NATIONAL SCHEME OF DELEGATION:
The proposal constitutes Schedule 1 development which is not eligible for referral to Planning Committee. The application is therefore delegated to Officers for determination.

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/26/0737
Land East of Woodfalls Manor, Loxwood Road, Rudgwick, West Sussex,

DESCRIPTION:
Permission in Principle for the erection of 6 dwellings

RELEVANT PLANNING HISTORY:

DC/15/1649	Outline application for erection of 6 dwellings. All matters reserved except for Access.	Application 16.11.2015.	Refused
		Appeal 06.07.2016	*Dismissed*

DESCRIPTION OF THE SITE

The application site relates to a plot located to the north of Loxwood Road, Rudgwick, measuring approximately 0.48hectares and positioned between the dwellings Little Orchard and Woodfalls Manor. The plot is currently an overgrown vegetated site, with mature trees and hedging along the site boundaries, in which the trees along the southern boundary are statutory protected under a Tree Protection Order, reference TPO/0729.

Whilst the site is within a countryside location, it is adjacent to the Built-Up Area Boundary of Bucks Green. The site is not in a Conservation Area and there are no statutory or locally listed buildings in the locality. The surrounding area mostly consists of linear residential dwellings along Loxwood Road, which vary in age, size, form, design and plot patterns, with some backland development present. Notwithstanding this, the surrounding area is a mixture of enclosed agricultural and equestrian fields.

DESCRIPTION OF THE APPLICATION

The application seeks Permission in Principle for the erection of a minimum and maximum of 6 dwellings, at the land east of Woodfalls Manor, Loxwood Road. Matters of layout, access, design and landscaping are reserved for a later Technical Details Consent stage.

Whilst the application was originally submitted on the basis of a minimum of 6 and a maximum of 9 dwellings, the Council considered that 9 dwellings would constitute overdevelopment of the site. The description was therefore amended during the course of the application to seek permission for a minimum and maximum of 6 dwellings only.

RELEVANT PLANNING POLICIES

The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (2015):
Policy 1 - Strategic Policy: Sustainable Development
Policy 2 - Strategic Policy: Strategic Development
Policy 3 - Strategic Policy: Development Hierarchy
Policy 4 - Strategic Policy: Settlement Expansion
Policy 15 - Strategic Policy: Housing Provision
Policy 16 - Strategic Policy: Meeting Local Housing Needs
Policy 24 - Strategic Policy: Environmental Protection
Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
Policy 26 - Strategic Policy: Countryside Protection
Policy 30 - Protected Landscapes
Policy 31 - Green Infrastructure and Biodiversity
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
Policy 35 - Strategic Policy: Climate Change
Policy 36 - Strategic Policy: Appropriate Energy Use
Policy 37 - Sustainable Construction
Policy 38 - Strategic Policy: Flooding
Policy 39 - Strategic Policy: Infrastructure Provision
Policy 40 - Sustainable Transport
Policy 41 - Parking

Rudgwick Neighbourhood Development Plan 2021-2031
RNP1: Spatial Strategy
RNP2: Housing Mix
RNP5: Housing Density
RNP9: Street Scene

Horsham District Local Plan (2023-40) (Regulation 19):
Strategic Policy 1: Sustainable Development
Strategic Policy 2: Development Hierarchy
Strategic Policy 3: Settlement Expansion
Strategic Policy 6: Climate Change
Strategic Policy 7: Appropriate Energy Use
Strategic Policy 8: Sustainable Design and Construction
Strategic Policy 9: Water Neutrality
Strategic Policy 11: Environmental Protection
Strategic Policy 13: The Natural Environment and Landscape Character
Strategic Policy 14: Countryside Protection
Strategic Policy 15: Settlement Coalescence
Strategic Policy 17: Green Infrastructure and Biodiversity
Strategic Policy 19: Development Quality
Strategic Policy 20: Development Principles
Strategic Policy 23: Infrastructure Provision
Strategic Policy 24: Sustainable Transport
Policy 25: Parking
Strategic Policy 37: Housing Provision
Strategic Policy 38: Meeting Local Housing Needs
Policy 39: Affordable Housing
Policy 40: Improving Housing Standards in the District

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

Rudgwick Parish Design Statement

Planning Advice Notes:
Shaping Development in Horsham District
Biodiversity and Green Infrastructure

REPRESENTATIONS AND CONSULTATIONS RESPONSES
Where consultation responses have been summarised, it should be noted that Officers have had consideration of the full comments received, which are available to view on the public file at www.horsham.gov.uk

Consultations:

HDC Arboricultural Officer: Advice
Overall, the site would be capable of accommodating 6 units, whilst mostly respecting the constraints the trees around the fielded edge represent in terms of tree-to-build relationships; subject to good design which follows the key principals of BS 5837 (2012) Trees in relation to design, demolition and construction.

