing needs are to be met. Consequently, a degree of landscape harm, coalescence and conflict with Policies 25, 26 and 27 will have to be tolerated. In this regard the Council were not able to point to any sequentially preferable sites in landscape (nor sustainable transport) terms in or close to Horsham.*

*4) Fourth, the degree of harm to a non-designated landscape in this case would be moderate rather than significant.*

6.8 Although the Council sought judicial review of the above appeal, this was rejected by the Court, and the consideration is a material consideration in assessing this scheme. As such, it is a material consideration in the assessment of this scheme.

6.9 The Neighbourhood Plan is less than five years old, but it does not contain policies and allocations to meet the identified housing requirement. Thus, the protection for neighbourhood plans detailed in paragraph 14 of the NPPF does not apply, and there should be no objection in principle arising from the Neighbourhood Plan. Nevertheless, this Statement demonstrates that the proposed development would not be contrary to the general aims of Policy Ship HD1 insofar as the

proposal would amount to redevelopment of previously developed land which would be in scale and in keeping with the character of this area.

6.10 Therefore, in accordance with Footnote 8 of the NPPF, policies related to the delivery of housing are out-of-date and very limited weight may be attributed to these policies which seek to restrict residential development. The presumption in favour of sustainable development detailed in paragraph 11d) of the NPPF may apply. This states that permission should be granted unless

- there is harm to protected areas or assets which provide a clear reason for refusal or
- the adverse impacts, when assessed against the policies of the policy framework as a whole would outweigh the benefits.

6.11 This Statement will demonstrate that there is no other harm as the second and third reasons for refusal will be addressed in the following sections.

6.12 It is noted that the Council had evaluated the previous application against criteria detailed in the FAD document. This

has been withdrawn and replaced with the SDPAN, which repeats the restrictive criteria in the previous document regarding windfall residential development in the countryside. However, the SDPAN should not be afforded weight, at best it should be very limited. The criteria detailed in the FAD and SDPAN are very slightly modified versions the text of Policy 4 of the HDPF, which is out of date. The assertion that the SDPAN is up to date by virtue of these minor wording changes is questionable. For example, the SDPAN refers to BUAB, which the Inspector concluded were out of date in the appeal for Horsham Golf Course.

6.13 Furthermore, it is clear that the Council has continued in its downward trajectory of housing land supply since the publication of the two documents. The HDT 2023 measurement results showed reductions in housing delivery in 2021/22 and 2022/23. The Authority Monitoring Report (AMR) 2020/21 reported a housing land supply of 4.0 years. This decreased to 2.9 years in the AMR 2022/23, and it now stands at 1.0-year supply. Due to development constraints and the absence of identified sites to meet need, the FAD document and SDPAN have not facilitated development and have in fact continued to restrict development at a time of acute need as is evidenced by the Council's previous assessment of this scheme. Thus, the SDPAN should not be given weight at a time when there is no clear strategy for meeting the acute shortfall in housing need.

6.14 The SDPAN is also problematic insofar as it essentially repeats the (slightly modified) criteria set out in HDPF Policy 4 but does not form part of the development plan. It is guidance and akin to the supporting text of policies. The Court ruled in *R (Cherckley Campaign Ltd) v Mole Valley DC 2013 EWHC 2582 (Admin)* that supporting text does not carry the weight of policy. Therefore, the SDPAN should be given very limited weight at best. However, it is clear that the Council treated the previous document (FAD) as policy.

6.15 Having established that existing policies and guidance are out of date and should be given very limited or no weight, the proposal would accord with current national policy regarding residential development in rural areas and on previously developed land. The proposal would contribute four dwellings to local housing supply through the redevelopment of redundant previously developed land. It is aligned with national planning policy which seeks to significantly boost housing supply and delivery and make use of brownfield land.

6.16 Furthermore, it is noted that the Council does not strictly adhere to the requirement that all criteria of the FAD and now SDPAN must be met. In recommending approval of the proposal for dwellings at Potters Field, it was noted that the site did not meet the first criteria. This was not, however, reason for an objection. The committee report is appended.

