



DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/26/0253

West Chiltington House , Harbolets Road, West Chiltington, West Sussex, RH20 2LG

DESCRIPTION:

Demolition of the existing residential dwelling and erection of 5no. terraced houses (2no. 2 bed dwellings and 3no 3 bed dwellings).

RELEVANT PLANNING HISTORY:

DC/20/1342	Erection of a single storey ancillary outbuilding (Certificate of Lawful Development - Proposed)	Application Permitted on 27.11.2020
DC/23/0349	Creation of a new driveway and entrance/exit to property (Retrospective). Replacement and extension of existing orangery/conservatory to the rear.	Application Refused on 30.04.2024

DESCRIPTION OF THE SITE

The application site is located to the south-west of Harbolets Road, outside of any designated built-up area boundary. The site is therefore located within the countryside in policy terms.

The site comprises a detached two storey residential dwelling which has been subject to extensive fire damage. The dwelling is located centrally within the plot and set back from the public highway. The site is bound by hedging to the northern boundary, with mature trees located along the southern boundary. An access serving the property is located to the north-east of the application dwelling, where this was subject of a previous refusal under planning reference DC/23/0349. In reviewing the evidence available, it would however appear that this access is lawful by virtue of time having been completed since at least March 2022.

The wider surroundings are characterised by sporadic residential development and enclosed agricultural fields, alongside interspersed tree belts and woodland. The nearest residential properties are located immediately to the north of the site, and located along the boundary.

DESCRIPTION OF THE APPLICATION

The application seeks full planning permission for the demolition of the existing dwelling and the erection of 5no. terraced dwellings comprising 2no. 2-bed dwellings and 3no. 3-bed dwellings.

The proposed development would be oriented parallel to Harbolets Road, with an access path serving the dwellings located between the development and the road. The proposal would extend over two storeys and would incorporate a half-hipped roof measuring to an overall height of 8.9m. Window and door openings would be provided to the north and south elevations, with no windows proposed to the side elevations.

Each dwelling would benefit from private amenity space located to the south-west, with unallocated parking provided to the north-western corner of the site.

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 7 - Strategic Policy: Economic Growth
Policy 9 - Employment Development
Policy 15 - Strategic Policy: Housing Provision
Policy 16 - Strategic Policy: Meeting Local Housing Needs
Policy 24 - Strategic Policy: Environmental Protection
Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
Policy 26 - Strategic Policy: Countryside Protection
Policy 28 - Replacement Dwellings and House Extensions in the Countryside
Policy 31 - Green Infrastructure and Biodiversity
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
Policy 35 - Strategic Policy: Climate Change
Policy 36 - Strategic Policy: Appropriate Energy Use
Policy 37 - Sustainable Construction
Policy 38 - Strategic Policy: Flooding
Policy 40 - Sustainable Transport
Policy 41 - Parking

West Chiltington Neighbourhood Plan 2023-2031:

The independent examination of the West Chiltington Neighbourhood Plan has now concluded, and the final Examiner's report was received on 11 February 2026. The report has completed the fact checking stage. The Examiner concludes that, subject to a series of recommended modifications, the Neighbourhood Plan meets all the necessary legal requirements and should proceed to referendum.

Policy H1 – Spatial Strategy and Built-Up Area Boundaries
Policy H2 – Land for Housing
Policy H3 – Quality of Design
Policy H4 – Windfall Sites
Policy EH1 – Green Infrastructure and Ecosystem Services
Policy EH2 – Flooding, Drainage and New Development
Policy EH3 – Protection of Trees and Hedgerows
Policy EH8 – Landscape Character and Important Views
Policy GA3 – Parking and New Development

Paragraph 33 of the NPPF requires that all development plans complete their reviews no later than 5 years from their adoption. Horsham District Council is currently in the process of reviewing its development plan however at this stage the emerging policies carry only limited weight in decision making. As the HDPF is now over 5 years old, the most important policies for the determination of this application must be considered as to whether they are 'out of date' (NPPF paragraph 11d). This includes, for applications involving the provision of housing, whether the Council can demonstrate a five year supply of deliverable housing sites (NPPF footnote 8).

