The Planning Inspectorate
Temple Quay House
2 The Square
Bristol
BS1 6PN

Our ref: DC/23/0669
Your ref: APP/Z3825/W/24/3352708
Contact: 01403 215 429
Email: Bethan.Tinning@horsham.gov.uk
Date: 19.11.2024

Dear Sir/Madam,

APP/Z3825/W/24/3352708 – Lancasters Cottage, Littleworth Lane, Partridge Green, West Sussex, RH13 8EJ

Following the submission of the appeal against the refusal of the demolition of one bedroom annexe and garden buildings and erection of a three-bedroom detached dwelling, please accept this letter as the Council's statement of case on the matter. The Local Planning Authority would refer the Inspector to the Delegated Report, and would like to reiterate the reason for refusal as follows:

Refusal Reason 1: -

The development is within a countryside location outside of the built-up area boundary of any settlement on a site which has not been allocated for development within the Horsham District Planning Framework or an adopted Neighbourhood Plan. Consequently, this scheme would be contrary to the overarching strategy and hierarchical approach of concentrating development within the main settlements. It has not been demonstrated that there are any material considerations of significant weight to justify a departure from this overarching spatial strategy. The proposed development would therefore be contrary to policies 2, 3, 4 and 26 of the Horsham District Planning Framework (2015) and the National Planning Policy Framework (2023).

The applicant's appeal statement states that the site is not situated within an unsustainable countryside location and there would be no conflict with the overarching spatial strategy of the Horsham District Planning Framework (2015).

The appeal statement also refers to two appeals for single dwellinghouses which were granted permission outside of the settlement boundary within the district, these are; Marlpost Meadows in Southwater (DC/22/0495) and Cowfold Lodge in Cowfold (DC/22/2250). As stated within the delegated report, both of these sites were located closer to the built-up area of the nearest settlements. In the case of Marlpost Meadows, the road and public footpath network weighed in favour of the Inspector's decision. While a map has been provided to show a public footpath, in this case of this application, the lack of safe and suitable public pedestrian routes to the nearest settlement are a significant factor.

Furthermore, the appeal statement refers to Littleworth being classified as a 'secondary settlement' within the new Local Plan. The new Local Plan has not yet been adopted and is currently at examination stage, so this has limited weight. However, while Littleworth may potentially be classified as a 'secondary settlement', this is still a settlement with a lack of services, and therefore is still reliant on primary settlements. Therefore, the site is still located a significant distance from the nearest 'medium village' of Partridge Green.

As concluded within the Delegated Report, it is acknowledged that the Council is unable to demonstrate a 5-year deliverable supply of housing. However, the proposal would provide one market dwelling, with the Council considering this benefit limited given the negligible overall contribution to the supply. The benefits of the proposed single dwelling are acknowledged, with the low carbon design and sustainable construction a positive factor of the proposal. However, the conflict with the development plan is given moderate weight and the site's unsustainable location is given significant weight, with these outweighing the benefits when assessed against the policies in the Framework. As such, the proposal is considered to be contrary to Policies 2, 3, 4 and 26 of the Horsham District Planning Framework (2015) and National Planning Policy Framework (2023).

Conclusion

The Council therefore remain of the view that the scheme as submitted would be contrary to the relevant policies of the Horsham District Planning Framework and NPPF. The Inspector is therefore respectfully requested to dismiss the appeal. However, should the Inspector be minded to approve the appeal, a List of Suggested Conditions is attached to this letter.

Yours sincerely,

Bethan Tinning
Planning Officer

List of Suggested Conditions

1. Approved Plans

2. **Standard Time Condition:** The development hereby permitted shall begin before the expiration of three years from the date of this permission.

   Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

3. **Pre-Commencement Condition:** No development shall commence until a drainage strategy detailing the proposed means of foul and surface water disposal has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.

   Reason: As this matter is fundamental to ensure that the development is properly drained and to comply with Policy 38 of the Horsham District Planning Framework (2015).

4. **Pre-commencement (slab level) Condition**: No development above ground floor slab level shall commence until full details of the water efficiency measures and rainwater/greywater harvesting system required by the approved water neutrality strategy (Water Neutrality Report: C1978 received 30.04.2024) have been submitted to and approved in writing by the Local Planning Authority.