6.17 The Council did not consider that the dwellings would be isolated dwellings in the countryside. They are near existing settlements and would contribute to the vitality of rural communities in accordance with paragraphs 83 and 84 of the NPPF. As a former commercial site, the traffic movements associated with the existing lawful use of the site would be of greater scale and intensity than that associated with the residential use. The Statement will outline that the commercial use is no longer viable and as such, the change of use towards housing and the social, economic and environmental benefits would amount to sustainable development.

6.18 The proposed development is considered to meet all up-to-date policies in the development plan and NPPF. As detailed in following sections, the proposal would not lead to adverse impacts and would comply with the NPPF taken as a whole,

and there should be no objection in principle to the development.

### **Employment land**

6.19 The second reason for refusal related to the loss of employment land. The economy is one of the three objectives of sustainable development, and Chapter 6 of the NPPF details policies to build a strong, competitive economy. Paragraph 85 states that:

*Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future. This is particularly important where Britain can be a global leader in driving innovation, and in areas with high levels of productivity, which should be able to capitalise on their performance and potential.*

6.20 Planning policies and decisions should take into account the specific locational requirements of different sectors (paragraph 87). In rural areas, paragraph 88 states that policies and decision should support a prosperous rural economy by enabling “a) the sustainable growth and expansion of all types of business in rural areas, b) the development and diversification of agricultural and other land-based rural businesses; c) sustainable rural tourism and leisure developments which respect the character of the countryside; and d) the retention and development of accessible local services and community facilities...”

6.21 Paragraph 89 goes further by recognising that site “may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.”

6.22 Policy 9 of the HDPF states that the “redevelopment of employment sites and premises outside Key Employment Areas, must demonstrate that the site/premises is no longer needed and/or viable for employment use’. The Council concluded in the previous application that this had not been demonstrated.

6.23 As noted in the previous application, the site has been vacant for some years following the departure of the last tenant. The condition of the buildings and facilities are such that they are no longer suitable for rent and therefore not viable, which is confirmed in the market viability assessment of the site which is submitted as part of this application. The site is situated in the countryside and comprises a number of buildings and hard surfacing which no longer meet current accommodation standards and regulations. The cost of repair and replacement to these structures is not economically viable for this type of site in this location.

6.24 This viability assessment takes into account demand for commercial property in the district, which favours sites closer to the larger settlements and towns. This is supported by the Council’s own evidence for its emerging local plan, which suggests an oversupply of employment land in the District.

This was noted in the appeal decision (APP/Z3825/W/23/3328645- Appendix NJA2) relating to the proposed new business starter units at land adjacent to McVeigh Parker Ltd in Adversane. The Inspector noted that “figures provided by the Council indicate a general surplus of employment land within the district. This has been demonstrated in recent planning appeals elsewhere in the district.”

6.25 That appeal references an earlier planning appeal regarding the proposed commercial development at Land South of Hilland Farm (APP/Z3825/W/21/3288070 – Appendix NJA3). The Inspector concluded that:

*“...the Horsham [Employment Growth Assessment (EGA)] does provide two important conclusions. Firstly, that even using the scenario with the highest requirement, a surplus of 36,056 sq m of employment floorspace is predicted. Secondly, that the majority of employment job growth is likely to be in the office sector, with Class E (Industrial Processes) predicted to decline and Class B8 predicted to increase but by a lesser amount....*

*Overall, the quantitative and qualitative picture is opaque. A recent, robust EGA exists for the District which concludes there is a surplus of employment floorspace. However, relatively small changes in methodology or assumptions make significant changes to the employment need position, particularly when forecasting towards the end of the Local Plan period. Delivery, particularly of larger sites, is also unclear. Nevertheless, there is a strong recent track record of employment floorspace being granted planning permission. All of the large sites may not yet be delivering but they are mostly the subject of active planning applications and their future construction is plausible. Importantly, the Development Plan policies, in combination, are clear on directing new employment development to sites within the built-up area. The appeal proposal is on an unallocated site outside of the built-up area. In this context, I would expect to see compelling evidence that there is a need for the proposed employment floorspace, and this is not before me, because of the uncertainties and conclusions I have set out above.”*

