Planning Inspectorate

Appeal Decision

Site visit made on 27 October 2025

by P Terceiro BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 November 2025

Appeal Ref: APP/Z3825/W/25/3364869
1 Littleworth Lane, Partridge Green, West Sussex RH13 8JF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
- The appeal is made by Ms Sharon Awcock (VBMC Building Development Ltd) against the decision of Horsham District Council.
- The application Ref is DC/24/1084.
- The development proposed is the demolition of existing detached chalet style bungalow and outbuildings and erection of 1no. pair of three bedroom semi-detached dwellings fronting Littleworth Lane and 1no. three bedroom and 2no. four bedroom detached dwellings to the rear with associated landscaping and off-street parking utilising existing access.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Horsham District Local Plan 2023-2040 (Regulation 19) has been submitted for examination. However, the Inspector has raised significant soundness concerns, so I have accorded it very limited weight.

3. During my consideration of this appeal Natural England has withdrawn its water neutrality position in Arun Valley. I shall return to this matter later in my decision.

Main Issues

4. The main issues are:

   - whether the proposal would be in a suitable location for housing, having regard to the development strategy for the area;
   - the effect of the proposed development on the character and appearance of the area;
   - whether the proposed development would make adequate provision for biodiversity net gain; and
   - the effect of the proposal on the integrity of protected Habitats sites.

Reasons

Suitability of location

5. Policy 2 of the Horsham District Planning Framework 2015 (HDPF) sets out the broad spatial strategy for the district and seeks to focus development in and around the key settlement of Horsham, and allow for growth in the rest of the

district in accordance with the identified settlement hierarchy, which is set out in HDPF Policy 3. Partridge Green is a medium village, which is a level of settlement identified as providing a moderate level of services and facilities.

6. At present, Littleworth is considered as an unclassified settlement, to which no development would be directed. The Council is in the process of preparing a new local plan which may alter the settlement hierarchy. However, given the uncertainty that exists regarding the progress of the local plan, and while I note the appellant's reference to recent planning permissions granted by the Council for residential development in Littleworth and Coolham, I attach very little weight to it. As such, while the proposed dwellings would be close to other properties and would not be physically isolated, I have assessed the proposal as falling in the countryside, as set out by the Council.

7. HDPF Policy 4 sets out that, outside built-up area boundaries, the expansion of settlements will be supported where the criteria listed are met. In terms of the criteria set out under this policy, the site is not allocated in the Local Plan or in a Neighbourhood Plan. Moreover, since the appeal site is outside, and distinctly detached from, the settlement of Partridge Green, the proposed development would not be an acceptable settlement expansion as defined in Policy 4. As the proposed development would not meet these requirements, the extent to which it would comply with the remaining criteria is of limited relevance.

8. The Council's Facilitating Appropriate Development Document 2022 (FAD) sets out an approach to boosting the supply of housing, pending adoption of the emerging Local Plan. It takes a more positive stance on applications for housing outside settlement boundaries. However, this would not provide any support for the proposed development as it would not adjoin a settlement edge, and the FAD requires development to meet all of the identified criteria.

9. HDPF Policy 26 states that, outside built-up area boundaries, any proposal must be essential to its countryside location, and in addition meet the criteria listed. There is no compelling evidence before me which indicates that the scheme would meet any of the exceptions listed. Therefore, the proposal would not be supported under HDPF Policy 26.

10. Given the above, the proposal would not be in a suitable location for housing, having regard to the development strategy for the area, contrary to HDPF Policies 2, 3, 4 and 26. Collectively, these policies seek to support growth in existing settlements and restrict development in the countryside, to protect its rural character and undeveloped nature.

Character and appearance

11. The appeal site is an L shaped parcel of land that broadens out to the rear behind the adjacent residential properties. It comprises a detached single storey dwelling with roof accommodation, as well as a number of single storey outbuildings behind it. The rearmost portion of the site is laid to grass and contains some trees.

12. The site abuts open countryside to the rear, which is designated as a Local Gap in the West Grinstead Parish Neighbourhood Plan 2019 – 2031 (2021). This policy seeks to retain the openness and break between settlements, in addition to contributing to the enhancement of the landscape character.

13. Littleworth Lane, where the appeal site is located, is predominantly characterised by residential plots interspersed with agricultural fields. The area has a rural feeling and the gaps between buildings typically allow for pleasant views towards the countryside beyond. The properties closest to the site comprise pairs of Victorian two storey semi-detached dwellings. There are two storey detached dwellings and bungalows of varying designs in the wider context.

14. The proposal comprises a pair of semi-detached dwellings at the front of the site, with three detached dwellings to the back. The rear dwellings would be perceived from public vantage points in the same context as the frontage properties, including through the site access and glimpses between the existing built form.

15. While the proposal would in part replace existing built form, the rear dwellings given their substantial scale and mass, would fail to harmonise with the properties at the front, more modest in scale, and would appear overwhelming in their surrounding context. As such, despite their lower ridge height, the rear dwellings would form an incongruous addition to the street scene, to the detriment of the character of the area.

16. Although the rear properties would not encroach onto the countryside and Local Gap, they would spread development across the rear of the site. Consequently, the siting of the dwellings so close to the Local Gap, combined with their significant scale and small gaps between them, would erode its open setting and harm its landscape value in this location.