The Council is currently unable to demonstrate a five year supply of deliverable housing sites, with the supply currently calculated as being 1 year. The presumption in favour of development within Paragraph 11d) of the NPPF therefore applies in the consideration of all applications for housing development within the District (unless footnote 7 or Paragraph 14 applies to relevant applications), with Policies 2, 4, 15 and 26 now carrying only moderate weight in decision making.

All other policies within the HDPF as itemised above have been assessed against the NPPF and are considered to be consistent such that they continue to attract significant weight in decision making.

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 10: Flooding
Strategic Policy 11: Environmental Protection
Strategic Policy 12: Air Quality
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
Policy 18: Local Green Space
Strategic Policy 19: Development Quality
Strategic Policy 20: Development Principles
Strategic Policy 24: Sustainable Transport
Policy 25: Parking
Strategic Policy 37: Housing Provision
Strategic Policy 38: Meeting Local Housing Needs
Policy 40: Improving Housing Standards in the District
Policy 41: Rural Exception Homes
Policy 45: Replacement Dwellings and House Extensions in the Countryside

Supplementary Planning Guidance:

Community Infrastructure Levy (CIL) Charging Schedule (2017)

Planning Advice Notes:

Shaping Development in Horsham District

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:

Southern Water: Comment regarding tree planting, soakaways, septic tanks, and surface water discharge.

WSCC Highways: Comment: -

There are no changes proposed to the existing access arrangements from B2133 Harbolets Road, which is subject to 30mph. From inspection of the plans and local mapping, there appears to be no apparent visibility issue at the point of access onto B2133 Harbolets Road. An inspection of collision data provided to WSCC by Sussex Police from a period of the last 5 years reveals no recorded injury accidents within the vicinity of both accesses. Therefore, there is no evidence to suggest the existing access is operating unsafely or that the proposal would exacerbate an existing safety concern.

The site does not benefit from any footways along B2133 Harbolets Road which is not unusual in rural areas. There are limited public transport facilities; hence, proposed users would largely rely on private vehicular use.

A car park at the existing location accommodating 8 nos. vehicle parking spaces will be provided. The LHA advise the provision of safe and secure cycle parking provision to encourage sustainable travel. Delivery and servicing will be carried out as per the existing arrangements.

No detailed trip generation exercise has been demonstrated within the supporting document. However, given that there are existing trips associated with the existing dwelling, trips from the additional 4 nos. dwellings are not anticipated to cause a material impact on the operation of the local highway network.

The Highway Authority do not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network; therefore, is not contrary to the National Planning Policy Framework (NPPF), paragraphs 114 -117, as revised December 2024. Therefore, there are no transport grounds to resist this proposal.

Representations:

3 letters of Objection have been received from 3 separate addresses, and these can be summarised as follows:

- Road safety
- Unsafe vehicular access
- Out of character
- Not in keeping with the character and individual style of all other properties in Harbolets Road
- Limited visibility
- Does not reflect rural area

Parish Comments:

Object: -

WSCC Highways appear to have responded to the incorrect council (Havant Borough) and ignored the fact that the access was refused in DC/23/0349 due to insufficient sight lines. Access and egress from this location will be very dangerous, and this application suggests that five families should be living there, with space for eight vehicles.

The dwelling design included in this proposal is inappropriate for its setting. The home designs would sit better alongside a canal in a busy city than a rural road hosting detached-style properties with large curtilages. It is stark and not in keeping. This conflicts with policy 32 of the Horsham District Planning Framework (2015).

Dirty water and sewage are proposed to be dealt with by the use of a septic tank plus 'unknown' – question what this is.