6.26 Whilst the above appeals pertain to proposals for new development, it nevertheless supports the case that the commercial use of the appeal site is unviable. Not only are they in poor condition, but there is a surplus of employment land, meaning that proposals for employment land in the countryside are not justified by need. The works required to revive the commercial use would not be financially justified. The EGAs are the most recent evidence of employment land need for the District, and there is no evidence that this circumstance will have materially altered in the year since the above appeals were determined. Given that the LPA has confirmed an oversupply of employment land, this undermines the requirement in Policy 9 that the loss of employment land must be justified, and it is unclear as to why it has raised objection to the loss of this poor-quality employment land in the rural area.

6.27 The LPA has also been inconsistent in its application of Policy 9 to development proposals in the countryside. The Council granted planning permission for the redevelopment of a former commercial site just 1.1km from the application site (Former Arun Feedmills - DC/23/2278 – Appendix NJA4). That site is also vacant and there is an extant permission for the erection of eight two-storey B1 units to provide over 1200 sqm of commercial space (labelled as two-storey B1 units). The Council acknowledged the loss of employment land as the extant permission was a fallback position. No evidence was submitted as part of that application to demonstrate that the employment land was no longer needed or unviable, yet the LPA raised no objection.

6.28 Furthermore, although a hybrid B1 (office) and B8 (storage and distribution) planning use, the site is predominantly arranged as a B8 storage premises with considerable outdoor storage, and the employment density associated with this activity is low. The Employment Density Guide published by the Homes and Communities Agency<sup>2</sup> notes that a “Final Mile” Distribution Centre would average 1 full time equivalent employee per 70sqm (gross external area). The site is not a formal distribution centre as such, but the Guide provides a useful starting point for evaluating the potential employment opportunity generated by the site. In this case, it is considered that the employment density would be lower in light of the

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<sup>2</sup> Homes and Communities Agency (2015) *Employment Density Guide, Third Edition*.

location, the condition and size of the buildings and the level of outdoor storage at the site.

6.29 In this context, the potential loss of employment would not be significant. Any harm associated with this would be offset by way of the benefits – contribution to local housing need, ecological enhancement/biodiversity net gain, improved appearance of the site, reduced traffic generation to this rural area.

6.30 Therefore, this application demonstrates that there is no need for the employment land in this location and that an objection on the basis of Policy 9 of the HDPF, as set out in the second reason for refusal, is unwarranted.

### **The natural environment and biodiversity**

6.31 The third reason for refusal set out that there was insufficient information to demonstrate that 1) the proposal would not result in harm to a protected species (bats) and 2) BNG could be secured. The overall assessment of the ecological impact of the proposal was considered acceptable.

6.32 The original application included a Preliminary Ecological Appraisal (PEA) by Arun Ecology and Biodiversity Net Gain report, metric and plans showing that the statutory BNG could be achieved. The PEA identified the habitats and protected species which may be affected by the proposed development. It noted that much of the site is hard surfaced or developed, but there was a potential impact upon great crested newts (GCN) and bats. Supplementary reports were submitted to consider the risk and potential mitigation to these protected species.

6.33 The GCN report noted that there is a breeding pond within the development boundary which could be adversely affected by development operations. It recommends mitigation strategy in section 9 of the report. This includes details of working hours, installation of GCN fencing around the development site, checking for GCN within the fenced area and other measures. The development would be carried out in accordance with this strategy, and this may be secured by condition.

