



APPLICATIONS & APPEALS SERVICES

**CONSTRUCTION OF DETACHED DWELLING AND
CREATION OF NEW VEHICLE ACCESS AND
DRIVEWAY FROM LITTLEWORTH LANE.**

AT

**HAYNES, LITTLEWORTH LANE, LITTLEWORTH,
PARTRIDGE GREEN, RH13 8JF**

PLANNING, DESIGN AND ACCESS STATEMENT

SEPTEMBER 2025



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1.0 INTRODUCTION

1.1 Planning permission is sought for the construction of a detached, three-bedroom (with study) chalet style dwelling on land to the southeast of Haynes, Littleworth Lane, Littleworth within its residential curtilage. A new vehicle access and driveway will be created from Littleworth Lane to serve the new dwelling.

1.2 This 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** – the 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** – the physical size of the development;
- **Layout** – the relationship of the proposed works to the existing buildings and to neighbouring properties;

- **Appearance** – details of materials, style and impact upon the visual amenities of the area;
- **Landscape** – impact of the proposal on the existing landscape;
- **Access** – access to the development and parking provision;
- **Heritage Assets** - the impact of the proposal upon the setting of heritage assets.

1.3 The Council is asked to consider this Statement alongside the submitted plans and other supporting documents which together demonstrate that the proposed development accords with the relevant planning policies and is acceptable in all respects.

2.0 PHYSICAL CONTEXT

2.1 The application site relates to the residential curtilage of Haynes, situated within Littleworth, to the east of Littleworth Lane. Haynes is a 17th Century timber framed grade II listed building with a Horsham slab roof – its listed building description is as follows:

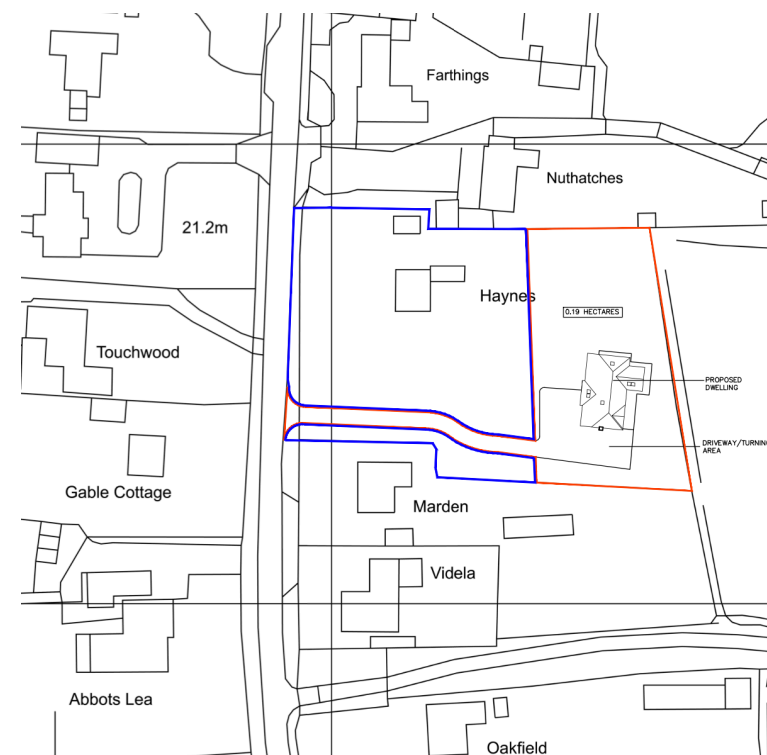
‘2. Probably C17, refaced with painted brick on ground floor and fishscale tiles above. Horsham slab roof. Casement windows. Modern hipped tiled hood over doorway. Two storeys. Two windows’.

2.2 Haynes occupies a large plot with its main garden areas extending to the east and south of the property. It is set back from Littleworth Lane and is situated within a row of residential properties which run along both sides of Littleworth Lane. The dwelling ‘Nuthatches’ is located to the north and ‘Marden’ is located to the south. The eastern boundary adjoins a field and the western boundary adjoins Littleworth Lane.

2.3 The application site is located outside of a built-up area boundary as defined by the Council’s Proposals Map and is

therefore located within the countryside. However, Haynes is just 0.5 miles away from the settlement boundary of Partridge Green to the south.

Figure 1: Site Location/Proposed Block Plan



2.4 The following are photographs of the application site:





3.0 PLANNING HISTORY

3.1 There is no planning history relating to Haynes itself. However, the following planning approvals are relevant to note and are referred to within this Statement:

- DC/21/0726 – Southview, Littleworth – Construction of detached dwelling and creation of vehicle access. Approved 30 July 2021. Application DC/23/1593 also granted on 20 October 2023 for the construction of a car port and home office. Details included at Appendix NJA/1.
- DC/20/0592 – Abbots Lea, Littleworth – Construction of dwelling with garage and new vehicle access onto Littleworth Lane. Approved 20 August 2020. Details included at Appendix NJA/2.
- DC/24/1710 – Pound Place, Littleworth – Conversion of barn/outbuilding into a dwelling. Approved 10 January 2025. Details included at Appendix NJA/3.
- DC/22/2250 – Cowfold Lodge Cottage, Cowfold – Construction of dwelling. Approved 08 March 2024. Details included at Appendix NJA/4.
- DC/22/0495 – Marlpost Meadows, Southwater – Construction of detached dwelling. Approved 21 August 2023. Details included at Appendix NJA/5.

4.0 PROPOSAL

- 4.1 The proposal is for the construction of a detached, three bedroom dwelling situated to the south eastern side of Haynes, within its residential curtilage.
- 4.2 The proposed dwelling is of a traditional, chalet style design finished in horizontal timber cladding above a brick plinth to the elevations and a slate tiled roof. The front porch will be finished in (random) stone.
- 4.3 A new vehicle access will be created from Littleworth Lane to serve the new dwelling via a newly created driveway. This will lead to a car parking and turning area at the front of the dwelling.