The location of the proposed development is outside of the BUAB and unsustainable with no footpaths, cycle paths, or any access to public transport. People living in these proposed homes would potentially need two vehicles per dwelling to get to work and to get children to and from school. There is no easy access to shops, schools, or medical services without the use of a vehicle.

Furthermore, development in the countryside should evolve from necessity. There is no necessity for these unsustainable homes. For whom are they supposed to be being built?

On top of all the practical objections above, the Parish Council is also ill-at-ease with the documents supplied to support this application. It is evident that there has been a significant amount of copying and pasting from third party documents, a large number of discrepancies in the production and content, and no evidence of any attempt to mitigate the obvious problems with the scheme.

In summary, the Parish Council considers that the proposed development would be located beyond a defined built-up area, on a site not allocated within the Development Plan, further not deemed to represent a form of development essential to this countryside location. The development would therefore be contrary to the overarching spatial strategy and hierarchy approach of concentrating development within defined settlements and advocating a planned approach to settlement expansion, contrary to policies 1, 2, 3, 4, 26 and 32 of the Horsham District Planning Framework (2015).

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

Principle of Development:

Policy 2 of the Horsham District Planning Framework (HDPF) sets out the main growth strategy, focusing development in the main settlements. The HDPF outlines that the proposed settlement hierarchy is the most sustainable approach to delivering housing; where new development is focused in the larger settlements of Horsham, Southwater and Billingshurst; and limited new development is directed elsewhere, and only where it accords with an adopted Neighbourhood Plan. Specifically, Policy 3 of the Horsham District Planning Framework seeks to retain the existing settlement pattern and ensure that development takes place in the most sustainable locations as possible.

Policy 4 of the HDPF refers to the expansion of settlements outside the built-up area, and states that such development is only supported where: the site is allocated in the Local Plan or in a Neighbourhood Plan and adjoins an existing settlement edge; the level of expansion is appropriate to the scale and function of the settlement type; the development is demonstrated to meet the identified local housing needs; the impact of development individually or cumulatively does not prejudice comprehensive long term development; and the development is contained within an existing defensible boundary and the landscape and townscape character features are maintained and enhanced.

As the site is located outside of any defined built-up area boundary, Policies 3 and 4 of the HDPF are of significant weight in the determination of the application. As stated within Policy 3 of the HDPF, development will be permitted within towns and villages that have defined built-up areas; with development in the countryside more strictly controlled through the provisions of Policy 4. This policy states that development outside of built up areas will only be supported where the site is allocated in the Local Plan or in a Neighbourhood Plan and adjoins a settlement edge.

Policy H1 of the draft West Chiltington Neighbourhood Plan states that development proposals will be supported where the following criteria as applicable are met:

- a) Located within a built-up area boundary
- b) Respond to the individual identities of The Common and The Old Villages as detailed in the Landscape Character Assessment
- c) Do not have a detrimental impact on the predominantly open and undeveloped landscape setting of the Parish as a whole
- d) All development within the Sussex North Water Resource Zone (WRZ) will need to demonstrate water neutrality through water efficient design and offsetting of any net additional water use of the development
- e) Land outside of either built up area boundary is considered to be countryside and development will only be allowed if it is the subject of a specific policy in this Neighbourhood Plan or can demonstrate a need to be located in the countryside, as set out in national and local policies.

Policy H2a and H2b allocations two sites for housing development. The application site does not form part of either of these allocations.

Paragraph 83 of the NPPF states that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should

identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby.

Policy 84 of the NPPF states that planning decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:

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

The term “isolated” is not defined within the National Planning Policy Framework, but case law has confirmed that it should be given its ordinary objective meaning of remote and far away from other places, buildings and people, and separate or remote from a settlement, services, and facilities. It was concluded in the Braintree Judgement that a settlement would not necessarily exclude a cluster of dwellings. The application site is located within close proximity to a number of residential dwellings and other buildings, and given this spatial context is not considered to be “isolated” in its truest sense, and does not therefore engage the considerations of paragraph 84.