6.34 Regarding the impact upon bats, when considering the previous application, the Council's officer report incorrectly stated that the bat survey report advised in the PEA had not been submitted. On the contrary, the online planning register shows that a Bat Emergence Survey Report was submitted on

9 May 2025, and this is referenced in the decision notice, which is appended (NJA-6).

6.35 The Bat Emergence Survey Report is re-submitted as part of this application. The report details the finding of emergence surveys undertaken at three buildings within the site, which were thought to have potential for supporting bat roosts. However, no bats were recorded emerging or entering these buildings during the surveys undertaken, and the report concludes that the development is reasonably unlikely to result in the damage or destruction of a bat roost or harm to individual bats. The report recommends that should bats be encountered during development, works should cease and an ecologist should be consulted. This recommendation would be heeded during the development and can be secured by condition.

6.36 Turning to BNG, there was no objection to the BNG plan and proposal detailed in the previous application, but the Council's was concerned that the measures could not be secured. This could have been addressed at the time of the application as the Council, but it chose not to do so as it had other concerns. It is hoped that it will be more proactive in addressing the matter under this application.

6.37 This application puts forward a slightly modified BNG Gain Plan, which has again been informed by the PEA produced by Arun Ecology. It retains the on-site habitats and proposes enhancement which would meet the 10% minimum BNG target. The proposal would result in a net gain of 0.49 are habitat biodiversity units. The Council has advised that where a BNG gain is below 0.5 units, this may be secured by condition. Subject to the imposition of an appropriate condition, BNG would be secured.

6.38 Thus, the proposal would meet the concerns raised in its reason for refusal on biodiversity and natural environment grounds. It accords with Policy 31 of the HDPF, the NPPF and the statutory requirement for BNG.

### **Sustainable Development**

6.39 In summary of the matters discussed, the proposal is considered to comply with the principles of sustainable development. This includes the three key objectives – economic, social and environmental addressed as follows:

a.) an economic objective – The commercial use is not viable, and the proposal will make a modest contribution

to the local building industry and associated trades in constructing the new dwellings. The development is also CIL liable and will attract the New Homes Bonus. Future occupiers of the dwellings would also support local businesses. The proposal therefore complies with the economic aspect of sustainable development.

b) a social objective – The proposal provides for the construction of four new dwellings that will positively contribute towards the Council's housing land supply. The site is also sustainably located, within a short distance of the built-up area which provides access to local services and facilities including education and public transport. In particular, paragraph 83 of the NPPF states **'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'**. Occupiers of the new dwellings will

help to enhance/maintain the viability of the area by using local services and facilities. The proposal complies with the social objective of sustainable development.

c) an environmental objective – The proposal would not lead to harm to protected species and would result in biodiversity net gain/ecological enhancements whilst assisting to meet housing needs within the District. There would be no harm to the character and appearance of the landscape or no undue intrusion into the countryside having regard to the design and layout of the development and re-use of previously developed land. The proposal thus complies with the environmental objective of sustainable development.

### **Design, layout and appearance**

6.40 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 135 and 139).

6.41 Paragraph 135 of the NPPF states that planning 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; are sympathetic to local character and history, including the surrounding built environment and landscape setting; establish a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development; and create places that are safe, inclusive and accessible.

6.42 Policies 25, 32, and 33 of the HDPF promote development that protects, conserves and enhances the landscape character from inappropriate development. Proposals should take into account landscape characteristics, with development seeking to provide an attractive, functional and accessible environment that complements the locally distinctive character of the district. Buildings should contribute to a sense of place, and should be of a scale, massing, and appearance that is of a high standard or design and layout which relates sympathetically to the landscape and built surroundings. Policy HD3 of the Neighbourhood Plan also reflects these principles.

6.43 The proposal is identical to that proposed in application DC/25/0780, and the Council concluded that the design of the scheme would be acceptable and in accordance with policy. The existing site is untidy in appearance, comprising a mix of buildings of no architectural merit and poor condition, large areas of hardstanding and external storage and unkempt land. Whilst not readily visible from the road, this can be discerned from the adjoining public footpath along the western boundary.

6.44 In contrast, the development is design and landscape-led, replacing the existing unattractive buildings and hard surface dominated appearance of the site with a mix of barn-style dwellings arranged in a loose farmstead arrangement and set within a pleasant and green environment. The traditional appearance and proposed external facing materials would be appropriate to this countryside context.

