

Our ref: DC/25/2072
Your ref: 6013893
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Date: 26 August 2026

Appeal 6013893: 40 Newland Road Upper Beeding West Sussex BN44 3JJ

This document is submitted on behalf of Horsham District Council in respect of the above appeal. The Local Planning Authority would refer the Inspector to the Delegated Report, the reasons for refusals (as per the delegated report) outlined below and the Council's response to the appellants statement of case also detailed below:

Horsham District Council Statement of Case

Reasons for Refusal:

- 1 The proposed development would be of a scale, siting, layout and design that would result in the loss of the open character of the area and would fail to respect the build pattern and prevailing character of the locality. The proposal would fail to relate sympathetically to the townscape character and visual amenity of the street scene, and would therefore be contrary to Policies 25, 32, and 33 of the Horsham District Planning Framework (2015).*
- 2 The proposed development, due to its siting and extent, would have an unacceptable overbearing impact on the adjoining neighbouring property of 40 Newland Road and consequently result in an unacceptable loss of light. The proposed development would therefore be contrary to Policy 33 of the Horsham District Planning Framework (2015).*

Reason for Refusal 1

The proposal seeks to subdivide the curtilage of 40 Newland Road to accommodate a bungalow on the corner of Newland Road and Manor Road. While the dwelling has been designed to reflect some local architectural features, its irregular form, double-stepped frontage and corner siting are not characteristic of the prevailing pattern of development. The proposal would also project beyond the established building line along Manor Road and appear visually at odds with the surrounding built form.

The application site currently forms part of the front and side garden of 40 Newland Road and contributes to the open and spacious character of the street scene. As a prominent corner plot, the undeveloped land provides a visual break between Newland Road and Manor Road, reinforcing local distinctiveness and openness. The development would introduce built form into this open space, reducing the visual separation between properties and eroding the spacious character of the area.

Significant weight is also given to the appeal decision APP/Z3825/W/16/3144340, which dismissed a similar proposal on the basis that development of an undeveloped corner plot would appear incongruous and undermine the open character of the locality. The Inspector found that such open spaces contribute to local distinctiveness, provide visual relief within the streetscape and assist with wayfinding. These considerations are equally applicable in the present case.

Overall, the proposal is constrained by the limited size and shape of the plot, resulting in a cramped form of development that fails to integrate comfortably within its surroundings. The loss of open space, combined with the dwelling's scale, siting and design, would harm the character and appearance of the area. Consequently, the proposal is considered contrary to Paragraph 135 of the NPPF, HDPF Policies 32 and 33, and UBNP Policy 8.

Reason for Refusal 2

Policy 32 of the HDPF requires development to provide an attractive, functional and safe environment that contributes positively to a sense of place, while Policy 33 seeks to prevent unacceptable harm to the amenities of neighbouring occupiers.

The proposed bungalow would extend approximately 5m beyond the rear elevation of 40 Newland Road. Although boundary treatments are proposed and it is acknowledged that a rear extension could potentially be constructed at No. 40 under permitted development rights, no such extension currently exists and the proposal must therefore be assessed against the existing situation.

In its current form, the development would create a substantial rear projection, resulting in an overbearing relationship with 40 Newland Road and a corresponding loss of outlook and light for its occupiers. Even if a rear extension were constructed at No. 40 in the future, the proposed dwelling would remain approximately 1.5m taller and would continue to present an overbearing presence despite the reduced depth difference between the buildings.

As a result, the proposal would cause unacceptable harm to the living conditions of the occupiers of 40 Newland Road through its overbearing impact and loss of light. The development therefore conflicts with HDPF Policies 32 and 33, which require development to safeguard neighbouring amenity.

Response to Appellants Statement

The appeal relates mainly to the design of the proposal and its effect on the wider character on the surrounding area. As such, The Council recognises as laid out in the report that the dwelling would contribute to the housing supply and is located within the built-up area (a sustainable location) and development be supported in principle considering these specific locational contexts. Whilst the Local Plan is out of date, the principle of development was and is not contested at this time. However, the execution in regard to its design and siting is not supported.