In this countryside location, the proposal is also considered against Policy 26 which seeks to protect the countryside against inappropriate development unless it is considered essential and appropriate in scale; whilst also meeting one of four criteria. This criterion includes: supporting the needs of agriculture or forestry; enabling the extraction of minerals or the disposal of waste; providing for quiet informal recreational use; or enabling the sustainable development of rural areas. The proposed development does not meet any of this criterion, nor is it considered to be essential to the countryside location, and does not therefore comply with Policy 26 of the HDPF.

The application site comprises a single residential dwelling which is currently unoccupied following fire damage. The dwelling would however still be capable of occupation following repair works to the building, and is not therefore considered to be redundant. The site therefore represents previously developed land, albeit that it is located within the countryside in policy terms.

Policy 2 of the HDPF encourages the effective use of land by reusing land that has been previously developed provided that it is not of high environmental value. Paragraph 125 of the NPPF states that planning decisions should give substantial weight to the value of using suitable brownfield land within settlement for homes, proposals for which should be approved unless substantial harm would be caused.

Annex 2 of the NPPF defines previously developed “*land as land which has been lawfully developed and is or was occupied by a permanent structure and any fixed surface infrastructure associated with it, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed). It also includes land comprising large area of fixed surface infrastructure such as large areas of hardstanding which have been lawfully developed. Previously developed land excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill; where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape.*”

While the proposal would result in the redevelopment of previously developed land, the proposal would be located outside of a defined settlement, where the proposal would not be compliant with paragraph 125 of the NPPF. It is therefore considered that limited weight would be attributed to the redevelopment of previously developed land.

The proposed development seeks to demolish the existing building and replace with a terrace of 5no. residential dwellings. Given the existing context of the site, the proposal would result in a net increase of 4no. dwellings. The proposed development would not accord with the spatial strategy as set out in Policies 2, 3, 4 and 26 of the HDPF and would therefore be unacceptable in principle. Whether there are other material considerations that would outweigh the conflict as identified, will be discussed in the Planning Balance and Conclusions section below.

Design and Appearance:

Policy 25 of the HDPF states that the natural environment and landscape character of the District, including landscape, landform and development pattern, together with protected landscapes, will be protected against inappropriate development. Proposals should protect, conserve and enhance the landscape character, taking into account areas identified as being of landscape importance.

In addition, Policies 32 and 33 of the HDPF promote development that is of a high quality design, which is based upon a clear understanding of the local, physical, social, economic, environmental, and policy context. Development will be expected to provide an attractive, functional, and accessible environment that complements locally distinctive characters and heritage of the District. Development should contribute to a sense of place both in the buildings and spaces themselves and in the way they integrate with their surroundings and the historic landscape in which they sit. Development should ensure that the scale, massing and appearance of the development relates sympathetically with the built surroundings, landscape, open spaces and routes within and adjoining the site.

Policy H2 of the draft West Chiltington Neighbourhood Plan states that new development should incorporate innovative approaches to the construction of low carbon homes which demonstrate sustainable use of resources and high energy efficiency levels. High quality design should give a sense of place and sense of orientations, and landscape design and green infrastructure should contribute to a sustainable sense of orientation. All mature trees and hedgerows should be retained unless their removal is essential, and where possible, hedgerows should be enhanced. The density of new development should be appropriate to its located by virtue of size, height, siting and relationship to existing properties and good quality outdoor amenity space should be incorporated.

Policy H3 of the draft West Chiltington Neighbourhood Plan states that proposals for new housing must be of a high quality, be energy efficient and designed to reflect the local character, and reinforce where possible, local distinctiveness.

Policy EH8 of the draft Neighbourhood Plan states that all development should maintain the local character of the landscape within the neighbourhood planning area and should not impact on significant views that currently provide open field aspects, views to the South Downs, or view from the village centres and other open spaces.