6.45 The dwellings would be situated within generous and spacious plots, and the quantum and density of development would be appropriate to the pattern of development within the countryside where small clusters of development surrounded by open land is a characteristic feature. This is evident to the east of the site around the junction of Saucelands Lane and Sincox Lane.

6.46 Views of the development would be very limited by reason of the existing boundary trees and planting to be retained, and the development would not result in harm to the landscape character or visual amenity of the countryside as detailed in the Landscape Appraisal prepared by Ramsay & Co. Although this scheme includes minor alterations to the landscaping, the key components remain in place, in particular the retention of the boundary landscaping. This would not materially alter the overall appearance of the development in the context of the surrounding locality. As a landscape-led scheme, the built development would be satisfactorily balanced with soft landscaping.

6.47 The recommendations detailed in the Arboricultural Impact Assessment, accompanying this application, would be followed during the construction activities to ensure that trees are successfully protected and retained. These measures may be secured by condition. Additional planting and enhancement of existing natural features within the site (as detailed in the landscaping and biodiversity net gain plans) would further improve the soft landscaping features within the site.

6.48 The landscaping and layout of the development combined with the siting, scale, height and mass of the proposed dwellings will ensure that it would integrate appropriately into its surroundings and result in a positive benefit to the local environment.

#### Living conditions for future occupants

6.49 The proposed dwellings would provide satisfactory habitable accommodation for future occupants, exceeding the minimum standard detailed in the Nationally Described Space Standards and providing adequate light and ventilation through the proposed fenestration. The spacious plots would provide adequate external amenity space for future occupants with additional communal open space for the enjoyment of all residents. The design, orientation and layout of the dwellings would ensure that each dwelling would enjoy adequate light, outlook and privacy to both the habitable rooms and gardens.

6.50 Plot 1 is situated to the north of the site, and the nearest dwelling would be some 70m to the northeast. This distance is sufficient to ensure that the neighbouring dwelling does not pose any harm to living conditions of the future occupiers.

6.51 In summary, the proposed dwellings are of a design that is appropriate to the character and appearance of the area having particular regard to the design, siting and scale of the adjoining dwellings and to the countryside landscape. Furthermore, a high-quality living environment will be provided to future occupiers of the new dwelling. The proposal therefore complies in full with HDPF policies 25, 32 and 33; Neighbourhood Plan policy 5 and the requirements of the NPPF.

#### **Neighbouring residential amenity**

6.52 Policy 33 of the HDPF states that development should consider the scale, massing and orientation between buildings, respecting the amenities and sensitivities of neighbouring properties.

6.53 In terms of neighbouring residential amenity, the nearest dwelling is Fayreholme to the northeast. As noted with respect

to Plot 1, the neighbouring dwelling is over 70m from the development, and the proposal would not result in adverse harm in relation to outlook, light or privacy of the neighbouring residents. Having regard to the existing commercial use, the residential use of the site would not result in harm in terms of noise or disturbance.

#### **Highways impact and parking**

6.54 The NPPF sets out at paragraph 111 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.

6.55 Policies 40 and 41 of the HDPF promote development that provides safe and adequate access, suitable for all users. Development should be appropriate in scale to the existing transport infrastructure, should integrate with the wider network of routes and include opportunities for sustainable transport. Policy Ship TT1 supports these aims.

6.56 The application site has a lawful commercial use, and the proposal would retain and reuse the access. The application

includes a Transport Report prepared by GTA Civils which assesses the transport impact of the scheme. It notes that the nearest bus service stops 530m to the northwest of the site, a five-minute walk. This provides access to Storrington and Horsham amongst other locations. Whilst service may be limited, this is quite reasonable in a countryside setting. The NPPF notes in paragraph 110 that it should be acknowledged that sustainable transport opportunities would be different in rural areas when compared to urban areas, implying that some dependence upon private vehicles is acceptable.