17. Given the size and scale of the proposed dwellings, it is unlikely that a landscaping scheme would successfully mitigate against the harm to the character of the area associated with the proposal.

18. For the reasons above, the proposal would have a harmful effect on the character and appearance of the area. The development would therefore fail to accord with HDPF Policies 25, 32 and 33. Amongst other things these policies require high quality design and development to protect, conserve and enhance landscape and townscape character.

Biodiversity Net Gain (BNG)

19. The application post-dates the introduction of BNG. Therefore, it is subject to the mandatory requirement of Schedule 7A of the Town and Country Planning Act 1990 to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat for at least 30 years.

20. Concerns about BNG are not reflected in the Council's reasons for refusal. However, the officer report states that the evidence provided regarding BNG was insufficient to enable the Council to conclude with any sufficient degree of certainty, that the development would deliver the required BNG.

21. The BNG metric provided with the appeal submission outlined a net loss of -56.35% in habitats and a net gain of +28.36% in hedgerow units. To ensure that the development achieves the required 10% BNG, the appellant proposes the purchase of off-site units. I have been provided with a BNG Unit Reservation Certificate and attached copy of the unit purchase agreement.

22. Therefore, on the evidence before me, I am satisfied that the required net gain for biodiversity can be secured. The proposal would therefore accord with Schedule 7A of the Act.

Habitats sites

23. In September 2021, Natural England advised 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 Special Area of Conservation (SAC), Special Protection Area (SPA) and Ramsar site. As a consequence, and to comply with the legal duties set out in the Conservation of Habitat and Species Regulations 2017 (as amended) (the Regulations), all new development since has been required to demonstrate water neutrality.

24. However, Natural England has formally withdrawn the 2021 Position Statement, citing a package of measures that it was satisfied would safeguard the Arun Valley sites. Principal amongst these measures is a reduction in the Southern Water abstraction licence by March 2026.

25. The Council advised that, given the licence change has not yet taken place in Horsham, currently there is no certainty that new development would 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).

26. In light of the above, I am satisfied that the scheme would not adversely affect the integrity of protected Habitats sites. Consequently, the proposal would accord with HDPF Policy 31, which seeks to protect the integrity of the Arun Valley sites amongst other things.

Other Matters

27. Reference is made to recent appeal decisions which have allowed residential development outside of defined built up areas within the Borough. These examples illustrate that given the lack of a five-year supply of housing delivery sites, the presumption in favour of sustainable development applies. This is acknowledged and is addressed in the planning balance. Any weight attached in the planning balance to the benefits and harms associated with the schemes before those Inspectors is a matter of planning judgement based on the evidence before them. Therefore, these decisions are of little influence in my assessment of this appeal. As such, I have determined this appeal having regard to the specific details and circumstances of the case before me.

Planning Balance

28. It is common ground between the main parties that the Council cannot currently demonstrate a five-year supply of deliverable housing sites. The officer report advances a figure of 2.9 years, however the appellant has supplied me with the officer report pertaining to a more recent planning application[1] where the Council sets out that the supply of housing is 1 year. I have no more recent information before me to suggest a different figure. In such circumstances paragraph 11 d) ii of

[1] LPA Ref: DC/24/1887

the National Planning Policy Framework (the Framework) states that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

29. Whilst the proposal would be acceptable in relation to other aspects, including living conditions of adjacent neighbours and highways, the absence of harm is a neutral factor that does not weigh in favour or against the proposal.

30. In terms of benefits, the proposal would make an effective use of land and would contribute to boosting the supply of housing by providing a net gain of four dwellings in a location close to Partridge Green, where services, facilities and public transport are available. The proposal would assist in enhancing or maintaining the vitality of the rural community. There would be associated economic benefits during construction of the home and related employment for its duration, as well as future occupiers spending in the local economy. The Framework also recognises that small sites can be built out relatively quickly. Owing to the Council's housing land supply position, these benefits attract considerable weight in favour of the appeal scheme.

31. Given the housing shortfall within the borough, and having regard to relevant case law, including the Suffolk Coastal[2] judgement which the appellant refers me to, I attach limited weight to the conflict with Policies 2, 3, 4 and 26. These policies seek to protect the countryside and restrict development outside of built-up area boundaries.

32. The proposed development would harm the character and appearance of the area for the reasons outlined above. That harm would be long lasting, and it therefore attracts substantial weight against the proposal. The Framework seeks to ensure that development is sympathetic to local character, including the surrounding built environment and landscape. Therefore, the conflict between the proposal and HDPF Policies 25, 32 and 33 should be given significant weight in this appeal.

33. Taking the above into account, I find that the substantial harm to the character and appearance of the area and limited harm in relation to the suitability of the site for housing would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole. As a result, the presumption in favour of sustainable development does not apply.

Conclusion

34. The proposal conflicts with the development plan as a whole and the material considerations do not indicate that the appeal should be decided other than in accordance with it. For the reasons given above the appeal should be dismissed.

P Terceiro

INSPECTOR

[2] Suffolk Coastal District Council v Hopkins Homes [2017] UKSC 37; Richborough Estates Partnerships LLP vs Cheshire East Council [2017] UKSC 37.