   Reason: To ensure the development is water neutral to avoid an adverse impact on the Arun Valley SACSPA and Ramsar sites in accordance with Policy 31 of the Horsham District Planning Framework (2015), Paragraphs 185 and 186 of the National Planning Policy Framework (2021), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

5. **Pre-Occupation Condition**: No dwelling hereby permitted shall be first occupied until evidence has been submitted to and been approved in writing by the Local Planning Authority that the approved water neutrality strategy for that dwelling has been implemented in full. The evidence shall include the specification of fittings and appliances used, evidence of their installation, and completion of the as built Part G water calculator or equivalent. The installed measures shall be retained as such thereafter.

   Reason: To ensure the development is water neutral to avoid an adverse impact on the Arun Valley SACSPA and Ramsar sites in accordance with Policy 31 of the Horsham District Planning Framework (2015), Paragraphs 185 and 186 of the National Planning Policy Framework (2021), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

6. **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until the first-floor window on the east elevation, serving the en-suite, on Plan S032.1d has been fitted with obscured glazing. No part of that window that is less than 1.7 metres above the floor of the room in which it is installed shall be capable of being opened. Once installed the obscured glazing and non-openable parts of those windows shall be retained permanently thereafter.

Reason: To protect the privacy of adjacent occupiers in accordance with Policy 33 of the Horsham District Planning Framework (2015).

7. **Pre-Occupation Condition**: No part of the development shall be first occupied until the car parking has been constructed in accordance with the approved site plan. These spaces shall thereafter be retained at all times for their designated purpose.

   Reason: To provide car parking space for the use in accordance with Policy 40 of the Horsham District Planning Framework (2015).

8. **Pre-Occupation Condition**: No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with the approved plan.

   Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies and to ensure that there is adequate provision for the parking of cycles in accordance with Policy 40 of the Horsham District Planning Framework (2015).

9. **Pre-Occupation Condition**: No part of the development shall be first occupied until such time as the vehicular access serving the development has been constructed in accordance with the details shown on the drawing title Site Plan and numbered S031.3E.

   Reason: To ensure adequate access facilities are available to serve the development in accordance with Policy 40 of the Horsham District Planning Framework (2015).

10. **Pre-Occupation Condition**: No part of the development shall be first occupied until such time as the existing vehicular access onto Littleworth Lane has been physically closed in accordance with the plan titled Visibility Splays and numbered S031.12 within Appendix A of the Transport Sustainability Report

    Reason: In the interests of road safety and in accordance with Policy 40 of the Horsham District Planning Framework (2015).

11. **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until the necessary in-building physical infrastructure and external site-wide infrastructure to enable superfast broadband speeds of 30 megabits per second through full fibre broadband connection has been provided to the premises.

    Reason: To ensure a sustainable development that meets the needs of future occupiers in accordance with Policy 37 of the Horsham District Planning Framework (2015).

12. **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until a fast charge electric vehicle charging point for that dwelling has been installed. As a minimum, the charge point specification shall be 7kW mode 3 with type 2 connector. The means for charging electric vehicles shall be thereafter retained as such.

    Reason: To mitigate the impact of the development on air quality within the District and to sustain compliance with and contribute towards EU limit values or national objectives for pollutants in accordance with Policies 24 & 41 of the Horsham District Planning Framework (2015).

13. **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until provision for the storage of refuse and recycling has been provided within the garage or side or rear garden for that dwelling. The facilities shall thereafter be retained for use at all times.

    Reason: To ensure the adequate provision of refuse and recycling facilities in accordance with Policy 33 of the Horsham District Planning Framework (2015).

14. **Regulatory Condition**: The materials to be used in the development hereby permitted shall strictly accord with those indicated on the application form and approved plans.

    Reason: To enable the Local Planning Authority to control the development in detail in the interests of visual amenity and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

15. **Regulatory Condition:** No works for the implementation of the development hereby approved shall take place outside of 08:00 hours to 18:00 hours Mondays to Fridays and 08:00 hours to 13:00 hours on Saturdays nor at any time on Sundays, Bank, or public Holidays.

    Reason: To safeguard the amenities of adjacent occupiers in accordance with Policy 33 of the Horsham District Planning Framework (2015).