Due to the size and stature of the off-site trees to the west, natural light to the rear gardens of plots 1–5 would be restricted during the afternoon and early evening. Should a full planning application come forward, it is recommended that these dwellings be reorientated so their front elevations face the off-site trees, creating a more favourable relationship between the rear gardens and the adjoining tree belt.

Owing to the roadside location of the TPO tree belt, the removal of at least three protected trees would be required. The trees within G2 are of high public amenity value and make a positive contribution to the landscape. While their condition varies, the principal tree is the mature horse chestnut located close to the proposed site access.

The lower quality trees within the group are the multi-stem limes. Relocating the site access further west should therefore be considered, as this could retain the mature horse chestnuts while also allowing plots 1–5 to be repositioned to address the relationship with the off-site trees to the west.

It is noted that previous proposals under applications DC/14/1292 and DC/15/1649 also required the removal of three protected horse chestnuts, to which the Council's previous Arboricultural officer raised no objection.

HDC Landscape Architect: Objection
Overall, the site is considered to possess valuable characteristics which contribute towards the rural verdant character of Loxwood Road and small rural pastures which are characteristic of LCA LW4 and I1. The site also contributes to a gap in development along the northern side of Loxwood Road, which helps to interrupt the ribbon settlement pattern. We therefore have reservations as to whether the site could be developed without giving rise to adverse effects on its landscape structure and character.

Should an application be forthcoming, it should demonstrate that the proposals have regards to landscape and visual sensitivities of the site location. From a landscape perspective, the number of dwellings should be limited to 7 dwelling maximum.

Natural England: No Comment
Natural England is not able to provide specific advice on this application and therefore has no comment to make on its details. Although it has not been possible to assess the potential impacts of this proposal on statutory nature conservation sites or protected landscapes, further advice and references to Standing Advice is offered.

Ecology Consultant: More Information/Holding Objection
We are not satisfied that there is sufficient ecological information available for determination of this application and recommend that further information relating to bats is required to make this proposal acceptable prior to determination. Clarification is required as to whether any additional trees would be removed, as any tree loss would require a Ground Level Tree Assessment to assess potential impacts on roosting bats. We also recommend that a Preliminary Ecological Appraisal should be undertaken in

order to assess any impacts to reptiles and other mobile protected and Priority species, including common amphibians and Hedgehog.

NatureSpace (District Newt Licencing Scheme): Comments
The proposed development occurs in the amber impact risk zone. Therefore, as part of any future application, it is recommended that information regarding the suitability of the site to support great crested newts is obtained to rule out any impacts as part of the proposal.

Southern Water: No Objection
Southern Water has no objections in principle to this proposal but are unable to comment further until details of the proposed means of foul and surface water disposal have been submitted for review.

WSCC Highways: No Objection
The proposed quantum of development is relatively modest in highway impact terms and is not anticipated to generate a volume of traffic that would result in a severe residual cumulative impact on the local highway network. Based on the information available, the Highway Authority has identified no evidence to suggest that residential development of this scale would be unacceptable in principle on highway grounds, subject to detailed design

The LHA notes that the site fronts Loxwood Road, which is a rural local road subject to the characteristics typically associated with the surrounding highway network, including varying carriageway widths, limited pedestrian infrastructure, and the occasional presence of agricultural vehicles. Whilst these factors will require detailed consideration at the subsequent TDC stage, they do not, in themselves, represent a reason to withhold Permission in Principle.

It is expected that any future TDC application will demonstrate: safe and suitable access, appropriate visibility splays, adequate parking and turning, access and manoeuvring for refuse collection, delivery and emergency vehicles and an assessment of the travel sustainability of the site for new residents.

Subject to the above, the Local Highway Authority raises no objection to the grant of Permission in Principle. The Highway Authority reserves the right to make further comments and recommendations upon receipt of detailed proposals at the TDC.