Figure 2: Proposed Site Plan

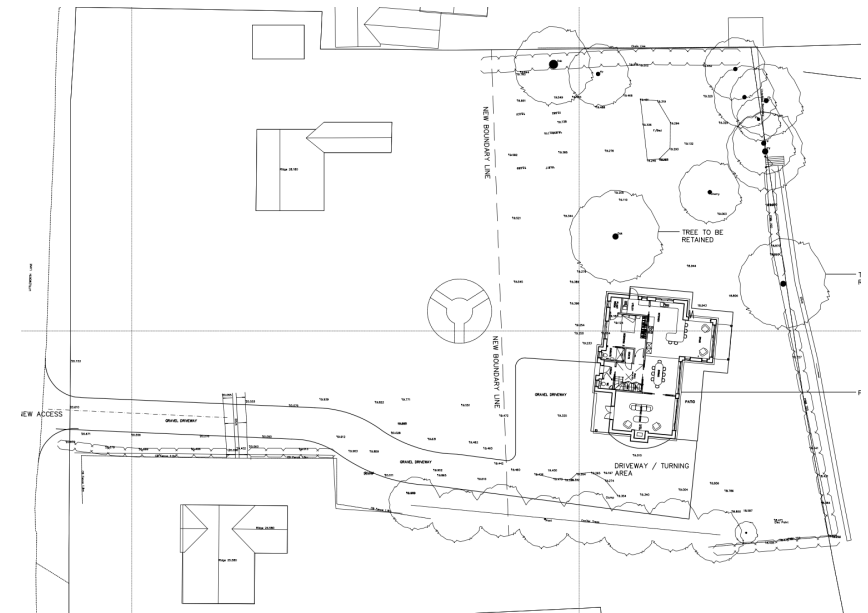


Figure 3: Proposed Elevations

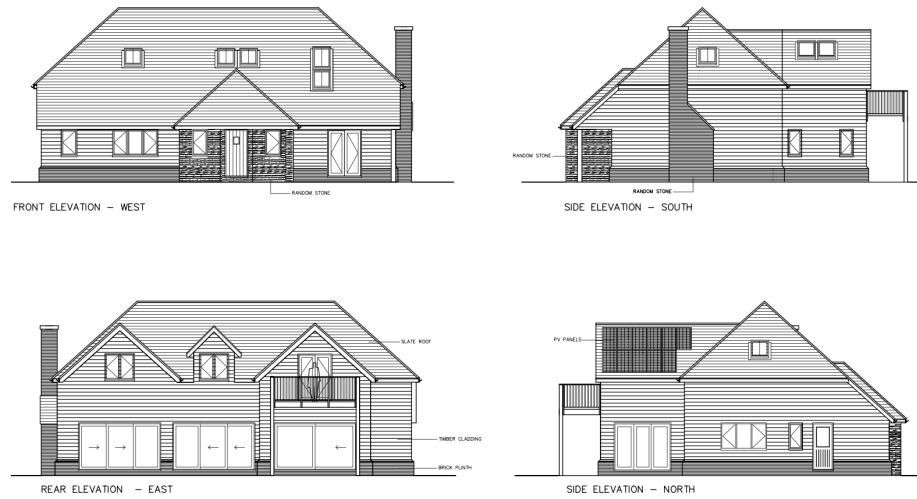
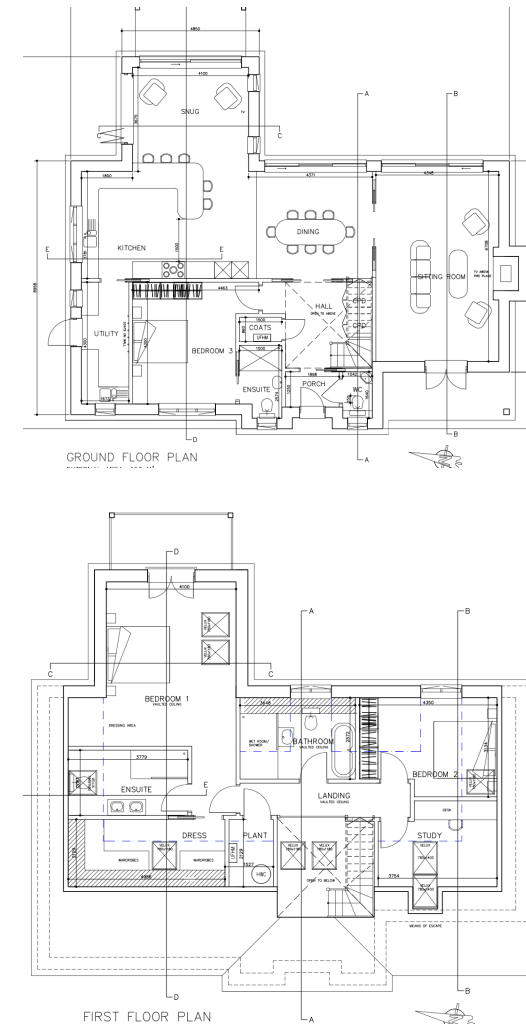


Figure 4: Proposed Floor Plans



5.0 PLANNING POLICY

National Planning Policy Framework (NPPF) (December 2024)

Sustainable Development

- 5.1 The NPPF sets out the Government's planning policies for England and how these should be applied. It provides a framework for the preparation of local plans for housing and other development. The NPPF should be read as a whole (NPPF paragraphs 1 and 3).
- 5.2 Paragraph 2 of the NPPF sets out that ***'Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework must be taken into account in preparing the development plan, and is a material consideration in planning decisions. Planning policies and decisions must also reflect relevant international obligations and statutory requirements'***.

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

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

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

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

5.5 Where there are no relevant development plan policies or the relevant policies are out of date, the NPPF states that planning permission should be granted unless the application of policies of the Framework that protect areas or assets of particular importance provide a strong reason for refusing the development proposed, or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits

when assessed against the policies of the Framework taken as a whole. Particular regard should be given to key policies for directing development to sustainable locations, making efficient use of land, securing well-designed places and providing affordable homes, individually or in combination (NPPF paragraph 11 d).

5.6 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’.**

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

- 5.9 Paragraph 61 states ***‘To support the Government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay. The overall aim should be to meet as much as an area’s identified housing need as possible, including with an appropriate mix of housing types for the local community’.***
- 5.10 Paragraph 62 states that to determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning practice guidance. Within this context, paragraph 63 requires the size, type and tenure of housing needed for different groups in the community to be assessed and reflected in planning policies. These groups include (inter alia) people wishing to commission or build their own homes.

- 5.11 In terms of the provision of affordable housing, NPPF paragraph 65 states that this should not be sought for residential developments that are not major developments, other than in designated rural areas (where policies may set out a lower threshold of 5 units or fewer).
- 5.12 Paragraph 72 requires strategic policy-making authorities to have a clear understanding of the land available in their area through the preparation of a strategic housing land availability assessment. Planning policies should identify a supply of specific, deliverable sites for five years following the intended date of adoption and specific deliverable sites or broad locations for growth for the subsequent years 6-10 and where possible, years 11-15 of the remaining plan period.
- 5.13 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’.***
- 5.14 Paragraph 78 requires local planning authorities to identify and update annually a supply of specific, deliverable sites sufficient to provide a minimum of five years’ worth of housing against

their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old. The supply of deliverable sites should include a buffer as set out at paragraph 78 a) – c).

- 5.15 To maintain the supply of housing, NPPF paragraph 79 sets out that local planning authorities should monitor progress in building out sites which have permission. Where the Housing Delivery Test indicates that delivery has fallen below the local planning authority’s housing requirement over the previous three years, certain policy consequences should be taken into account as set out at paragraph 79 a) – c).

Rural Housing

- 5.16 In rural areas, NPPF paragraph 82 requires planning policies and decisions to be responsive to local circumstances and support housing developments that reflect local needs. To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities (paragraph 83).

- 5.17 Paragraph 84 states that planning policies and decisions should avoid the development of isolated homes in the countryside, unless certain circumstances apply.

Highways and Car Parking

- 5.18 Paragraph 109 requires transport issues to be considered at the early stages of plan-making and development proposals.
- 5.19 NPPF paragraph 110 requires the planning system to actively manage patterns of growth. Whilst significant development should be focused on locations which are or can be made sustainable, it should also be recognised that ***‘opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making’***.
- 5.20 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.

- 5.21 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 (paragraph 113).
- 5.22 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’***.

Effective Use of Land

- 5.23 Paragraph 124 requires planning policies and decision to promote an effective use of land in meeting the need for homes

and other uses, while safeguarding and improving the environment and ensuring healthy living conditions.

- 5.24 Paragraph 125 states that planning policies and decision should encourage multiple benefits from both urban and rural land. Substantial weight should be given to the value of using suitable brownfield land within settlements for homes and other identified needs. In addition, policies and decisions should promote and support the development of under-utilised land and buildings especially if this would help meet identified needs for housing where land supply is constrained.
- 5.25 Paragraph 128 requires local planning authorities to take a proactive approach to applications for alternative uses of land which is currently developed but not allocated for a specific purpose in place where this would help to meet identified development needs.
- 5.26 In terms of the density of new development, NPPF paragraph 129 encourages the efficient use of land taking into account a number of issues including the needs for different types of housing and other forms of development, the desirability of maintaining an area's prevailing character and setting (including

residential gardens) and securing well-designed, attractive and healthy places.