The proposed development would comprise a terrace of 5no. dwellings, with the built form incorporating a half-hipped roof. Window and door openings would be provided to the north-east and south-west elevations.

The proposed development would incorporate limited visual relief or interest. The lack of detailing and features is considered to further exacerbate the scale and massing of the proposed development, which would appear as a dominant feature within the wider surroundings. It is recognised that the proposal seeks to replace an existing dwelling, where built form is an established part of the landscape. However, the proposed development is considered to be of a poor design and visual quality, with the lack of detailing and visual relief considered to result in a stark and bulky building that would fail to reflect the built characteristics and architectural features within the locality.

In addition, the proposal seeks to provide a large area of hardstanding to the northern section of the site to be utilised for the purposes of parking. This would result in a large section of the site being laid to hardsurfacing, with limited landscape features proposed to offset or reduce the visual presence and impact of this.

When considered in totality, the proposed development is considered to be of a poor design and visual quality, where the proposal would appear as a prominent feature within the landscape. The limited visual relief and stark elevations would exaggerate the overall massing and bulk of the built form, and the proposal would fail to reflect the built character and architectural features of the wider locality. It is

therefore considered that the proposed development would be contrary to Policies 25, 32, and 33 of the Horsham District Planning Framework (2015).

Residential Amenity:

Policy 32 of the HDPF states that development will be expected to provide an attractive, functional, accessible, safe, and adaptable environment that contribute a sense of place both in the buildings and spaces themselves. Policy 33 continues that development shall be required to ensure that it is designed to avoid unacceptable harm to the amenity of occupiers/users of nearby property and land.

The application site is located to the south-east of number of residential properties. It is however considered that the distance between the proposed dwellings and these residential properties would be sufficient to ensure that the proposal would not result in any additional overlooking, loss of privacy, or loss of natural light above the existing situation.

It is considered that each of the proposed residential dwellings would benefit from acceptable privacy amenity space, with the relationship between each of the dwellings considered satisfactory.

For these reasons, it is considered that the proposed development would result in no adverse harm to the amenities of neighbouring properties, in accordance with the above policies.

Highways

Policies 40 and 41 of the HDPF promote development that provides safe and adequate access, suitable for all users.

An access serving the property is located to the north-east of the application dwelling, where this was subject of a previous refusal under planning reference DC/23/0349. In reviewing the evidence available, it would however appear that this access is lawful by virtue of time having been completed since at least March 2022. A total of 8no. parking spaces are proposed to the northern section of the site, with an associated area of hardsurfacing.

The West Sussex Guidance on Parking at New Developments indicates that a total of 10no. parking spaces would be required. There would be an undersupply of 2no. parking spaces, where no alternative provision would be available unless parking on the public highway. However, given the nature of the roadway, and due to the poor visibility along this part of Harbolets Road, on-street parking would not be considered an acceptable alternative.

It is therefore considered that the proposed development, due to the undersupply of parking on-site, has the potential to result in both safety and amenity concerns to users of the public highway. While it is noted that the Local Highways Authority has not objected to the proposal on these grounds, it is considered by the Local Planning Authority to be a matter of concern. Had the development been considered acceptable in principle, this matter could have been addressed through amendments to the scheme.

Ecology:

Policy 31 of the HDPF states that development will be supported where it demonstrates that it maintains or enhances the existing network of green infrastructure. Development proposals will be required to contribute to the enhancement of existing biodiversity, and should create and manage new habitats where appropriate.

The application has not been supported by a Preliminary Ecological Appraisal or any other ecology report. The application site is located within the countryside, in close proximity to fields, woodland belts, and water sources, including several ponds. Given this context, it is considered that the site could provide suitable transitional habitat for species.