PUBLIC CONSULTATIONS:
Representations:

7 letters of Objection have been received from 7 addresses, objecting to the application on the following grounds:

- Whilst some level of development may be appropriate, there are concerns regarding the scale and density currently proposed
- Inconsistent documents regarding the number of proposed dwellings
- 9 dwellings would not be in keeping with the character and scale of the surrounding village
- An increase beyond 6 dwellings would risk overdevelopment of the site, causing harm to the locality and placing pressure on the village's infrastructure
- Number of dwellings should be limited to a minimum of 6, ideally four.
- Permitting the scheme will set a precedent for other similar greenfield sites, the gradual loss of such spaces can fundamentally alter the character of the rural settlement
- Site is not in a sustainable location, nor within the Built-Up Area of Rudgiwck-Bucks Green, in contrast to other sites closer to the village
- No need for the additional houses within the Parish
- Vehicles exceed the 30mph limit and a new access close to a bend will lead to highway safety concerns, especially for cyclists, horse riders, agricultural vehicles
- Boundary trees subject to a TPO and could not be removed
- No material change in circumstances since the previous refusal and appeal dismissal
- Surrounding area is susceptible to flooding
- Impact on wildlife on the site

- Council has sufficient grounds to refuse the application, remaining consistent with the council not recommending the site be allocated for housing development as part of the emerging Local Plan.

1 letter of Support have been received from 1 address, supporting the application on the following grounds:

- The land opposite Exfold Farm and East of Woodfalls Manor has been an eyesore for the last 20 years at least.
- The development enhance this section of Bucks Green/Tismans Common without detriment to the local community.
- If we are to accept the need for housing developments in our village areas, we should be glad to accept sensible and balanced proposals, tidy development of this type should be welcomed by the neighbourhood.

Parish Comments:

Rudgwick Parish Council: Objection

- Objection due to the site's location, conflicting with RNP Policies 1, 2 & 9, HDFP Policy, no material considerations to be taken into account
- The site does not adjoin the Parish BUAB, on an unallocated site in the countryside where the area is mostly linear/ribbon development. The introduction of a housing estate, even at 6 homes, would not reflect the character of the area, out of keeping with the local street scene
- The extension of the BUAB is not included within the draft Local Plan, despite a request from a developer
- There is no change to the sustainability of the location since that appeal decision
- There is no unmet housing need for in the Parish, considering the sites allocated within the emerging local plan
- The presumption in favour of sustainable development in a tilted balance situation should not be applied to this proposal, as it fails the sustainability aspect required owing to its location.
- Will set a precedent for backland development
- Highway safety concerns relating to Loxwood Road regarding safety, speeding and traffic issues – this proposal will exacerbate it

Member Comments:

None received

HUMAN RIGHTS AND EQUALITY:

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

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

PLANNING ASSESSMENT

Background:

The Permission in Principle consent route is an alternative way of obtaining planning permission for residential development. It separates the consideration of matters of "principle" for the proposed development, from the "technical details" of the development. As such, the Permission in Principle route has two stages: the first being the "Permission in Principle" stage (subject of this current

application), which establishes whether the site is suitable in-principle; and the second being the "Technical Details consent" stage which is when the detailed development proposals are assessed.

The scope of the Permission in Principle application (being the first stage) is limited to location, land use, and amount of development, as explained in Paragraph 012 of the Planning Practice Guidance (PPG) (Permission in Principle):

'The scope of permission in principle is limited to location, land use and amount of development. Issues relevant to these 'in principle' matters should be considered at the permission in principle stage. Other matters should be considered at the technical details consent stage. In addition, local authorities cannot list the information they require for applications for permission in principle in the same way they can for applications for planning permission.'

The PPG 020 (Reference ID: 58-020-20180615) further states that:

'It is not possible for conditions to be attached to a grant of permission in principle and its terms may only include the site location, the type of development and amount of development. Local planning authorities can inform applicants about what they expect to see at the technical details consent stage.'

Planning permission was previously sought under application DC/15/1649 for the outline erection of 6 dwellings, with all matters reserved except access. The application was refused by the Council in November 2015 on the grounds that the site lay outside the defined Built-Up Area Boundary, was not allocated for development, conflicted with the Council's spatial strategy and countryside policies, and was supported by insufficient ecological information.

The subsequent appeal was dismissed in July 2016. During the appeal, the Council withdrew its ecology reason for refusal following the submission of updated survey information and confirmed it was not objecting to the proposal in relation to the effect on the character and appearance of the area. However, the Inspector concluded that the proposal would result in new homes in the countryside in an unsustainable location, with a heavy reliance on the private car, and would conflict with the spatial strategy set out in the development plan. At the time of the Inspectors decision the HDPF was newly adopted (less than one year old) and the Council could demonstrate a 5 year housing land supply.

Whilst the site was not identified as suitable for allocation through the site assessment process of the emerging Local Plan, that exercise was undertaken for plan-making purposes only and did not consider the site's previous planning history and the current proposal before the council. The fact that a site was not selected for allocation does not in itself indicate that development would be unacceptable. In this instance, whilst the assessment identified 'Very Negative Impacts' relating to Environmental Considerations, this was in relation to the site being detached from the current settlement boundary by the gated grassed track and the site contributing to both the visual and physical between Bucks Green and Tisman's Common, with development spreading Bucks Green in a linear, sprawling fashion away from the centre of the settlement. This report will assess those concerns in detail and explain why, having regard to the site's planning history, its relationship with the existing settlement, the characteristics of the proposal, and all other material considerations, the development is considered acceptable in this instance.