Whilst it is recognised that the development is not within a protected area ie. a Conservation Area or National Landscape Area, the impact on these is not considered within the application as it does not belong in any of these areas. Development not being within these zones however does not mean development should be supported as it would not have a perceptible impact on specific area character. Rather, the impact on townscape is considered to be of a degree which warrants refusal. Policy 25 does not explicitly relate to protected areas only, it is to protect these as well “the individual settlement characteristics”. As such it is considered that the development as designed would be in conflict with Policy 25. In addition, the Inspector is asked to recognise

that townscape considers developed and undeveloped land, not just architectural styles and characteristics of built form.

The appeal decision quoted within the assessment is supposed to evidence that development on corner plots such as this has been refused before because of its impact on the character of the area and erode 'open' characteristics. Whilst the appellant and the Inspector may not be aware of specific cases, the evidencing of decisions is to lend credence on how the Council reached its decision and set a precedent as to protect open and undeveloped parcels of land that contribute positively to the neighbouring amenity. Though the quoted appeal decision is an older application and various decision making documents have been revised or are 'out of date', the thrust of the inclusion of the appeal decision is to evidence similar application have been refused on the their potential to impact on character of the areas. Whilst there is an identified housing need, the provision of one market dwelling would be of limited merit and when considered with its specific context would not outweigh the harm that would be apparent by siting a development here. Whilst the appellant raises that the hard surface footpaths and vegetation is retained between the site and public highway, the encroachment of built development is considered to harm the sites and wider areas open nature. Whilst the built environment may not be particularly distinctive as the appellant states, the open nature is considered characteristic to the environ and should be protected.

Whilst the Council has not detailed impact on the neighbouring amenity within a test within its delegated report, a 'Light and outlook' test has been conducted as per the Council's guidance on its website (<https://www.horsham.gov.uk/planning/planning-applications/planning-permission-for-home-extensions>) and assessed as a single-story rear extension. As per the Council's website: *"A single storey rear extension to a semi-detached or terraced property over 3 metres deep will normally only be permitted where it does not protrude beyond a 45 degree line drawn in a horizontal plane from the centre line of any window of a habitable room of an adjoining property"*. A visual aid has been included within the appendix. 40 Newland Road is drawn with a 'proposed flat roof extension under permitted development', this is not thought to have been erected. As such, the rear projection of the new dwelling measured from 40 Newland Road's current rear extent is over 5m. Drawing 45° lines from the current rear extent of the 40 Newland Road from the centre point of windows reveals that intersection occurs. As such, it would be considered that this would lead to an overbearing impact and a loss of light to 40 Newland Road and was recommended for refusal as impinging on this.

The appellant also notes that the development would result in 3 objectives for sustainable development set out in paragraph 8 of the NPPF. Whilst environmentally the development would be an energy efficient dwelling and would use locally sourced material where possible, It is considered that the scheme would deliver very minimal economic benefits and that the scheme provides only one market dwelling which is only considered of moderate weight.

Conclusion

The Council remains 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 Recommended Conditions has been detailed in the appendix below.

Yours sincerely,

Applications Team
Horsham District Council

List of Recommended 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 other than demolition shall commence until 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-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).

- 5 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until the cycle parking facilities serving it have been provided within the garage or side or rear garden for that dwelling. The facilities shall thereafter be retained for use at all times. The cycle parking facilities shall thereafter be retained as such for their designated use.

Reason: To ensure that there is adequate provision for the parking of cycles in accordance with Policy 40 of the Horsham District Planning Framework (2015).

- 6 **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).

- 7 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until 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).

- 8 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until a plan showing the layout of the proposed development and the provision of car parking spaces for vehicles has been submitted to and approved in writing by the Local Planning Authority. No dwelling hereby permitted shall be occupied or use hereby permitted commenced until the parking spaces associated with it have been provided in accordance with the approved details. The areas of land so provided shall thereafter be retained for the parking of vehicles.

Reason: To ensure that adequate and satisfactory provision is made for the parking of vehicles clear of all highways in accordance with Policy 40 of the Horsham District Planning Framework (2015)

- 9 **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).