No ecology information has been provided, and it has not therefore been demonstrated that the proposed development would have no adverse impact on protected species and its habitat, and it has not been established how the development will contribute to measurable Biodiversity Net Gain, contrary to Policy 31 of the Horsham District Planning Framework (2015),

Water Neutrality:

A 2021 Position Statement from Natural England identified that it could not be concluded with the required degree of certainty that new development in the Sussex North Water Supply Zone would not have an

adverse effect on the integrity of the Arun Valley SAC, SPA and Ramsar sites. As a consequence, and to comply with the legal duties set out in the Conservation of Habitats and Species Regulations 2017 (known as the Habitat Regulations), all new development since has been required to demonstrate water neutrality.

On 31st October 2025 Natural England formally withdrew the 2021 Position Statement, citing a package of measures that they were satisfied would safeguard the Arun Valley sites. Principal amongst these measures is a reduction in the Southern Water abstraction licence 'by March 2026'. However, given the licence change has not yet taken place Horsham District Council, as competent authority under the Habitats Regulations, cannot yet be certain that new development will not result in adverse impacts on the Arun Valley sites.

To ensure development can come forward as water neutral in the meantime, the Council has agreed with Natural England to use the significant water savings made by Southern Water in 2024/25 through their programme of leakage reduction (amongst other measures). This has generated some 3,240,000 litres per day of water savings that can now be attributed to new development without increasing water abstraction in the Arun Valley beyond baseline. These savings were previously to be used to launch the Sussex North Water Certification Scheme (SNWCS), however following the withdrawal statement SNWCS will no longer be launching. Natural England standing advice dated 10 November 2025 raises no objection to using these savings to enable development to come forward. The standing advice clarifies that it functions as Natural England's formal response pursuant to Regulation 63(3) of the Conservation of Habitats and Species Regulations 2017 to all relevant planning applications which seek to achieve water neutrality using the above Southern Water savings.

Officers have undertaken an Appropriate Assessment which demonstrates that the anticipated increase in mains water consumption from this development, alongside all other development granted since the 31st October 2025, will not exceed 3,240,000 litres per day.

Accordingly, Officers consider that the proposed development will not have an Adverse Effect on the Integrity of the Arun Valley Site, either alone or in combination with other plan and projects, thereby complying with Regulations 63 and 70 of the Conservation of Habitats and Species Regulations 2017, HDPF Policy 31, and paragraph 193 of the NPPF.

Climate Change:

Policies 35, 36 and 37 require that development mitigates to the impacts of climate change through measures including improved energy efficiency, reducing flood risk, reducing water consumption, improving biodiversity and promoting sustainable transport modes. These policies reflect the requirements of Chapter 14 of the NPPF that local plans and decisions seek to reduce the impact of development on climate change.

Should the proposed development be approved, the following measures to build resilience to climate change and reduce carbon emissions would be secured by condition:

- Water consumption limited to 110litres per person per day
- Requirement to provide full fibre broadband site connectivity
- Dedicated refuse and recycling storage capacity
- Cycle parking facilities
- Electric vehicle charging points

This would suitably reduce the impact of the development on climate change in accordance with local and national policy.

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.

The Applicant has demonstrated that the development is exempt from the requirement to achieve a minimum 10% BNG by reason of:

- The development qualifies as 'self-build or custom housing' under Regulation 8 of the Biodiversity

Conclusions:

The proposed development seeks to the demolition of the existing dwelling and the erection a terrace of 5no. residential properties, which would result in the net increase of 4no. dwellings. The application site is located within the countryside in policy terms, where the development would not accord with the overarching spatial strategy and would be contrary to Policies 1, 2, 3 and 26 of the Horsham District Planning Framework (2015).

The Council cannot currently demonstrate a 5-year housing land supply, where the most relevant policies directing growth across the District are out of date. The tilted balance as outlined within paragraph 11(d) of the NPPF is therefore engaged, where it is outlined that where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, permission should be granted unless the application of policies in the Framework that protect areas or assets of particular importance provides 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 in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places, and providing affordable homes, individually or in combination.