Location

The application site concerns an undeveloped and vegetated parcel of land located along Loxwood Road, Bucks Green. The site lies outside of, but adjacent to, the built-up area boundary (BUAB) of Bucks Green, which runs along the site's eastern boundary. In policy terms, land outside the BUAB is designated as countryside, where development is ordinarily restricted unless it is considered essential or is otherwise supported by specific policies.

Policy 2 of the Horsham District Planning Framework (HDPF) sets out the overarching growth strategy, focusing development within the District's main settlements. The adopted settlement hierarchy represents the most sustainable approach to accommodating growth, directing the majority of new housing to Horsham, Southwater and Billingshurst, with only limited development elsewhere, and only where it accords with an adopted Neighbourhood Plan.

Policy 3 seeks to retain the existing settlement pattern and ensure that development takes place in the most sustainable locations possible. Policy 4 supports limited settlement expansion outside built-up area boundaries only where: the site is allocated in the Local Plan or a Neighbourhood Plan and adjoins an existing settlement edge; the scale of growth is appropriate to the settlement; the proposal meets identified local needs; and the development is contained within defensible boundaries that respect landscape character.

Policy 26 of the HDPF requires development outside built-up area boundaries to be essential to its countryside location and to meet one of the following criteria: -

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

Policy RNP1 of RNP states sustainable development will be supported. Outside of defined built up areas, new residential development will only be supported on allocated sites or where they would accord with the residential exception policies in the development plan.

The site is not within a settlement boundary and has not been identified for development in a Local Plan. The development would therefore be contrary to the above policies. In addition, it has not been demonstrated that there is an essential need for development in the countryside and is therefore contrary to Policy 26 of the HDPF. The appropriate degree of weight to be assigned to conflict with these policies is considered further in this report.

The Shaping Development in Horsham (SDPAN) document was endorsed at Full Council on 17th September 2025. The SDPAN recognises that the Council is likely to receive applications outside of defined Built Up Area Boundaries 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 states that the Council will consider positively applications that meet all of the 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.

The above approach is intended to facilitate housing development in the most sustainable locations, with those being sites with a direct relationship to the edges of settlements, and this proposal would benefit from the provisions of the SDPAN. Whilst there is a separation of approximately 6.5metres between the site and built-up area boundary of Bucks Green, now an overgrown farm track, the Inspector confirmed within the appeal of DC/15/1649, that as the site is close to the edge of the settlement, thus it is treated as adjoining the settlement edge.

It is acknowledged that the recommendation to approve development on this site, differs from the outcome of the appeal under application DC/15/1649. In that instance, the Inspector concluded that the proposal would result in new homes in the countryside, in an unsustainable location, with a heavy reliance on the private car, and would therefore conflict with the spatial strategy. However, that decision was issued within a materially different policy context. At that time, the Council could demonstrate a five-year housing land supply and the HDPF had only recently been adopted. Therefore, the presumption in favour of sustainable development under paragraph 11(d) of the NPPF (2024), was not engaged (now superseded by the NPPF (2026)). The implications of this are considered further within the Conclusion and Planning Balance section of this report.

Policy S3 of the NPPF (2026) states decisions on development proposal should apply a presumption in favour of sustainable development. This means outside settlements, Policy S5 should be applied. It is acknowledged that the Council cannot demonstrate a five-year housing land supply and this would trigger NPPF S5(1)(j) where the proposal would contribute towards addressing an evidenced unmet housing need. However, S5 (1)(j)(i) continues, that where development is proposed to address an unmet need, it must also be 'physically well-related to an existing settlement'.

Policy CC2 of the NPPF states that in order to contribute to climate change mitigation and the transition to net zero, development proposals should, where relevant to the proposal, accord with Policies TR3 and TR4 so that sustainable patterns of movement are prioritised, opportunities are taken to improve walking, wheeling, cycling, and public transport, and infrastructure is provided to support the transition to zero-emission vehicles. Development proposals should support good access to facilities in order to limit the need to travel, whether through the development's location, through development densities which improve catchment populations for local services, or by incorporating community facilities and premises to support local employment opportunities.