Design

- 5.27 In terms of design, Section 12 seeks to achieve well designed places sets out that the ***'The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities'*** (paragraph 131).
- 5.28 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.
- 5.29 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

- 5.30 Paragraph 161 requires the planning system to support the transit to net zero by 2050 and take full account of all climate change impacts. New development should be planned in ways that avoid increased vulnerability to the range of impacts arising from climate change and to help reduce greenhouse gas emissions, such as through its location, orientation and design.

- 5.31 Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (paragraph 170). Local planning authorities should ensure that flood risk is not increased elsewhere as a result of new development (paragraph 181).

- 5.32 Applications which could affect drainage in or around the site should incorporate sustainable drainage systems to control flow rates and reduce volumes of runoff which are proportionate to the nature and scale of the proposal (paragraph 182).

Natural Environment

- 5.33 Paragraph 187 requires planning policies and decisions to contribute to and enhance the natural and local environment by (inter alia) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils and recognising the intrinsic character and beauty of the countryside. Policies and decisions should also minimise impacts on and provide net gains for biodiversity.

Habitats and Biodiversity

- 5.34 Paragraph 193 states that when determining planning applications, local planning authorities should apply a set of

principles and if significant harm to biodiversity resulting from development cannot be avoided, adequately mitigated against or, as a last resort, compensated for, then planning permission should be refused.

- 5.35 The presumption in favour of sustainable development does not apply where there would be a significant effect on a habitats site (either alone or in combination with other plans and projects) unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site (paragraph 195).

Ground Conditions and Pollution

- 5.36 Paragraph 196 requires planning policies and decisions to ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner (paragraph 197). Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative

effects) of pollution on health, living conditions and the natural environment (paragraph 198).

Heritage

- 5.37 Section 16 of the NPPF refers to the conservation and enhancement of the historic environment. Paragraph 212 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be).

- 5.38 Any harm to, or loss of the significance of a designated heritage asset (from its alteration or destruction or from development within its setting) should require clear and convincing justification (paragraph 213). However, this does not necessarily preclude new development within the setting of a designated heritage asset and paragraph 219 states that local planning authorities should look for opportunities for new development within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or

which better reveal its significance) should be treated favourably.

Local Planning Policy

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

- 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: Meeting Local Housing Needs
- Policy 24: Strategic Policy: Environmental Protection
- Policy 25: The Natural Environment and Landscape Character
- Policy 26: Strategic Policy: Countryside Protection
- Policy 31: Green Infrastructure and Biodiversity
- Policy 32: The Quality of New Development
- Policy 34: Cultural and Heritage Assets

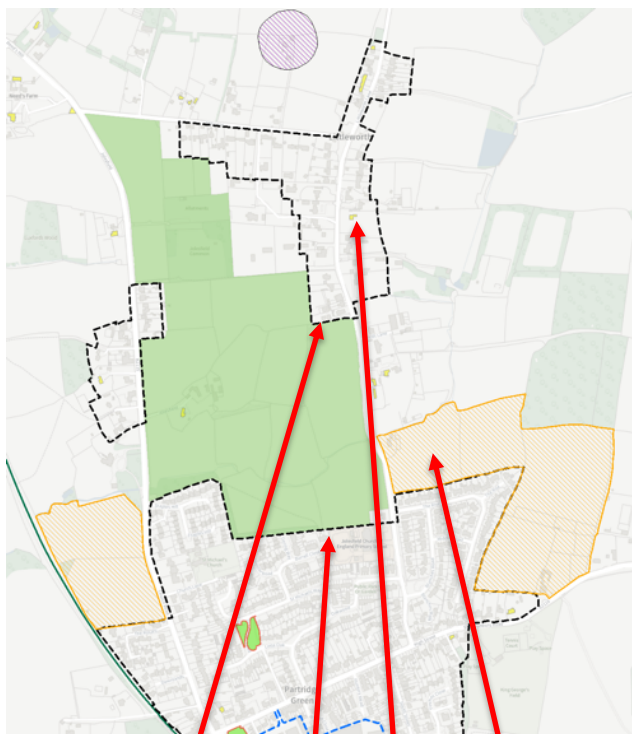
- Policy 35: Climate Change
- Policy 36: Appropriate Energy Use
- Policy 37: Sustainable Design and Construction
- Policy 40: Sustainable Transport
- Policy 41: Parking

Emerging Policy

5.40 The Horsham District Local Plan 2023-2040 was formally submitted to the Planning Inspectorate on Friday 26 July 2024 for public examination. Hearings commenced, however in a recent letter dated 04 April 2025 the Planning Inspector found that the Duty to Co-operate had not been met and raised significant soundness concerns in relation to the Plan's housing requirement and spatial strategy. As a result, the Planning inspector recommended that the Council withdraw the Plan. The Council has responded on 18 August 2025 with the request that a hearing session is re-opened to further discuss the issues.

5.41 Whilst the emerging Local Plan is not adopted, it is relevant to note that the draft Local Plan proposed to introduce 'Secondary Settlements' which included Littleworth as shown in Figure 5 below.

Figure 5: Extract from the draft Local Plan (Regulation 19) showing proposed Littleworth 'Secondary Settlement' boundary.



Proposed Secondary Settlement Boundary

Haynes

Partridge Green Settlement Boundary

Proposed site for housing

West Grinstead Neighbourhood Plan

5.42 The West Grinstead Neighbourhood Plan was 'made' on 23 June 2021. The Neighbourhood Plan contains an undertaking to review it, taking into account any revised housing numbers which are allocated to the Parish in the HDC emerging Local Plan. The following policies of the Neighbourhood Plan are relevant to the proposal:

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

Relevant Legislation and Case Law

5.43 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).

5.44 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.

5.45 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."

5.46 When considering whether or not a proposed development accords with a development plan, it is not necessary to say that

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

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

5.48 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.”

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

Housing Land Supply (Case Law)

- 5.50 The NPPF requires local planning authorities to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years’ worth of housing (paragraphs 72 and 78).
- 5.51 The NPPF requires plans and decisions to apply a presumption in favour of sustainable development (paragraph 11). For

decision making, 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 policies most important for determining the application are out-of-date NPPF paragraph 11 d) requires planning permission to 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 demonstrable 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 efficient use of land, securing well-designed places and providing affordable homes, individually or in combination’.***

- 5.52 In respect of criterion ‘I’, NPPF footnote 7 confirms that the policies are those in the Framework which refer to habitats sites (and those listed at NPPF paragraph 189), and/or designated as Sites of Special Scientific Interest, land designated as Green

Belt, Local Green Space, a National Landscape, a National Park or defined as a Heritage Coast, irreplaceable habitats, designated heritage assets (and other heritage assets of archaeological interest) and areas at risk of flooding or coastal change.

5.53 NPPF footnote 8 confirms that the policies most important for determining an application includes, for applications involving the provision of housing, situations where a local planning authority cannot demonstrate a five year supply of deliverable housing sites with the appropriate buffer as per NPPF paragraph 78 or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75%) of the housing requirement over the previous three years.