6.57 With regard to access and highway safety, the existing gate would be removed and the drive upgraded to a width of 5m, allowing two-way traffic along the drive. The design of the drive and turning areas within the site would allow adequate space and turning facilities for vehicles, including refuse and emergency vehicles, to ensure that they may enter and exit in forward gear.

6.58 The Transport Report details the finding of an Automatic Traffic Count Speed Survey (ATC) conducted at the site, which showed that traffic was travelling at under 33mph (based upon 85<sup>th</sup>% speeds recorded. The report concludes that the 2.4m x 49m visibility splay in both directions would exceed the requirements for a road of this character.

6.59 Having regard to vehicular traffic, the proposal would change the use of the stie from B1 and B8 uses to a residential use (C3). The Transport Report concludes that this would result in a reduction of traffic, in particular movements by HGB. As such, the proposal would have a positive impact with regard to reduced traffic along this local road network.

6.60 Turning to parking, each dwelling would include two car parking spaces within the car ports and plots 1, 3 and 4 would have a minimum of one car parking space in the drive. Cycle parking and storage can be provided within the residential curtilage of each dwelling. This would meet the adopted standards detailed in the West Sussex County Council parking guidance.

6.61 In line with Approved Document S of the Building Regulations, each plot would include an electric vehicle charging point.

6.62 For the above reasons, the proposal would not result in adverse harm to highway safety or the local road network and

would accord with Policies 40 and 41 of the HDPF and the NPPF.

### Water neutrality

6.63 On 8 October 2025, the Department for Environment, Food and Rural Affairs (Defra) announced an agreement between Defra, Natural England, the Environment Agency and Southern Water. Under the terms of the agreement, Southern Water will change the water abstraction permits to limit the amount of water taken from local rivers and wetlands and provide funding to restore habitats. In addition, developers will be required to build in accordance with revised Building Regulations requiring higher water efficiency standards. This will enable previously permitted developments that had been paused since the Natural England published its water neutrality statement in 2021 to recommence from 1 November.

6.64 Natural England issued a statement on 31 October 2025, confirming the withdrawal of the Water Neutrality Position Statement regarding development in the Arun Valley and Sussex North. Therefore, developments are no longer required to demonstrate water neutrality. As such conditions to secure compliance with water neutrality are no longer justified.

6.65 The Council released a statement which noted:

*For individual applications, we will now be using the 2024/25 water efficiency savings made by Southern Water to allow all development to move forward as water neutral from 1st November 2025. These savings were previously to be used by the Sussex North Water Certification Scheme (SNWCS), and amount to some 3,240,000 litres per day. SNWCS, for the avoidance of doubt, will no longer be launched.*

*For applicants, this means that:*

*No water neutrality statement is now required;*

*No payment into SNWCS is needed to use the Southern Water capacity referred to above;*

*No bespoke conditions or s106 obligations are required to demonstrate water neutrality.*

*Please note that given the area remains at significant water stress, all applications for new housing will be required by condition to comply with the Building Regulations Part G Optional Technical Standard*

*(currently 110 l/p/d) as required by Policy 37 of the Horsham District Planning Framework. We would welcome and support any applicant who still wishes to include water efficiencies below this standard.*

*To ensure continued compliance with the Habitats Regulations until the licence change has taken effect, please note that officers will continue to undertake an Appropriate Assessment of your proposals as part of their overall considerations. This will ensure your development remains compliant with the Habitats Regulations, Policy 31 of the HDPF, and Paragraph 193 of the NPPF.*

- 6.66 The Appellant would agree to the condition set out in the above statement, which requires compliance with the lower water usage limit as set out in Policy 37 of the HDPF.
- 6.67 Therefore, the proposal would not adversely affect the integrity of these sites or otherwise conflict with Policies 31 and 37 of the HDPF, paragraph 180 of the NPPF or the requirements detailed in the Conservation of Habitats and Species Regulations 2017.