- 10 **Regulatory Condition:** The dwelling(s) hereby permitted shall meet the optional requirement of building regulation G2 to limit the water usage of each dwelling to no more than 110 litres per person per day. The subsequently installed water limiting measures shall thereafter be retained.

Reason: To limit water use in order to improve the sustainability of the development in accordance with Policy 37 of the Horsham District Planning Framework (2015), and 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), Paragraph 193 of the National Planning Policy Framework (2024), and to allow the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

- 11 **Regulatory Condition:** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (and/or any Order revoking and/or re-enacting that Order no development falling within Classes A, AA, B, E of Part 1 of Schedule 2 of the order shall be erected, constructed or placed within the curtilage(s) of the development hereby permitted without express planning consent from the Local Planning Authority first being obtained.

Reason: In the interest of visual amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015).

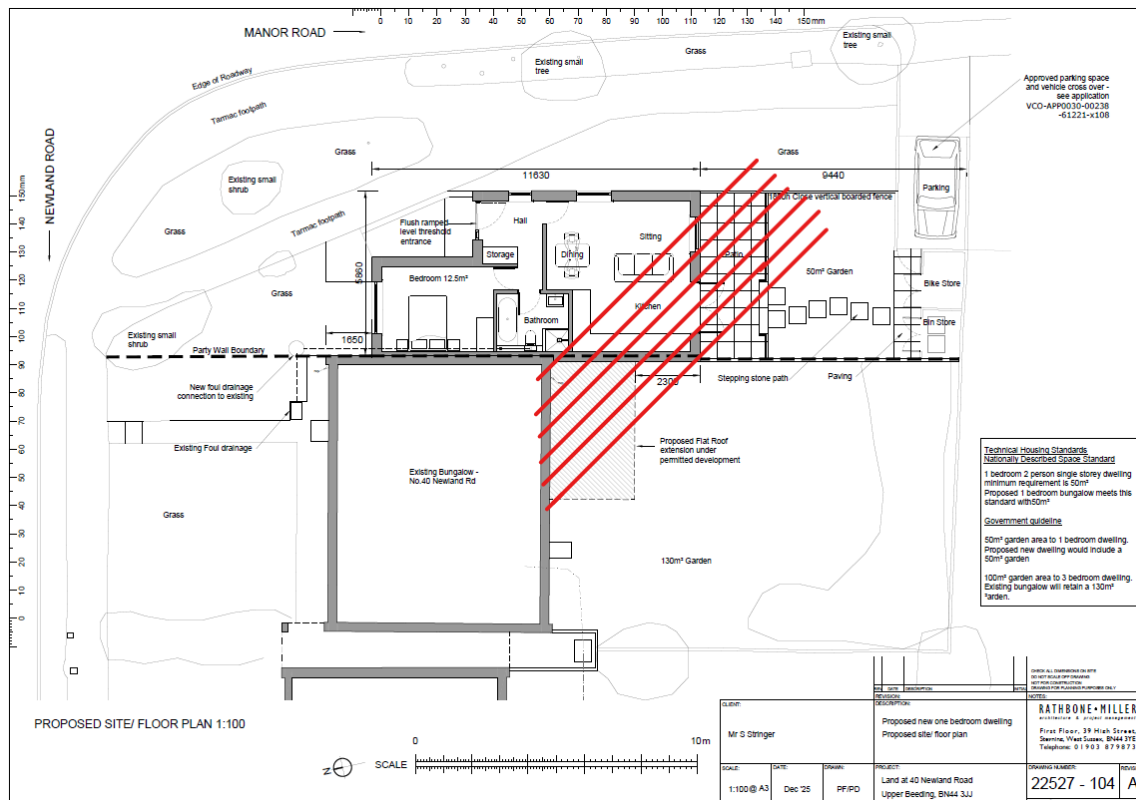


Figure 1, 45° lines drawn from the rear of the dwelling as built. Though the precise location of the fenestration and room layouts to the rear of 40 Newland Road is not known exactly, the Council is aware of fenestration including French door which would be would be interfered with.