

Our Ref: PR/BER008/0003
Your Ref:

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Sent by email

28 February 2026

Dear Ms Parkes,

DC/25/2131 Greenacres, Saucelands Lane, Coolham – request for officer reconsideration and committee report clarity

I act for the applicant. I am writing further to recent correspondence from the case officer indicating that, notwithstanding the absence of technical objections, officers are presently minded to recommend refusal on “principle of development” grounds.

We respectfully request that the application is reviewed at senior level before any report is finalised, and if the application proceeds to committee, Members are provided with a full, accurate and properly balanced report which transparently applies national policy (including the tilted balance) and addresses relevant comparators.

Background and current position

The proposal seeks the demolition/removal of existing commercial/light industrial/office buildings and hardstanding and their replacement with four barn-style dwellings of agricultural vernacular. The scheme has been developed using a landscape-led approach and is supported by an appraisal which explains the baseline character, mitigation and likely limited visual effects, including from nearby PRoW routes.

Technical matters appear capable of being addressed by condition. We understand there are no objections in principle from highways, and ecology issues can be controlled through standard and/or recommended conditions. In response to the previous refusal, the applicant has also:

- a. Provided evidence that the existing commercial units are not fit for purpose and/or do not represent meaningful, deliverable employment floorspace in their current form
- b. Refined the approach to biodiversity so that the package can be secured by planning condition(s) thereby avoiding the need for a bespoke legal agreement on BNG in this instance and
- c. Strengthened the policy case on the principle of housing, including reference to recently permitted nearby schemes involving redevelopment from employment/commercial to housing.

Horsham’s housing land supply and the “tilted balance”

Horsham District Council’s housing land supply position is materially constrained (we understand it to be in the region of c. 1–1.5 years).

In that context, for decision-making purposes the “tilted balance” in paragraph 11(d) of the National Planning Policy Framework (“NPPF”) is engaged with particular force: where the policies most important for determining the application are out-of-date, planning permission

should be granted unless the application of policies that protect areas or assets of particular importance provides a strong reason for refusal, or the adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the Framework taken as a whole.

It follows that the planning judgement must start from the proposition that permission should be granted unless a clear, evidenced case can be made that the residual harms (after mitigation/conditions) would significantly and demonstrably outweigh the benefits of delivering housing from a previously developed/brownfield site in a sustainable rural location.

Consistency and the Arun Feedmills comparator

We are concerned that the current principle position is difficult to reconcile with the Council's approach on materially similar nearby redevelopment proposals, including (in particular) the Arun Feedmills decision which involved redevelopment of commercial land for a greater number of dwellings and was recommended for approval by officers.

We fully appreciate that each application turns on its own facts, and we do not suggest that a prior decision dictates the outcome here. However, consistency is a material consideration. Where there is a recent, local and materially similar comparator, it should be addressed openly and any departure explained by reference to genuine and material differences. Absent such an explanation, there is a real risk of inconsistent decision-making and/or an inadequately reasoned recommendation.

The present scheme is, on its face, at least as sympathetic as the comparator scheme(s), and in our submission more so: it proposes fewer dwellings, adopts an agricultural vernacular, is landscape-led, retains and reinforces boundary vegetation, and is advanced against a worsening housing land supply position which increases the weight to be afforded to the public benefit of housing delivery.

Committee reporting

Given the application will be reported to committee (in light of positive local representations), it is important that Members are provided with a report that:

- a. Identifies clearly whether and why the relevant "most important" policies are considered out-of-date, and the consequences of that under NPPF paragraph 11(d)
- b. Sets out a transparent planning balance with clear weighting, including the Council's current housing land supply position and its implications
- c. Addresses the employment land issue by reference to the evidence of deliverability/fitness for purpose, and explains what (if any) realistic employment use is being foregone in planning terms
- d. Properly summarises the Landscape Appraisal and the mitigation proposals, and explains why (if at all) residual landscape/visual effects are considered unacceptable after mitigation
- e. Addresses relevant comparators (including Arun Feedmills and any other closely related local decisions) and explains any departure from that approach
- f. Confirms how biodiversity net gain will be secured (whether via condition and/or legal agreement) and why that mechanism is considered lawful and effective and
- g. Presents a fair, balanced summary of material considerations so that Members can lawfully determine the application based on all relevant facts.

In the circumstances, we ask that you arrange for a short senior officer review of the principle position, with a view to revisiting whether a refusal recommendation is justified given the engaged tilted balance, the brownfield nature of the site, the absence of technical objections, and the close comparator decisions and further, if officers remain minded to recommend refusal, ensure the committee report squarely addresses the matters above (including housing supply and comparators), so that Members are properly directed and the reasoning is transparent.

We would welcome an early officer-level discussion to ensure that the Council's approach is consistent and that the issues are properly focused. Early clarity on policy reasoning and comparator treatment will assist in avoiding unnecessary procedural expense and will enable the application to be determined on a robust and well-informed basis.

Please acknowledge safe receipt. I would be grateful if you could confirm the intended timetable for reporting and whether the requested senior review can be undertaken before the officer report is finalised.

Yours sincerely

Polly Reynolds
Partner
Temple Bright LLP

cc: Hannah Darley, Senior Planning Officer
cc: Tamara Dale, Principal Planner
cc. Nikolas Antoniou, Chartered Town Planner for the applicant