## **Drainage and Flood Risk**

- 6.68 The application site is within Flood Zone 1, an area at low risk of flooding. In reducing the amount of land covered by building and hard surfacing and introducing rainwater harvesting measures, the proposal would have a positive effect upon surface water drainage within the site and reduce outflows to adjoining land.
- 6.69 Moreover, surface water drainage will be addressed on site via appropriate sustainable drainage systems. This would ensure that the development is neither at risk of flooding nor would increase flood risk within the surrounding area.

## **Sustainable design and construction**

- 6.70 Policies 35, 36 and 37 of the HDPF 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.

6.71 The HDPF policies pre-date the amended building regulations set out in approved documents F, L and S. These were published in 2021 and came into effect on 15 June 2022 and would apply to the new dwellings. The documents represent the first phase of transition towards the Government's Future Homes and Buildings Standard, which aims to reduce carbon dioxide emissions by 75-80% when compared to the previous building regulations. As such, the aims of the development plan policies are achieved and exceeded through the more recent, separate regulatory regime.

6.72 Furthermore, the dwellings would incorporate measures to ensure optimum energy efficiency. The proposed dwellings would conform to a fabric first approach to dwelling design incorporating which would ensure that the development exceeds the minimum Part L1 of the Building Regulations requirements by around 60%, a significant uplift. Measures include:

- High levels of insulation and designing out of thermal bridges
- Heating and hot water supplied by air source heat pumps with full time and temperature zone controls
- Passive solar design

6.73 • Solar photovoltaic systems.

6.74 Other measures include the installation of domestic white goods are a minimum A rating and standalone electricity monitors would be fitted within the dwellings to assist future residents in monitoring energy use. In addition to water recycling detailed in the previous section, the development would also incorporate:

- Zero Avoidable Waste (ZAW) strategy.
- full fibre broadband site connectivity
- dedicated refuse and recycling storage capacity
- cycle parking facilities and
- electric vehicle charging points (as required by approved document S).

6.74 Subject to these measures, the development would meet national and local policies seeking to ensure that the development meets the challenges of climate change.

### Heritage

6.75 The application site is situated some 200m to the southeast of the eastern edge of the residential garden of Saucelands, a Grade II listed building. The farmhouse dates from the 17<sup>th</sup>

Century, if not earlier, and sits within an extensive landholding (approximately 51 acres) which includes the main curtilage gardens laid out to the south and east of the listed building. These contain a number of ancillary buildings, including stables and garaging.

6.76 The application includes a Heritage Report prepared by Chidhurst Heritage, and this notes that the significance of the designated heritage asset is derived from its historic fabric and age presence in the settlement, architectural form and its place within the context of the former farmstead, none of which would be affected by the application proposal.

6.77 The application site was formerly associated with the listed building and its historic holding and can be said therefore to contribute to the way in which the listed building is understood. However, given the distance between the site and the listed building and its historic curtilage, the site plays only a peripheral role in the setting of the listed building within limited visual permeability between the curtilage of Saucelands and the application site, which established a clear spatial and visual separation between the two sites. Nevertheless, the proposal is mindful of the historic context of the land and the role it played as part of the wider landholding and farmstead.

### **Community Infrastructure Levy**

6.78 The Council has adopted a CIL charging schedule, which is noted as part of the application. As self-build and custom-build plots, these would be exempt from CIL, but appropriate applications would be forwarded as plots come forward for development.

## 7.0 CONCLUSIONS

7.1 This is a resubmission of the previous application, and this Planning Statement establishes that the proposal for the construction of four dwellings at Greenacres, Saucelands Lane would not result in the harm identified in the reasons for refusal.

7.2 The development plan policies are over five years old, and the Council has an acute shortage of deliverable housing sites when calculated against housing need. As such, in accordance with paragraph 11 of the NPPF, no or very limited weight can be attributed to development plan policies seeking to restrict residential development in the countryside. This has been established in both Council and appeal decisions. The presumption in favour of development therefore applies unless the policies in the NPPF relating to protected areas provide a reason for refusal or the harm associated with the proposals when assessed against the policies of the Framework as a whole provides clear reason to refuse development.

7.3 It was established in the previous application, that the proposal would not result in harm to protected areas and assets.

