

**Rye House
Hollands Lane
Henfield
West Sussex
BN5 9QY**

PLEASE reference this letter on the website as: 'RYE HOUSE 2 - SETTING

Ms. Amanda Wilkes, Planning Officer
Horsham District Council
Park North
North Street
Horsham
West Sussex
RH12 1RL

5th June 2023

Dear Ms. Wilkes

Re: Sandgate Nursery, West End Lane, Henfield, West Sussex BN5 9RD
Reference DC/23/0189
Outline application for erection of a continuing care retirement community of up to 72 units of accommodation (Use Class C2) and up to 10 starter homes (Use Class C3) with associated community facilities including medical centre and on-site laundry and catering facilities, with access, infrastructure, open space, landscaping and associated works (all matters reserved except for access).

We write as owner and occupier of Rye House, Hollands Lane, a 9 acre property directly adjacent to the Sandgate site and separated only by the unmade-up section of Hollands Lane, some 50 yards west of the junction with Hollands Road. The proposed development site is less than 20 feet from our boundary.

We strongly oppose this application on the following grounds, or with the following comments.

Visual Impact/Setting

Ancient Route

Hollands Lane from the beginning of the unmade-up section, all the way to the Adur River, is an ancient lane and remains possibly the last truly rural and leafy walk available to the residents of Henfield. Clearly a large housing development next to this ancient track and path would seriously affect the amenity value. We note (source: British History Online) that Hollands Lane is the route which led to the old Bineham or Bredham river crossing bridge mentioned in documents as early as 1548. It is likely however that this route is considerably older as it forms the direct east-west route from Henfield village to the Adur River. We note that Henfield as a settlement is referenced in 770 (The Endowment of the Church and the granting of tithes) and extensively in the Domesday Book 1086. No planning approval should be granted until full consideration has been given to the age of this lane and further research should be undertaken geologically, with erosion studies, to establish its age and therefore the importance of its preservation as it stands.

It should be noted that the planning application (Neil Tully Landscape and Visual assessment Appraisal) contains a helpful photo sequence (appendix 1 Photos sheets / sequence viewpoints 1-8) These admirably demonstrate the attractive, rural and leafy nature of this track.

It should be noted that since the lane floods in winter, west of the site, walkers use the southwest corner of the site to bypass the flood section. This is now a de facto footpath on the site itself.

Hollands lane is now an HDC 'Heritage Trail' and housing development here would adversely affect the attractiveness of the trail, and impact on our local tourist development strategies.

Camellia Cottage or Dears Farm



A new 21stC housing estate right next to this stunning Grade II historic farmhouse would be a tragedy. The setting of this building has already been compromised in part by the Bishop Park estate, north east of the farmhouse but this cannot be used as argument to further detrimentally affect the setting. Leaving a small green space next to the ancient farmhouse is clearly insufficient. The hedge screening that separates the farmhouse from the site is high but this is not a permanent screen. It may die or be removed at any time in the future and its presence should be entirely discounted when making any assessment of the detrimental visual impact of the proposed housing on this Grade II farmhouse – historically named Dears Farm or Dear's Farm on the maps below and only very recently renamed Camelia Cottage.

It should be noted that the appeal judgment which turned down the application DC/14/0588 for 72 units on this site, lists this building. An extract from the Secretary of State's Judgement (12/12/2016 ref) reads as follows:

Designated heritage asset

16. The listed building (Camellia Cottage) though substantially altered from its original built form retains a visual link to the appeal site land and the setting is also affected by the granted residential development to the north (IR132-134). The Secretary of State agrees with the Inspector that the level of harm to the listed building is 'less than substantial' (IR145) and that considerable importance attaches to this harm. Overall, for the reasons given at IR131-146 the Secretary of State agrees with the Inspector that the proposal would harm the setting of the listed building contrary to the relevant District Framework policy and the setting would not be preserved or enhanced as sought by section 66(1) of the LBCA.

There is therefore clear legal precedence for refusing the application on these grounds alone. Nothing has changed to alter the position taken by the SoS in 2015/16.

Creeping Urbanization

The building of the Barratt's development north of West End lane was allowed at appeal and is outside the BUA (built up area) as defined by the HDC's planning policy and that of the HNP. That development already constitutes an urban 'bulge' into what the community regards as countryside, greenfield, that fully merits preservation. The appeal was allowed largely due to the inadequacy of local (district and neighbourhood) planning policies. Careful reading of that judgement (Appeal Ref: APP/Z3825/A/13/2205204 Land North of West End Lane, Henfield 2/6/2014 by R P E Mellor) makes this quite clear. That was then, and there is no turning back from that judgement and the existence of that estate. However, this is now, and the local planning policies have been properly strengthened to reject the principle that governed that decision.

The site abuts a field to the west, not a road or other 'defensible boundary'. As such, planning permission for this site would seriously wound the western boundary of the BUA and would open other sites to the west for future applications, in opposition to local planning policies. The 1920's Hollands Road estate forms a coherent boundary of the BUA and should be defended by refusal of this application.

This approach to planning decisions was very clearly outlined by the Planning Inspector's decision to refuse the appeal at Land north of Sandy Lane - DC/20/0427 (Appeal Ref: APP/Z3825/W/20/3261401 19/08/2021 by Robert Parker):

REASONS - Settlement strategy

8. The appeal site covers an area of 2.11 hectares. It lies outside of, but adjoins the defined built-up area for Henfield within the Horsham District Planning Framework (2015) (HDPF). The significance of this in policy terms needs to be understood by reference to a number of HDPF policies.

9. Policy 2 sets out the overall strategy for development within the District. Amongst other things, this policy supports the sustainable development of settlements through an appropriate scale of development which retains the existing settlement pattern over the plan period. It also seeks to manage development around the edges of existing settlements in order to prevent the merging of settlements and to protect the rural character and landscape.

10. Policy 3 is not directly relevant to this appeal, but is useful context. The policy is permissive of development within towns and villages which have defined built-up areas. This reflects the priority to locate appropriate development, including infilling, redevelopment and conversion within built-up area boundaries, with a focus on brownfield land. The supporting text explains that land outside built-up area boundaries is considered to be in the countryside and development here will be more strictly controlled.

11. Policy 4 sets out the circumstances under which development will be permitted outside of built-up area boundaries. The use of the term 'and' within the policy is a clear indicator that proposals should meet all five criteria in order to be acceptable. The first criterion stipulates that the site should adjoin an existing settlement edge and should also be allocated in the Local Plan or in a neighbourhood plan. On plain reading, the policy does not permit unallocated sites outside of built-up area boundaries. The appellant's interpretation would undermine the spatial strategy which is predicated on planned expansion of existing settlements through the Local Plan or neighbourhood planning.

12. Policy 26 seeks to protect the rural and undeveloped nature of the countryside against inappropriate development. In order to be acceptable, a proposal outside of settlement boundaries must be essential to its countryside location and it must meet one of the four criteria. Although it is suggested that the proposal would enable the sustainable development of rural areas, there is no compelling evidence to persuade me that major housing schemes should be deemed acceptable in principle under this policy.

Please note that the 2020 Sandy Lane application was for 'Outline planning application with all matters reserved (except access)', as is this application, and it was refused by the HDC, and by the Inspector at appeal. The issue of 'all matters reserved' must therefore not affect the council's decision-making process, even though this application is for outline planning.

Yours sincerely,