5.54 The 'Suffolk Coastal' case (Suffolk Coastal District Council v Hopkins Homes Ltd and Richborough Estates Partnership LLP v Cheshire East Borough Council [2017] UKSC 36) had regard to the meaning and effect of the provisions of the NPPF on housing land supply and the presumption in favour of sustainable development in having regard to the NPPF (2012 version). This is considered to still apply to the present NPPF.

5.55 The judgement noted the purpose of the NPPF is to have regard to the Development Plan policies unless these are not determined to be up to date. When the most relevant policies are not considered to be up to date, the balance is 'tilted' in favour of the grant of planning permission unless the benefits are 'significant and demonstrably' outweighed by the adverse effects or where specific policies indicate otherwise. Weight is required to be afforded to such policies in the overall tilted balance (NPPF paragraph 11 d).

5.56 Importantly, the judgement determined that the decision-taker need not concern themselves with the specific reasons as to what is causing a lack of housing supply but attribute weight proportionally to addressing the problem to significantly boost an adequate supply of housing land (as required by NPPF paragraph 61).

Rural Housing (Case Law)

5.57 NPPF paragraph 84 seeks to avoid the development of isolated homes in the countryside unless certain circumstances apply.

5.58 In terms of the provision of housing within the countryside, the 'Braintree' case (Braintree DC v SSCLG [2018] Civ 610) afforded particular attention in the assessment of 'isolation' when having regard to the NPPF. The term 'isolated' was considered by the Court of Appeal (who upheld a High Court decision) confirming that the word 'isolated' should be given its ordinary meaning as being 'far away from other places, buildings and people; remote'.

5.59 In ruling on the case, Lindblom LJ held that, in the context of paragraph 55 of the NPPF 2012 version, 'isolated' simply connotes a dwelling that is physically separate or remote from a settlement. Whilst previous hearings had considered that the term 'isolated' could have a dual meaning, in that it referred to physical and functional (i.e. from services and facilities) isolation; this argument was rejected by the Court.

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

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

5.62 This Statement demonstrates that the application site is neither remote or isolated from a settlement or other built form.

Horsham District Council's Housing Land Supply Position

5.63 NPPF paragraph 61 states that to support the Government's objective of '**significantly boosting the supply of homes**', it is important that a sufficient amount and variety of land can come

forward where it is needed. To determine the minimum number of homes needed, strategic policies should be informed by a local housing needs assessment, conducted using the standard method in national planning practice guidance (NPPF paragraph 62).

- 5.64 Policies in local plans and spatial strategies should be reviewed to assess whether they need updating at least once every five years and should then be updated as necessary (NPPF paragraph 34). In addition, the NPPF requires local planning authorities to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing (paragraphs 72 and 78).
- 5.65 In the case of Horsham District Council, the present HDPF was adopted in 2015; it is therefore significantly over five years old and it does not take into account the standard method in its policies relating to the supply of new homes (specifically HDPF policy 15).
- 5.66 In addition, the Council's most recent Authority Monitoring Report (AMR) 2023/24 (published 30 April 2025) demonstrates

that after an update to the NPPF in December 2024, the housing target is set at 1,357 dwellings per year. The Executive Summary of the AMR confirms:

'For the 2023/24 monitoring year, a total of 452 net dwellings were completed. The latest Housing Delivery Test for Horsham District showed that Horsham had only delivered 62% of its overall housing targets over the previous three years (due to the constraints of Water Neutrality).

The shortfall in housing delivery, plus a 20% buffer gives a new five year housing target of 9,030. The Council can only demonstrate a 20% (1.0 years) against the new requirement'.

- 5.67 As the Council cannot demonstrate the necessary level of housing land supply as required by the Framework, the provisions of NPPF paragraph 11 d) (and the 'tilted balance') apply to the proposal which must in turn be considered against the Framework's presumption in favour of sustainable development.

5.68 Having regard to paragraph 11 d) i, NPPF footnote 7, the site is not located within a 'protected area' and the Water Neutrality Statement which accompanies this planning application confirms that the proposed development is water neutral thereby resulting in no adverse impact upon the protected sites of the Arun Valley SPA, SAC and RAMSAR.

5.69 Therefore, the policies of the NPPF (specifically paragraphs 193, 184 and 195) do not provide a clear reason for refusing the development and this does not prevent the consideration of the application under the presumption in favour of sustainable development and the provisions of NPPF paragraph 11 d).

5.70 For the reasons set out in this Statement, and having regard to 11 d) ii, there are no adverse impacts of granting planning permission that would significantly and demonstrably outweigh the benefits of the provision of a new home (of a high quality design, in a sustainable location which makes effective use of land) when assessed against the policies of this Framework taken as a whole.

Facilitating Appropriate Development (October 2022)

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

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

'As described above, the Council has been disrupted in efforts to produce a Local plan and cannot currently demonstrate that it has a five-year housing land supply. Though the Council will seek to progress a revised Local Plan as quickly as possible, and regularly monitors its housing land supply, it recognises that it is unlikely to be able to report a five-year housing land supply until a new Local plan is adopted, and there is uncertainty as to when adoption will occur. Because of this situation, and notwithstanding issues relating to the current position on water neutrality, it expects to receive planning applications

proposing housing development in locations not supported by the HDPF of in Neighbourhood Plans’.

5.73 As the Council’s HDPF is over five years old and because the Council cannot demonstrate a five year supply of housing, the Council’s policies that affect the supply of housing (HDPF policies 2, 3, 4, 15 and 26) are out of date and should be considered to hold less weight in the decision making process.

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

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

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

5.76 The Council has not been able to demonstrate a five-year supply of housing for some time. As a result, the presumption in favour of sustainable development is engaged where water neutrality is demonstrated.

5.77 The FAD states that the Council acknowledges that it is likely to receive applications for residential development outside of the defined built-up area boundaries and on unallocated sites as it is unable to demonstrate a five-year housing land supply. Given this, paragraph 5.7 of the FAD states that the Council will consider such proposals positively where the following criteria is met:

- ***‘The site adjoins the existing settlement edge as defined by the BUAB;***
- ***The level of expansion is appropriate to the scale and function of the settlement the proposal relates to;***
- ***The proposal demonstrates that it meets local housing needs or will assist the retention and enhancement of community facilities and services;***
- ***The impact of the development either individually or cumulatively does not prejudice comprehensive long-term development; and***
- ***The development is contained within an existing defensible boundary and the landscape character features are maintained and enhanced’.***

5.78 The above essentially follows the principles of HDPF policy 4 with the exception that it does not contain the same requirement for sites to be allocated for development in the Local or a Neighbourhood Plan. Consideration of the FAD and its implications in respect of the proposed development is addressed at Section 5 of this Statement.

Biodiversity and Green Infrastructure Planning Advice Note (October 2022)

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

6.0 DETAILS OF THE PROPOSAL: USE, AMOUNT & SCALE OF DEVELOPMENT

The Principle of Development

- 6.1 NPPF paragraph 7 states that the purpose of the planning system is to contribute to the achievement of sustainable development including the provision of homes, commercial development and supporting infrastructure in a sustainable manner. Achieving sustainable development means that the planning system has three overarching objectives: economic, social and environmental (NPPF paragraph 8).
- 6.2 Paragraph 10 of the NPPF states ***‘So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development (paragraph 11).***
- 6.3 HDPF Policy 1 states that when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained within the NPPF. Therefore, in line with the NPPF, planning

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

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

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

- 6.4 The application site is located within the countryside, outside of a built up area boundary. HDPF policy 26 seeks to protect the countryside from inappropriate development and states that new development must meet one of the following criteria:

‘1. Support the needs of agriculture or forestry;

1. Enable the extraction of minerals or the disposal of waste;

2. Provide for quiet informal recreational use; or

3. Enable the sustainable development of rural areas’.

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

6.6 Whilst the application site is located outside of a built-up area boundary, in this case, there are a number of material planning considerations which together provide justification for the development proposed when the scheme is considered in the planning balance. These matters are addressed as follows:

Housing Land Supply

6.7 As set out at Section 4, the Council is unable to demonstrate a five year supply of housing as required by the NPPF. The latest AMR confirms that the Council can now only demonstrate only a 1 year supply. As a result, it the Council’s policies in respect of the supply and location of new homes (HDPF policies 2, 3, 4, 15 and 26) are out of date and should be given less weight in the decision making process. The tilted balance of NPPF paragraph 11 d) is engaged and the proposal should be considered against the presumption in favour of sustainable development.