Policy TR3 of the NPPF states that so development is located where it can support sustainable patterns of movement, enable good accessibility for different users and make the most of existing and proposed transport infrastructure, development proposals should be situated in locations that are sustainable (or which can be made so, taking into account planned improvements, including any provided for as part of the development itself). This means the location should limit the need to travel, particularly by private car, and offer a genuine choice of transport modes for residents and users, unless the nature of the development would make this impractical.

In terms of sustainability, future occupants would be within a reasonable distance of the services and facilities that Rudgwick offers. Pennthorpe School and Nursery and Rudgwick Preschool are located approximately 1.1km from the site, Rudgwick Primary School is approximately 1.4km away, and the Co-op Food store is approximately 1.6km away. These facilities are accessible on foot and by cycle via formal footways along the route. Public transport is also available, with a bus stop located on Loxwood Road opposite The Fox Inn, approximately 500 metres from the site, providing connections to larger settlements including Horsham and Guildford. Furthermore, the scale of development proposed would be appropriate to Rudgwick and would be contained within existing defensible site boundaries.

Given the scale of the proposal in relation to Bucks Green and Rudgwick, the level of proposed growth can be seen as proportionate and appropriate. Crucially, the Council is unable to demonstrate a five-year housing land supply, and this development would make a meaningful contribution towards meeting a local housing need. At the same time, the land does not sit within or alongside any allocations in the adopted local plan, neighbourhood plan, or emerging plan. As such, bringing this site forward would not undermine or prejudice long-term strategic development. The site also benefits from physical containment, being enclosed within existing field boundaries, while the larger open are to the north being retained. The site benefits from natural boundary treatment, which will be retained. This ensures the development remains within a defensible edge to the settlement, notwithstanding any landscape impact. Taken together, these factors support the view that the site is both sustainable and appropriate, is physically well related to an existing settlement, and as such, the proposal would benefit from the provisions of the SDPAN outlined above and comply with Policy S5 (1)(j) of the NPPF.

Land Use

In the context of the Permission in Principle application, the consideration of 'land use' is taken to relate to whether the proposed land use change to residential is acceptable.

Whilst the site is within a countryside location, it is adjacent to the Built-Up Area Boundary of Bucks Green and as such, residential uses are prevalent within this area. The site itself is positioned between the dwellings Little Orchard and Woodfalls Manor, a building comprising 6 individual flats. The detailed siting, scale, design and layout of the dwellings are not under consideration at this stage. However, having regard to the size of the site, it is considered that the site is capable of accommodating 6 dwellings in a manner that would avoid unacceptable impacts on the amenities of neighbouring occupiers, including overlooking, loss of privacy, overshadowing and overbearing effects.

The proposal would therefore introduce a use that is compatible with the prevailing residential character of the locality, and the immediately adjoining settlement of Bucks Green and supported by the provisions of the Council's SDPAN. The land use is therefore considered acceptable.

Amount of Development

Policies 25 and 33 of the HDPF promote development that protects, conserves and enhances landscape character and ensures that proposals reflect the locally distinctive character of settlements. Policy 32 requires high quality design. Proposals should consider 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 RNP1.2 of RNP requires all development, regardless of its location or whether it is allocated for development, should be design to:

a) maintain the settlement pattern in the parish and avoid the coalescence of individual settlements, and
b) avoid the diminution of a settlement's induvial identity and actively respond to its build pattern.

RNP2.3 states proposals for new development should respond positively to the established character and density of its immediate locality. RNP5.1 requires that all proposals incorporating new residential units, should demonstrate how the scheme reflects the surrounding built density of the immediate locality. RNP8.2 states that, irrespective of their location, the scale and massing of new developments should respect the character and appearance of the surrounding built and natural environment. RNP9.1 states new development should be replaced to form consistent building lines along streets.

The applicant is seeking PiP consent for a minimum and maximum of 6 dwellings. Whilst the application originally sought permission for a maximum of 9 dwellings, concerns as to whether 9 dwellings could be successfully accommodated on the site without resulting in an over-intensive form of development, particularly when accounting for access, visitor parking, refuse storage and circulation requirements, were raised. These concerns are reflected in the comments of the Council's Landscape consultant, who whilst objecting, has requested a maximum of 7 dwellings from a landscape perspective given the site's location within the Landscape Character Area (LCA) I1: Rowhook and Rudgwick Wooded Ridge of the Horsham Landscape Character Assessment and LCA LW4: Low Weald Hills of the West Sussex Landscape Character Assessment. Furthermore, the council's Arboricultural Team have stated that the site is capable of accommodating 6 dwellings, without causing harm to the mature boundary trees (subject to the final layout).