7.4 Considered against the policies of the framework as a whole, it has been demonstrated that the proposal would not result in harm as identified in the Council's previous reasons for refusal in relation to matters of principle/location, loss of employment land and the impact upon the local natural environment.

7.5 Although in the countryside, the development makes efficient use of previously developed land that is no longer viable as employment land to contribute to housing land supply. Redevelopment for residential use therefore reestablishes a positive and efficient use of this land and would result in a net decrease to vehicular movements to and from the site. Moreover, although rural, there is access to sustainable transport within a close proximity of the site offering future occupiers an alternative to travel by private vehicle. The dwellings would not be isolated with residential development in the vicinity. Given the acute shortfall in housing and the absence of harm associated with potential non-compliance with out-of-date policies, the contribution of this small-scale development should be given significant weight and should not be cause for an objection.

7.6 The proposal would result in the loss of an employment site, but it has been established that this unoccupied site is not

viable for continued commercial use given the location and condition of the buildings. The Council has accepted such approaches nearby within the District. Moreover, it generated low employment levels, and any potential harm arising from the loss of this employment land would be outweighed by the contribution to housing land supply and environmental benefits.

7.7 The proposal would not result in harm to protected species or important habitats and would instead produce ecological enhancements and 10% BNG, which can be secured by condition. As such, there is a positive benefit to the local natural environment which should be given significant weight.

7.8 Therefore, the reasons for refusal raised in relation to the previous application have been overcome. On balance and in accordance with the provisions of NPPF paragraph 11 d), the proposal would not result in adverse harm to the special habitats/protected areas or assets, and there are no adverse impacts of granting planning permission that would significantly and demonstrably outweigh the benefits of the provision of four sustainably located dwellings when assessed against the policies of the NPPF taken as a whole. As such, the tilted balance is engaged.

7.9 The Statement has identified several benefits to the proposal.

- The proposal would result in a net gain of four dwellings at a time when the Council can demonstrate a one-year housing land supply. The NPPF seeks to significantly boost housing supply, and the Government has made clear that its ambition to increase the delivery of housing against existing targets. In this context, significant weight must be attributed to the social benefit arising from the contribution of four dwellings towards meeting this acute need for housing, particularly where this would make efficient use of previously developed land which is currently vacant.
- The proposal would improve the character and appearance of the site within this setting, replacing existing poor-quality buildings which detract from the beauty and rural character of the area with high-quality dwellings. The design and layout of the plots coupled with the overall quantum of development would ensure that the proposal would not appear prominent or discordant within this context. The limited scale of the development combined with the open fields around it would ensure that there would be no urbanising effect, particularly when compared to the existing development which spreads across and occupies

the whole of the site. The dwellings would instead be situated within spacious, green plots producing a verdant setting. This should be given significant weight.

- The construction of the dwellings would result in a short-term economic benefit during the construction process.
- Future residents would support local business and services providing social and economic benefits to which moderate weight should be applied.
- The proposal would result in ecological enhancements and biodiversity net gain of 10% which may be secured by condition. Although the development is small scale, significant weight should be attached to this environmental benefit.
- There would be no adverse or severe harm in relation to highway safety, and the proposal would result in a reduction of traffic, particularly that of HGVs, travelling to and from the site. This is of positive benefit to the capacity to local road networks. In addition, sufficient car and cycle parking within the plots would be provided. This should be given moderate weight given the scale of the proposal.

7.10 The proposal thus amounts to appropriate and sustainable development, and it is hoped that the Council will support the grant of permission.

## **APPENDICES**

**NJA-1 Appeal decision – Horsham Golf Course**

**NJA-2 – Appeal decision – Land adjacent Mcveigh Parker Ltd**

**NJA-3 – Appeal decision – Land south of Hilland Farm**

**NJA-4 – Officer report – Former Arun Feedmills, Rusper**

**NJA-5 – Committee report – Potters Field, Partridge Green**

**NJA-6 – Decision notice DC/25/0780**