6.8 Although the application site is located within the countryside, it is not situated within a protected countryside landscape such as an Area of Outstanding Natural Beauty (AONB) and water neutrality is demonstrated.

6.9 As such, there is no conflict with NPPF paragraph 11 d) (i). This Statement further confirms that overall there are no adverse impacts of granting planning permission for the proposal that would significantly and demonstrably outweigh the benefits of

the provision of a new home of a high quality design, in a sustainable location and which makes effective use of land.

6.10 The revised NPPF (December 2024) introduced a new Standard Method for calculating local housing need which significantly increases the level of housing that local authorities should plan for to achieve the Government's target of 1.5 million new homes for the present Parliament. It also reinstated the requirement for local authorities to maintain a five-year supply of housing, as opposed to a reduced four-year supply (under certain circumstances) set out in the NPPF December 2023 version.

6.11 There is as such a significant need to build new homes and proposal will positively contribute towards the supply of windfall homes within the district. This is an important source of supply as noted at NPPF paragraph 73 which states that ***'Small and medium sites can make an important contribution to meeting the housing requirement of an area, are essential for Small and Medium Enterprise housebuilders to deliver new homes and are often built-out relatively quickly'***.

Location and Facilitating Appropriate Development

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

6.13 Policy 3 establishes the settlement hierarchy for the District and confirms that development will be permitted within towns and villages which have defined built-up areas.

6.14 Haynes is located just 0.5 miles from Partridge Green which falls within the ***'Medium Village'*** category at Policy 3. These settlements are described as having ***'a moderate level of services and facilities and community networks, together with some access to public transport. These settlements provide some day to day needs for residents. But rely on small market towns and larger settlements to meet a number of their requirements'***.

- 6.15 Within Partridge Green there are a number of services and facilities including food shops, takeaways, a post office, a village hall, primary school, a day nursery, public house, churches, playing fields, bus stops and employment.
- 6.16 There is a roadside footpath which runs from Haynes all of the way into Partridge Green. There are also a bus stops within Littleworth and therefore occupiers of the proposed dwelling will be able to easily access the local services and facilities within Partridge Green without necessarily having to rely on the use of a private vehicle.
- 6.17 Furthermore, it is also material to note that the Council's emerging Local Plan does propose to designate Littleworth as a 'Secondary Settlement'. Although there is uncertainty regarding the future of the draft Local Plan, should this designation happen then Haynes and the application site will be located within a settlement boundary. At the very least, the proposed designation acknowledges the existing number of houses and established local community at Littleworth.
- 6.18 Draft Local Plan policy 2 (Development Hierarchy) states that within the defined boundaries of Secondary Settlements, the infilling of a gap or plot with an otherwise built-up or cohesive settlement form will be permitted where the proposal is also limited in scale to reflect the existing scale and character of the settlement function and form.
- 6.19 The proposed development complies with draft Local Plan policy 2 in that it that the new dwelling will be sited within a gap between other residential properties which form part of an obvious built-up and cohesive linear form of development which runs along (both sides of) Littleworth Lane including examples of development in depth. In addition, the proposed construction of just one small chalet style dwelling is appropriate in scale having regard to the size of the settlement and character, size and location of the plot.
- 6.20 In terms of the set back of the proposed dwelling from Littleworth Lane, the proposed dwelling has been sited to protect and preserve the setting of Haynes as a listed building but this siting would not be out of keeping as there examples of other set back residential development within Littleworth.

6.21 The NPPF primarily seeks to avoid the creation of *isolated* homes within the countryside (paragraph 84). The Court of Appeal Judgement of Braintree District Council v Secretary of State for Communities and Local Government (2018) found that the term 'isolated' within the NPPF should be given its ordinary objective meaning, such as being "far away from other places, buildings or people; remote" (Oxford Concise English Dictionary) providing a spatial consideration. This enables a balance to be provided between protecting the countryside and supporting the vitality of rural communities, accepting also that flexibility has to be provided account for the differences between rural and urban areas requiring people to travel by car.

6.22 The application site is situated in-between other residential properties and as such, the proposed dwelling will not be remote from other built form and it will not appear out of keeping with the surrounding residential context. The amount and density of the proposed development reflects the existing pattern and layout of development within Littleworth and the proposed plot size (and plot retained for Haynes) will be comparable in size to others, if not significantly larger still.

6.23 NPPF paragraph 110 requires the planning system to actively manage patterns of growth. Whilst significant development should be focused on locations which are or can be made sustainable, it should also be recognised that '***opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making***'.

6.24 The proposed construction of one dwelling is not 'significant' development and it will not result in unsustainable patterns of vehicle movements within the rural area given the small scale development proposed and the sustainable location of the application site.

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

1. ***'The site is allocated in the Local Plan or in a Neighbourhood Plan and adjoins an existing settlement edge.***

2. ***The level of expansion is appropriate to the scale and function of the settlement type.***
3. ***The development is demonstrated to meet the identified local housing needs and/or employment needs or will assist the retention and enhancement of community facilities and services.***
4. ***The impact of the development individually or cumulatively does not prejudice comprehensive development, in order to not conflict with the development strategy; and***
5. ***The development is contained within an existing defensible boundary and the landscape and townscape character features are maintained and enhanced***'.

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

6.27 Given the fact that the Council cannot demonstrate an appropriate supply of housing as required by the NPPF, the Council's FAD acknowledges that the Council is likely to receive applications for residential development outside of the defined built up area boundaries and on unallocated sites. It is repeated that paragraph 5.7 of the FAD confirms that the Council will consider such proposals positively where the following criteria is met:

- ***'The site adjoins the existing settlement edge as defined by the BUAB;***
- ***The level of expansion is appropriate to the scale and function of the settlement the proposal relates to;***
- ***The proposal demonstrates that it meets local housing needs or will assist the retention and enhancement of community facilities and services;***
- ***The impact of the development either individually or cumulatively does not prejudice comprehensive long-term development; and***
- ***The development is contained within an existing defensible boundary and the landscape character features are maintained and enhanced***'.

- 6.28 The above essentially follows the same principles of HDPF policy 4 with the exception that it does not contain the same requirement for sites to be allocated for development in the Local or Neighbourhood Plan.
- 6.29 The application site does not adjoin a settlement edge however, it is close to Partridge Green as described and it is therefore sustainably located, in a suitable position to accommodate just one new dwelling without significantly conflicting with the Council's overall spatial strategy. Furthermore, the proposed designation of Littleworth as a 'Secondary Settlement' within the Council's Regulation 19 Local Plan is a material consideration.
- 6.30 In terms of criterion 2 of the FAD and policy 4, the level of expansion, just one dwelling is small. The low density of development is wholly appropriate to the settlement and location within the countryside but close to other built form.
- 6.31 The proposed development meets local housing needs in respect of the clear need for new housing within the District and the impact of the proposal will neither individually nor cumulatively prejudice comprehensive long term development. The proposal complies with criteria 3 and 4 of the FAD and policy 4.