The application site reflects existing boundaries, allowing for the retention and reinforcement of existing planting. Surrounding development comprises residential properties of varying size, form and plot size. In this context, there are no in-principle reasons why a development of up to 6 dwellings could not be delivered which maintains a soft transition between the settlement edge and adjoining countryside. Whilst the indicative layout is not fixed, a different layout and building form could be achieved through the Technical Details Consent stage.

A development of up to 6 dwellings could be designed to reflect the pattern of development along Loxwood Road, in which the rear boundary of the site follows the rear boundaries of the existing dwellings to the east, maintaining the established settlement pattern, where there is occasional backland development / or the built line extends further north. It is noted that the scheme can be designed to be sympathetic to the linear pattern of development along Loxwood Road.

It must also be acknowledged, during the appeal, the Council confirmed it was not objecting to the proposal in relation to the effect on the character and appearance of the area. The Inspector acknowledged that the site is not within the South Downs National Park or the High Weald Area of Outstanding Natural Beauty and that there was no objection to the development in relation to the character and appearance of the surrounding area. Whilst this amounted to an absence of harm rather

than a positive benefit, it nevertheless supports the conclusion that a development of up to 6 dwellings would not, in itself, give rise to unacceptable landscape or visual impacts.

It is also noted that, under the previous application, neither the Council nor the Inspector concluded that 6 dwellings represented an overdevelopment of the site. The Council's reason for refusal related principally to the site's location outside the Built-Up Area Boundary and the resulting conflict with countryside and settlement hierarchy policies, rather than the scale or density of development. Furthermore, the Council's Landscape Officer raised no objection to the principle of six dwellings on landscape character or visual impact grounds. This provides support that the amount of development proposed is appropriate.

The maximum of 6 dwellings would ensure the site is not overdeveloped whilst conserving and enhancing the existing hedgerows and mature trees that bound the site. By contrast, 9 dwellings would represent an overdevelopment of the site and would not reflect the character of the area. It is therefore considered that an appropriate layout, together with the necessary parking, servicing and landscape treatment, could be secured through the Technical Details Consent stage. The grant of Permission in Principle would not prejudice the further assessment of the detailed impacts of the proposed amount of development. Therefore, the proposal for up to 6 dwellings would represent a form of development that would not constitute overdevelopment or give rise to unacceptable harm to the landscape structure or character. As such, the amount of development is considered acceptable.

Biodiversity Net Gain (BNG):

Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) mandates that every development must achieve at least a 10% Biodiversity Net Gain (BNG (unless the development qualifies as exempt under the Biodiversity Gain Requirements (Exemptions) Regulations 2024) and that every planning permission granted for the development of land in England shall be deemed to have been granted subject to the condition that development must not be begun unless a Biodiversity Gain Plan has been submitted to the planning authority and the planning authority has approved the Plan.

The Biodiversity Gain Plan must show how the development will achieve the required minimum 10% BNG using the statutory biodiversity metric tool, and must demonstrate how the habitats will be managed and maintained for 30 years, starting from the date the development is completed. Off-site gains (on unregistered sites) and significant on-site enhancements will be secured over this period by way of a Legal Agreement.

A minimum 10% net gain in biodiversity value will be required to be demonstrated at the Technical Details Consent stage, through submission of a habitat baseline assessment and Biodiversity Metric calculation in accordance with the Environment Act 2021 and the Biodiversity Gain (Town and Country Planning) (General) Regulations 2024.

Drainage and Flood Risk:

The Environment Agency’s Flood Map for Planning identifies the entire application site as being located within Flood Zone 1, which represents land at the lowest probability of fluvial or tidal flooding. In addition, the updated Surface Water Flood Risk mapping confirms that the site is at very low risk of surface water flooding, with no identified flow paths or ponding areas affecting the developable area. Having regard to the flood risk policies contained within Chapter 18 of the NPPF (2026), the site is located within an area of lowest flood risk and no further flood risk assessment is required under Policy F4(2) of the NPPF (2026).

Other Matters:

It is noted that representations have objected for several reasons, summarised above. The matters raised have been considered so far as is possible under a Permission in Principle application, where the considerations are limited to location, land use and amount of development. The considerations raised by the development relating to highways, including access arrangements, parking and safety, residential amenity and design, would be reserved for a subsequent ‘Technical Details’ application.

Ecology

Given the outline nature of this Permission in Principle application, detailed ecological information has not been submitted at this stage. Should the principle of development be supported, ecological survey work and appropriate mitigation and enhancement measures would be required at the Technical Details Consent stage to ensure compliance with Policy 31 of the Horsham District Planning Framework (2015), the NPPF (2026), and the Conservation of Habitats and Species Regulations 2017 (as amended).