The Council have published a guidance document titled "Shaping Development in the Horsham District" where it is recognised that there are likely to be applications submitted outside of defined built-up area boundaries and on unallocated sites. Given the lack of a 5-year housing land supply, and the principles behind Policy 4 of the HDPF, the guidance document outlines that applications which meet the following criteria will be considered positively:

- The site adjoins the existing settlement edge as defined by the built-up area boundary;
- 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 application site does not adjoin a settlement edge as defined by the built-up area boundary, and the development would not therefore meet all of the above criteria. The proposed development would not therefore be fully compliant with the guidance document, and no weight would be attributed to this.

The application site is located approximately 3.3km north of the built-up area boundary of West Chiltington, which is defined as a Medium Village under Policy 3 of the HDPF. The site is located on Harbolets Road which is unlit and does not benefit from a dedicated pavement for pedestrians. There are no direct Public Rights of Way leading to the nearest built-up area, with the nearby footpaths providing limited access to West Chiltington. While the speed limit is reduced along this section of Harbolets Road, due to its unlit nature and lack of dedicated pavement, it is unlikely that walking and cycling would offer a viable or attractive option. As such, occupiers of the development would be reliant on private vehicles to serve their day-to-day needs.

While the proposed development would contribute to an identified housing need, the contribution of 5no. dwellings (a net increase of 4no. dwellings) to the housing supply would be modest. The benefits arising from the scheme would, when considered overall, be of moderate weight.

The site does not benefit from a dedicated footway or public footpath, where the street itself is not lit; and in this context, it is likely that future occupiers would be reliant on private vehicles to access everyday services, amenities, and facilities. The site is therefore considered to be located within an inappropriate location. This is considered to be of moderate weight.

The proposed development would also result in harm through the poor design and visual quality of the proposal, which would appear as a prominent feature within the landscape. The limited visual relief and stark elevations would exaggerate the overall massing and bulk of the built form, and the proposal would fail to reflect the built character and architectural features of the wider locality. In addition, insufficient information has been provided to demonstrate that the proposed development would have no adverse impact on protected species and its habitat, and to establish how the development will contribute to measurable Biodiversity Net Gain. The relevant policies are considered to be in date and the harm arising through these matters is considered to be of significant weight in the planning balance.

When considering the development in totality, and the planning policy framework as a whole, the proposed development would conflict with the relevant planning policies, where the adverse impacts would significantly and demonstrably outweigh the benefits arising from the scheme.

Recommendation: Application Refused

Reason(s) for Refusal:

- 1 The development would be located beyond a defined built-up area on a site not allocated within the Development Plan and would not be essential to this countryside location. The development would therefore be contrary to the overarching spatial strategy and hierarchy approach of concentrating development within defined settlements and advocating a planned approach to settlement expansion, contrary to policies 1, 2, 3 and 26 of the Horsham District Planning Framework (2015). Notwithstanding the absence of a five-year land housing supply, and the provisions of the National Planning Policy Framework (2024) at paragraph 11(d), it is not considered that there are any material considerations which would outweigh harm arising from conflict with the above policies.
- 2 The development would be of a poor design and visual quality, where the proposal would appear as a prominent feature within the landscape. The limited visual relief and stark elevations would exaggerate the overall massing and bulk of the built form, and the proposal would fail to reflect the built character and architectural features of the wider locality. It is therefore considered that the proposed development would be contrary to Policies 25, 32, and 33 of the Horsham District Planning Framework (2015).
- 3 Insufficient information has been provided to demonstrate that the development would have no adverse impact on protected species and its habitat, and to establish how the development will contribute to measurable Biodiversity Net Gain, contrary to Policy 31 of the Horsham District Planning Framework (2015) and Paragraph 193 of the NPPF.

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/26/0253

Schedule of plans/documents **not approved:**