- 6.32 In respect of criterion 5 of the FAD and policy 4, the application site is contained by an existing defensible boundary and the proposal will not result in any harmful encroachment into undeveloped countryside.
- 6.33 In summary of HDPF policies 1, 2, 3 and 4, these policies encourage sustainable development and allow for the expansion of settlements outside of built up area boundaries where the level of expansion is appropriate to the scale and function of the settlement type.
- 6.34 Given the small scale of development proposed, the sustainable location of the application site and the lack of any harm caused to the visual amenities of the countryside landscape (as further addressed within this Statement), the proposal does not conflict with the overarching principles of the Council's development strategy or the Council's FAD.

Rural Housing and Countryside Impact

- 6.35 HDPF Policy 26 seeks to protect the rural character and undeveloped nature of the countryside against inappropriate development. However policy 26 must also be read in the context of the text at HDPF paragraph 9.18 which sets out that

‘The Council is seeking to identify the most valued parts of the district for protection, as well as maintain and enhance this natural beauty and the amenity of the district’s countryside’.

- 6.36 The NPPF supports the provision of rural homes at paragraph 83 where it 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’.

- 6.37 This recognises the importance of allowing new residential development within the rural areas which can help to sustain local rural communities. As such, appropriate residential development on sustainably located sites, such as the application site is arguably ‘essential’ to rural areas and allows

the sustainable development of rural areas (HDPF policy 26, criterion 4).

- 6.38 Policy 26 must also be read in the context of the text at HDPF paragraph 9.18 which sets out that ***‘The Council is seeking to identify the most valued parts of the district for protection, as well as maintain and enhance this natural beauty and the amenity of the district’s countryside’.***

- 6.39 The application site forms part of an enclosed parcel of land which has well defined boundaries. The site is not located within a prominent (or isolated) countryside location and the proposed dwelling will not have a harmful impact upon surrounding views including views from the east given its small size, appropriate design and because it will be viewed against the backdrop of other residential development. The proposal therefore raises no conflict with the intention of Policy 26 to protect the countryside from inappropriate development or the similar provisions of HDPF Policies 24 and 25.

- 6.40 Just one dwelling will not result in any significant increase in the overall level of activity within the countryside and there will be no harmful intensification of use. There is as such also no

conflict with Policy 26 in respect of its requirement for proposals to be of a scale appropriate to the countryside character and location and to protect/conserv/enhance key features and characteristics of landscape character.

Self-Build Housing

- 6.41 The proposed dwelling is a self-build home to be occupied by the Applicants. HDPF Policy 16 requires development to provide for a mix of housing sizes, types and tenures to meet the needs of the District's communities. In addition to ensuring that the supply of a sufficient amount of new homes, the NPPF at paragraph 63 also requires the size, type and tenure of housing needed for different groups in the community to be assessed and reflected in planning policy. This includes ***'people wishing to commission or build their own homes'***.
- 6.42 The Planning Portal advises that self-build projects account for 7-10% of new housing in England each year (around 12,000 homes) and it is reiterated that the Government's PPG acknowledges that self-build or custom build homes help to diversify the housing market and increase consumer choice. Self-build and custom housebuilders choose the design of their

own home, and can be innovative in its design and construction. The provision of such homes is clearly supported by the Framework and which play an important role in helping to tackle the housing crisis, with projects cumulatively making an important contribution to meeting housing need (helping to speed up delivery) and increased choice and variety in the type of new homes.

- 6.43 The Government is seeking to overhaul the planning system to allow for the provision of more 1.5 million new homes and to grow the economy. There is as such a need to apply a more flexible approach to planning policy (in accordance with the principles of sustainable development) especially where there is a clear under provision and high need for new homes, such as within the Horsham District. The dwelling, as a self-build is therefore supported by the NPPF and HDPF Policy 16.

Efficient Use of Land

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

safeguarding and improving the environment and ensuring safe and healthy living conditions'. Paragraph 128 requires that a positive approach is taken to applications for alternative uses of land which is currently developed but not allocated for a specific purpose in plans, where this would help meet identified development needs.

6.45 One of the key objectives of the NPPF (and sustainable development) is to promote the re-development of previously developed land and this is reflected within HDPF Policy 2 which states that part of the Council's spatial strategy is to '***Encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value***'.

6.46 The application site which forms part of the residential curtilage of Haynes and which is not situated within a 'built-up' area is considered to fall within the NPPF's definition of previously developed land (as supported by the case of Dartford Borough Council v The Secretary of State for Communities and Local Government & Ors [2017] EWCA Civ 141).

6.47 The proposed dwelling makes efficient use of the land available, providing for a new home within the rural area which is important to maintaining an appropriate housing within the rural areas of the District. The proposal fully accords with the principles of sustainable development set out within the NPPF in respect of making effective use of previously developed land.

Case Studies

6.48 The following decisions are material considerations in the determination of this planning application. The decisions relate to cases where planning permission has been granted for the creation of new, individual dwellings within the Horsham District, outside of built-up area boundaries.

DC/21/0726 – Southview, Littleworth Lane, Littleworth (Appendix NJA/1)

6.49 In September 2021 the Council granted planning permission for the construction of a detached dwelling on land to the side of Southview on Littleworth Lane, located a short distance to the north of Haynes.

6.50 The Case Officer's report confirms that although Littleworth is presently an 'unclassified' settlement it notes that the draft Local Plan proposes to designate Littleworth as a 'Secondary Settlement'. The Case Officer's report also acknowledges the site's close distance to Partridge Green, and finds that:

'It is therefore considered that while the proposal is contrary to the current development plan in relation to its location within a countryside location, the principle of development is acceptable and could be supported, subject to all other material considerations, due to the location set amongst existing, albeit unclassified settlement and given the emerging secondary settlement policy set out in Regulation 19 draft plan'.

DC/20/0592 – Abbots Lea, Littleworth Lane, Littleworth (Appendix NJA/2)

6.51 Planning permission was granted in August 2020 for the construction of a detached dwelling and garage at Abbots Lea, Littleworth Lane close to Haynes. The Case Officer's report for application DC/20/0592 confirms that planning permission has

previously been granted at appeal for the demolition of the existing dwelling and the constriction of two detached dwellings (DC/19/0908). It states that:

'As part of this application it was acknowledged that Littleworth is an unclassified settlement and therefore countryside for the purposes of planning policy, with new open market dwellings in such locations contrary to Policies 3 and 26 of the HDPF.

It was though noted that the Local Plan Review – Issues and Options document (April 2018) proposes Littleworth becoming a secondary settlement, where a degree of infill may be supported to support rural communities. The suggested policy wording within the issue and option document suggests that planning permission will be granted for residential infilling within defined secondary settlements provided that the site is a small gap or plot within an otherwise built-up settlement form; is limited in scale to reflect the existing scale and character of the settlement function and form; and does not result in

significant increase in activity including traffic movements on narrow rural roads’.

- 6.52 The Case Officer’s report concludes that the proposal can be supported on the basis of the site’s location set amongst an existing, albeit unclassified settlement, the extant permission and the direction of travel of the emerging Local Plan in respect of the proposed designation of Littleworth as a Secondary Settlement.