Conclusion:

The proposed development comprises a development of 6 dwellings. In accordance with the Town and Country Planning (Permission in Principle) Order 2017, only the location, land use and amount of development can be considered at this stage. All detailed matters, which includes design, layout, access, drainage, ecology and any other infrastructure, would be assessed at the Technical Details Consent (TDC) stage.

The site is not allocated for development with the HDPF or a made neighbourhood plan, owing to the site's location outside of the built-up area boundary and so the principle of the development is contrary to Policies 1, 2, 3, 4 and 26 of the HDPF and RNP1 of the Rudgwick Neighbourhood Development Plan.

The Council's most recent Authority Monitoring Report (AMR) confirms that the Council cannot currently demonstrate a 5-year supply of deliverable housing sites. The latest AMR also confirms that the Council is not currently able to demonstrate a Housing Delivery Test score higher than 75%. The NPPF (2026) states that such shortfalls establish an "evidenced unmet need" for housing across the District (in accordance with Policy S5 and Annex D). S5(j)(i) goes on to state that where an unmet need is identified, development should be *'be physically well-related to an existing settlement (unless the nature of the development would make this inappropriate) and be of a scale which can be accommodated taking into account the existing or proposed availability of infrastructure'*. As per the preceding sections of the report, the site is physically well-related to an existing settlement.

As above, the Shaping Development in Horsham District Planning Advice Note (SDPAN) was endorsed at Cabinet on 17 September 2025. The SDPAN recognises at 5.12 that the Council is likely to receive applications outside of defined 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, it will consider positively applications that meet ***all*** of the criteria. As detailed within the *Location* section, the proposal complies with the criteria and taken together, the factors support the view that the site is both sustainable and appropriate, and as such the proposal would benefit from the provisions of the SDPAN.

In the context of the Council's current five-year housing land supply position, the provision of housing as a general principle is a matter of significant weight. This proposal would provide for 6 dwellings, making a modest but still meaningful contribution toward recovering this shortfall. As such, the weight attributable to this specific scheme's housing delivery should be given significant weight. Whilst the proposal remains contrary to the spatial strategy by reasoning of its location outside the built-up area boundary, the planning context has materially changed since the appeal relating to application DC/15/1649. At that time, the Council ***could*** demonstrate a five-year housing land supply and the presumption in favour of sustainable development was not engaged. The Council has since adopted the SDPAN, which provides a positive approach to considering sustainable sites adjoining existing settlements. As such, whilst the findings of the previous appeal are acknowledged, they are afforded limited weight in the current planning context.

The below would bestow socio-economic benefits, such as the creation of temporary jobs during the construction phase in the short-term, and local expenditure and contribution to the local economy in the medium to long-term arising from increase occupancy. Whilst the concerns identified through the site assessment process are acknowledged, they are not considered to warrant refusal of planning permission in this instance and are outweighed by the benefits arising from the proposed development.

As per the preceding sections of this report, the granting of this permission would conflict with Policies 1, 2, 3, 4 and 26 of the HDPF and RNP1 of the RNDP. While the Council's 5-year housing land supply deficit establishes an 'evidenced unmet need' under Policy S5 and Annex D of the Framework, this does not grant automatic support for unsustainable development in unallocated locations. In this case however, the proposal meets the criteria of the SDPAN and occupies a sustainable edge-of-settlement location and would deliver associated socio-economic benefits, whilst also representing a modest extension to the existing settlement, affording significant weight. Furthermore, a development of up to 6 dwellings is considered appropriate having regard to the size of the site, the planning history and the surrounding pattern of development. The detailed design, layout, access and landscape impacts would be assessed through any subsequent Technical Details Consent application. Collectively, these material considerations significantly and demonstrably outweigh the identified conflict with the spatial strategy to housing delivery set out in the HDPF and RNP. The principle of residential development on the site is therefore considered acceptable on balance, and the grant of permission in principle is therefore recommended.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

Horsham District Council has adopted a Community Infrastructure Levy (CIL) Charging Schedule which took effect on 1st October 2017.

It is considered that this development constitutes CIL liable development.

In the case of Permission in Principle applications the CIL charge will be calculated at the relevant Technical Details stage. Please note that exemptions and/or reliefs may be applied for up until the commencement of a chargeable development. In the event that planning permission is granted, a CIL Liability Notice will be issued thereafter. CIL payments are payable on commencement of development.

Recommendation: Application Permitted

NOTE TO APPLICANT - Amount of Development
The applicant is advised that whilst permission in principle is granted, this decision is based solely on the proposed minimum and maximum amount of development (6x dwellings) being considered acceptable. In order to ensure that the subsequent technical details application is successful, the applicant is advised that any future proposal should be made in accordance with the proposed minimum amount of development (6x dwellings) and should be located within the red line as indicated on the approved location plan.