DC/24/1710 – Pound Place, Mill Lane, Littleworth (Appendix NJA/3)

- 6.53 On 10 January 2025 the Council granted planning permission for the conversion of a building at Pound Place to form a single dwelling. In terms of the principle of development and location, the Case Officer’s report found the site to be:

‘....within a reasonable distance to services and amenities within Partridge Green, which is classified as a medium village, with good transport links to go to other settlements if necessary. Taking the combination of the sustainable

location, coupled with the proposal being a conversion of an existing barn, it is considered that the principle of development would be acceptable’.

- 6.54 The Case Officer’s report also gave weight to under provision of housing within the District and the subsequent requirement to apply the presumption in favour of sustainable development and the tilted balance of NPPF paragraph 11 d).

DC/22/2250 - Cowfold Lodge Cottage, Cowfold (Appendix NJA/4)

- 6.55 Planning permission was granted at appeal in March 2024 for the construction of a log style dwelling at Cowfold Lodge Cottage, near Cowfold. Cowfold Lodge is located outside of the settlement boundary of Cowfold, a ‘Medium Village’ with a moderate level of services and facilities. The Planning Inspector found that the site was not in isolated countryside and that the appearance of the dwelling (a log cabin design) would not be inappropriate to the rural area and close to other buildings.

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

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

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

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

DC/22/0495 – Marlpost Meadows, Southwater (Appendix NJA/5)

6.59 Planning permission was granted at appeal in August 2023 for the construction of a detached dwelling, outside of a built-up area boundary at Marlpost Meadows near Southwater.

6.60 Marlpost Meadows is located approximately 1.5km from the village centre of Southwater (a 'Small Town/Larger Village', as per HDPF policy 3). In noting the provisions of NPPF paragraph 11 d) and the lack of a five year supply of housing within the District, the Planning Inspector found the proposal to be acceptable in the planning balance.

6.61 Limited weight was given to HDPF policy 26 in respect of development outside of built-up area boundaries on the basis that the housing shortfall dictates that those boundaries are out of date. The Planning Inspector found that the site's location outside of a settlement boundary did not therefore constitute a reason for refusing planning permission and found the proposal to be acceptable for the following reasons:

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

6.62 On the basis that the proposed development would be 'water neutral', the Planning Inspector concludes that:

'In the overall planning balance, I conclude that there are no adverse impacts that would significantly and demonstrably outweigh the benefits. The proposal would therefore constitute an acceptable form of development in terms of the Framework, and this would be a material consideration sufficient to outweigh the conflict with the development plan arising from the location of development outside of settlement boundaries' (paragraph 18).

Sustainable Development

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

- a) an economic objective – the proposal will make a small contribution to the local building industry and associated

trades in constructing the new dwelling. Furthermore, occupiers of the new dwelling will help to support local services and facilities. The proposal complies with the economic objective of sustainable development.

- b) a social objective – the proposal provides a suitable site for the creation of a new dwelling in close proximity to local services and facilities including schools, public transport and work opportunities within Partridge Green. The proposal will also make a modest but important contribution to the supply of new homes within the District and will provide an opportunity for a self-build home. The proposal complies with the social objective of sustainable development.
- c) an environmental objective – The proposal makes effective use of land and no harm will result to the visual amenities of the countryside landscape. The proposed dwelling is sustainably located, it is of highly sustainable design, Water Neutrality is demonstrated and no harm will be caused to biodiversity or to the setting of Haynes as a listed building. To demonstrate these points, the application is accompanied by a Water Neutrality Report, a Preliminary

Ecological Appraisal, Heritage Report and sustainable energy information (solar PV panels are proposed to the roof). The proposal complies with the environmental objective of sustainable development.

7.0 LAYOUT, DESIGN & APPEARANCE

Design

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

- 7.3 HDPF Policy 33 is addressed in detail as follows:

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

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

- 7.4 The proposal makes efficient use of previously developed land and there will be no encroachment into undeveloped countryside beyond the well-defined boundaries of the site. The proposal complies with criterion 1.

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

- 7.5 The proposed dwelling sited sufficiently away from other residential development (including Haynes) and designed to

ensure that no harm will be caused to neighbouring residential amenity by way of any harmful loss of privacy, overbearing appearance or loss of light. The proposal complies with criterion 2.

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

7.6 The proposed dwelling is of an appropriate scale, massing and height and large areas of the site will remain undeveloped and open as existing. The resulting plot size is similar (and larger) to other properties situated within the vicinity and the low density of development will preserve the character and appearance of the area. The proposal dwelling is of a traditional design which would not conflict with the variety of dwelling types within the area and which relates sympathetically to the built and natural surroundings. The proposal complies with criterion 3.

4. *Are locally distinctive in character, respect the character of the surrounding area (including its overall setting, townscape features, views and green corridors) and, where available and applicable, take account of the recommendations/policies of the relevant Design Statements and Character Assessments;*

7.7 The dwellings within the immediate vicinity and Littleworth in general vary in age. The proposed dwelling is of a high quality, traditional design with a pitched tiled roof and finished in horizontal boarding above a brick plinth with a stone front porch. The proposed dwelling is attractive and distinctive in character, complying with criterion 4.

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

7.8 The proposed materials are of a high quality and are appropriate to the setting particularly given the variation in use of building materials within the vicinity of the site. There is as such no conflict with criterion 5.

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

7.9 The planning application is accompanied by arboricultural and landscaping information. It is proposed to retain existing boundary hedging and a new hedge will be planted to separate the proposed dwelling from Haynes creating two residential curtilages. A 1.2m high post and rail fence will be installed to the northern side of the proposed driveway which itself will be formed of a permeable surface. The proposal complies with criterion 6.

7. Ensure buildings and spaces are orientated to gain maximum benefit from sunlight and passive solar energy, unless this conflicts with the character of the surrounding townscape, landscape or topography where it is of good quality.

7.10 The design of the proposed dwelling is appropriately laid out to ensure sufficient daylighting. The proposed dwelling will be energy efficient and solar panels are proposed to be incorporated into the dwelling's design and an EV charge point will be installed. The proposal complies with criterion 7 and HDPF policy 35.

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

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

7.11 There is more than sufficient car parking (and turning) space on site for the proposed dwelling (and retained for the existing). The proposal complies with criterion 8.

9. Incorporate measures to reduce any actual or perceived opportunities for crime or antisocial

behaviour on the site and in the surrounding area, and create visually attractive frontages where adjoining streets and public spaces, including appropriate windows and doors to assist in the informal surveillance of public amenity areas by occupants of the site;

10. Contribute to the removal of physical barriers; and

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

- 7.12 The application site is safe and secure having regard to criterion 9 and there are no implications in respect of criteria 10 and 11. Overall the proposal complies with the design advice of the NPPF.

Heritage

- 7.13 Haynes is a grade II listed building and as such, this planning application is accompanied by a Heritage Report which considers the significance of the listed building as required by the NPPF. It is demonstrated that the proposed dwelling has been carefully designed and sited to ensure that it will not

adversely affect the historical significance and setting of Haynes thereby complying with the NPPF and HDPF Policy 34.

Ecology

- 7.14 HDPF policy 31 requires development to demonstrate that it maintains or enhances the existing network of green infrastructure. Development should contribute to the enhancement of existing biodiversity and should create and manage new habitats where appropriate.
- 7.15 This planning application is accompanied by a Preliminary Ecological Appraisal (PEA) which covers a range of mitigation and protection measures for the site. The mitigation measures, recommendations and suggested ecological enhancements in the PEA will be implemented in full by the Applicants. The proposal addresses the ecological requirements of the NPPF, HDPF Policy 31 and Neighbourhood Plan Policy 4.