NOTE TO APPLICANT - Technical Details Consent Requirements
This Permission in Principle establishes only the location, land use and amount of development. All detailed matters, including access, layout, design, drainage, ecology, landscaping and infrastructure requirements, must be addressed through a subsequent Technical Details Consent application.

NOTE TO APPLICANT - Highways and Access
The Local Highway Authority has raised no in-principal objection. However, full access details, parking layouts, and internal circulation arrangements will be required at the Technical Details Consent stage, supported by appropriate highway safety information, as requested by the Local Highway Authority in their response.

NOTE TO APPLICANT - Drainage Strategy
A detailed surface water drainage strategy and foul drainage arrangements will be required at the Technical Details Consent stage in accordance with the requirements of the LLFA and Southern Water.

NOTE TO APPLICANT - Amenity and Design Quality
The Technical Details Consent submission must demonstrate that the proposed layout and design achieve high standards of residential amenity, including appropriate separation distances, garden

sizes, outlook, daylight and privacy, and that the development meets the expectations of Policies 32 and 33 of the Horsham District Planning Framework.

NOTE TO APPLICANT - Landscape and Visual Impact
A Landscape and Visual Appraisal will be required at the Technical Details Consent stage, as advised by the Council's Landscape Consultant, to demonstrate that the detailed design responds positively to the rural edge setting, site topography and views from public vantage points.

NOTE TO APPLICANT - Ecology
The Technical Details Consent submission should be supported by updated ecological information proportionate to the scale of development and the nature of the site. Details of any necessary mitigation and opportunities for measurable biodiversity enhancements should be clearly set out.

NOTE TO APPLICANT - Contamination
The Technical Details Consent submission should be supported by an up-to-date Preliminary Risk Assessment, including a site walkover, relating to the risks associated with contamination, ensuring the site can be made safe and suitable for the development.

NOTE TO APPLICANT - Construction and Environmental Management Plan (CEMP)
The applicant is advised that any subsequent Technical Details Consent application should include details of a Construction and Environmental Management Plan (CEMP). This should include site logistics, hours of construction, delivery arrangements, and measures to control noise, dust and disturbance, in order to safeguard the amenities of neighbouring occupiers. Planning conditions are likely to be imposed to secure these details.

NOTE TO APPLICANT - Biodiversity Net Gain
Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 requires that planning permission is deemed to be granted subject to the "Biodiversity Gain Condition", which would prevent development from commencing until a Biodiversity Gain Plan has been submitted to and approved by the Local Planning Authority.

However, under Regulations 4, 5, 7 and 8 of the Biodiversity Gain Requirements (Exemptions) Regulations 2024, the statutory biodiversity gain condition does not apply to certain categories of development, including development which:

1) does not impact any onsite priority habitat (as defined under section 41 of the Natural Environment and Rural Communities Act 2006); and impacts less than 25sqm of onsite habitat with a biodiversity value above zero, and less than 5 metres of onsite linear habitat;
2) is the subject of a householder application;
3) is undertaken solely or mainly for the purpose of fulfilling a biodiversity gain planning condition attached to another development;
4) consists of no more than 9 dwellings on a site no larger than 0.5ha and consists exclusively of self-build or custom-build dwellings.

Transitional arrangements also apply, under which the biodiversity gain condition does not attach to major development submitted before 12 February 2024 or to non-major development submitted before 2 April 2024.

Applicants are advised that statutory exemptions and transitional arrangements are set out at Paragraph 003 (Reference ID: 74-003-20240214) of the Planning Practice Guidance:
https://www.gov.uk/guidance/biodiversity-net-gain

Where onsite habitat includes irreplaceable habitat, as defined in the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024, additional requirements apply to the content and approval of any Biodiversity Gain Plan.

NOTE TO APPLICANT - Water Efficiency
In accordance with Natural England's standing advice (10 November 2025), the applicant will be required at the Technical Details Consent stage to demonstrate that the development achieves a water

consumption rate of no more than 110 litres per person per day per dwelling (Building Regulations Part G) and incorporates appropriate water-efficiency measures.

POSITIVE AND PROACTIVE STATEMENT

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

Plans list for: DC/26/0737

Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Location plan	Site Location Plan	25022/S101	05.05.2026
Supporting Docs	Planning Statement	NONE	05.05.2026
Supporting Docs	Transport Statement	NONE	05.05.2026

DELEGATED

Case Officer sign/initial Sam Nye Date: 15/10/2026

Authorising Officer sign/initial RHERMITAGE Date: 19.10.2026