Water Neutrality

- 7.16 The application site falls within the Sussex North Water Supply Zone where Natural England has advised that water abstraction

cannot be concluded to result in no adverse effect upon the integrity of the Arun Valley Special Area of Conservation, Special Protection Area and Ramsar sites.

7.17 The Council has advised that it is able to continue to determine most planning applications for householder developments (and some other minor proposals) as it is not considered that this type of development will have a significant effect, either individually or cumulatively, on the Arun Valley sites. In the case of other developments where an increase in water consumption is more likely, planning applications are required to be submitted with a Water Neutrality Statement setting out the strategy for achieving water neutrality within the development.

7.18 This planning application is therefore accompanied by a Water Neutrality Statement. This sets out that proposed dwelling will be water neutral via the installation of water reducing appliances, the re-using of water through rainwater harvesting tanks and the Applicants will sign up to the Sussex North Offsetting Water Scheme to offset the remaining water demand.

7.19 As a result, the proposal will not result in any adverse impact upon the protected sites of the Arun Valley and there is no conflict with NPPF paragraphs 193 – 195, HDPF Policy 31, the Conservation of Habitats and Species Regulations 2017 or s40 of the NERC Act 2006 (Priority Habitats and Species).

7.20 Having regard to paragraph 11 d) (i) of the NPPF, it is reiterated that the site is not located within a 'protected area' and neither is it a protected 'asset' having regard to footnote 7. As the Water Neutrality report confirms that the proposed development is water neutral there will be no resulting impact upon the protected sites of the Arun Valley. Therefore, the policies of the NPPF in relation to protected areas such as the Arun Valley do not provide a clear reason for refusing the development on this basis and the proposal does not prevent the tilted balance being engaged. It remains the case that the proposal should be considered against the presumption in favour sustainable development.

8.0 ACCESS AND CAR PARKING PROVISION

- 8.1 The NPPF sets out at paragraph 116 that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 8.2 HDPF Policy 40 requires (inter alia) new development to be appropriate in scale to the existing transport infrastructure. Development should also minimise the distance people need to travel. HDPF Policy 41 states (inter alia) that adequate car parking must be provided within new developments.
- 8.3 The proposed dwelling will be accessed via a new vehicle access from Littleworth Lane which will lead to at least two car parking spaces with an area for vehicles to turn. The proposal complies with the provisions of HDPF Policies 40 and 41.

9.0 CONCLUSIONS

- 9.1 This Statement supports the proposal for the construction of a detached, three bedroom chalet style dwelling on land to the south east of Haynes, Littleworth Lane, Littleworth (within its residential curtilage). A new vehicle access from Littleworth Lane will be created to serve the new dwelling.
- 9.2 As set out at Section 2, case law confirms when considering whether a proposal complies with a development plan, it is not necessary to say that it must accord with every policy of the development plan and the question is whether it accords with the development plan overall. In addition, paragraph 3 of the NPPF confirms that the Framework should be read as a 'whole' and the Government's Planning Policy Guidance (PPG) states that any conflicts between the development plan should be considered in light of all material planning considerations including **local priorities and needs**, as guided by the NPPF.
- 9.3 Therefore whilst the site's location just outside of a built-up area boundary is acknowledged, it is necessary to consider the positive aspects of the proposal in the planning balance:

- The Council's HDPF is over five years old and the Council's latest AMR confirms that it cannot demonstrate a five year supply of housing against housing need as required by the NPPF. As such, according to the NPPF, the Council's policies in respect of housing which are most important for determining the application are out-of-date and less weight should be given to HDPF Policies 2, 3, 4, 15 and 26. The provisions of NPPF paragraph 11 d) and the tilted balance are engaged. This requires the proposal to be considered against the presumption in favour of the proposed development.
- The proposal will make a small but important contribution towards windfall housing provision within the District. The cumulative provision of individual homes should not be underestimated as acknowledged by NPPF paragraph 73. The long term, continued lack of housing supply within the District undermines the NPPF's intentions to **'significantly boost'** the supply of new homes (NPPF paragraph 61).
- NPPF paragraph 83 encourages the sustainable development of rural areas and sets out that housing should be located where it will enhance or maintain the vitality of rural communities.

Occupiers of the proposed dwelling will help to support local services and facilities within the local area.

- NPPF paragraph 110 makes it clear that whilst the planning system should actively manage patterns of growth (and *significant* development should be focused on locations which are or can be made sustainable), opportunities to maximise sustainable transport solutions will vary between urban and rural areas. This should be taken into account in both plan-making and decision-making. The proposal is not for significant development and neither will it generate significant levels of vehicle movements.
- Just one dwelling will not result in any harmful intensification of use and the low density/amount of development is appropriate to the location. The proposed dwelling has been carefully designed to ensure that it will not result in any harm to its landscape setting ensuring no overall conflict with HDPF Policy 26 (to protect the countryside from inappropriate development) and HDPF Policies 24, 25, 32 and 33 in respect of character and design.

- The application site is not located within isolated countryside the proposal will not therefore result in unsustainable modes of travel, out of keeping with the character of the area. The site is situated close to Partridge Green, a 'medium' settlement where there is a range of local services and facilities. Occupiers of the proposed dwelling will be able to walk into Partridge Green via the roadside footpath, cycle or catch a bus. Furthermore, the site is situated within a clearly defined settlement of Littleworth and adjacent to other residential development. Whilst Littleworth is not a classified settlement within the HDPF, it is material to note that the Council's emerging Local Plan proposed to designate Littleworth as a Secondary Settlement. Should this occur in the future, the application site will be located within a settlement boundary.
- The new dwelling will not therefore be remote from built form or appear out of keeping with the context of the surroundings which comprises other dwellings. Furthermore, the day-to-day needs of the occupiers may be met locally and the pattern of vehicle movements would not be unusual for the rural area.

- HDPF Policy 4 and the Council's FAD permit the expansion of settlements subject to criteria. It is demonstrated that whilst the site is not allocated within the Neighbourhood Plan for development and it does not immediately adjoin a settlement boundary, the proposal does not result in significant, or harmful conflict with the spatial strategy of the HDPF particularly given that just one dwelling is proposed and the site's proximity to Partridge Green.
 - The proposed dwelling is a self-build home, the provision of which is supported by the NPPF paragraph 63. This considers the need to provide a variety of size, type and tenure of housing needed for different groups in the community and including people wishing to commission or build their own homes.
 - The NPPF promotes the effective use of land for meeting the need for homes (paragraph 124). In accordance with the provisions of the NPPF the proposal makes effective use of previously developed land for an appropriate, small scale residential use.
 - The proposed dwelling is carefully designed to ensure that it respects and does not harm the historical significance or setting of Haynes as a listed building.
 - The proposed dwelling is sensitive to its impact upon the natural environment including trees and landscaping and is of a highly sustainable construction with minimal impact upon natural resources and water neutrality is demonstrated. The proposed dwelling will also not negatively impact upon the biodiversity of the site/area and mitigation measures and enhancements can be secured by condition.
 - Sufficient car parking and vehicle access is provided in accordance with HDPF policies 40 and 41.
- 9.4 This Statement demonstrates that there are no adverse impacts of granting planning permission that would significantly or demonstrably outweigh the benefits of a new home of a high-quality design, in a sustainable location and which makes efficient use of land. The proposal will make a small but important contribution towards the supply of much needed new homes within the District without resulting in any harm to the

local environment or significant conflict with the Council's spatial strategy. Therefore, in accordance with paragraphs 11 and 39 of the NPPF and HDPF Policy 1, planning permission should be granted for the sustainable development proposed.