Planning Inspectorate

Appeal Decision

Site visit made on 28 April 2026

by Stewart Glassar BSc (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2 June 2026

Appeal Ref: 6004865
Land adjacent Quince Cottage, Mill Lane, Partridge Green, RH13 8JU
(Easting: 518801 Westing: 120405)

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant outline planning permission.
- The appeal is made by John Elliott (Tymaric Properties Ltd) against the decision of Horsham District Council.
- The application Ref is DC/24/1888.
- The development proposed is the erection of 2 no. detached dwellinghouses and garages.

Decision

1. The appeal is allowed and planning permission is granted for the erection of 2 no. detached dwellinghouses and garages at Land adjacent Quince Cottage, Mill Lane, Partridge Green, RH13 8JU in accordance with the terms of the application, Ref DC/24/1888, subject to the conditions in the attached schedule.

Preliminary Matters

2. The application was submitted in outline form with all matters except access reserved at this stage. As a result, I have treated the proposed site layout plan as indicative only.

Main Issues

3. The main issues are a) whether the site is a suitable location for residential development; and b) the effect of the proposal on the character and appearance of the area.

Reasons

Location

4. The appeal site comprises an undeveloped field. There are existing dwellings on either side but neither they nor the appeal site are within a settlement and in policy terms the site must be considered as open countryside.

5. Policies 2, 3 and 4 of the Horsham District Planning Framework 2015 (HDPF) seek to direct development to within settlements with defined built-up areas or as expansions of those settlements. In tandem with this approach, Policy 26 of the HDPF only permits development in the countryside where such a location is essential, and the proposal meets one of four criteria. These are that it either supports the needs of agriculture or forestry; enables the extraction of minerals or the disposal of waste; provides for quiet informal recreational use; or enables the

sustainable development of rural areas. There is nothing before me which indicates that the proposal would meet any of the exceptions set out in Policy 26.

6. Whilst these policies are in some respects more restrictive than the National Planning Policy Framework (the Framework) their overall objectives are broadly consistent with it insofar as seeking to direct development to sustainable locations, allow villages to grow and thrive whilst limiting development in the open countryside.

7. However, as the Council has been unable to meet its housing land supply targets within the parameters of the existing development plan policies, it produced a Facilitating Appropriate Development Document 2022 (FAD) which set out an approach to boosting the supply of housing, pending adoption of the emerging Local Plan. This has since been replaced by the Shaping Development in Horsham District Planning Advice Note 2025 (PAN). The PAN largely repeats the FAD in terms of the relevant criteria for housing development proposals.

8. The guidance offers a more positive stance on applications for housing outside settlement boundaries. In particular, unallocated sites outside but adjoining built up area boundaries can be supported, subject to meeting certain other criteria. The appeal site does not adjoin a settlement boundary either at present or in the emerging Local Plan, which is at examination stage. This may be the only criteria the scheme does not meet but the document requires development to meet all of the identified criteria.

9. There is no dispute between the main parties that the site is not isolated and that there would be sufficient sustainable transport options available to future residents to allow them to access services and facilities in Partridge Green. Nonetheless, these factors do not overcome the site being in a location which is not supported by local policy. Thus, when the above points are taken collectively, the proposal would be contrary to the objectives of the HDPF and in particular Policy 26 which seeks to prevent development in the open countryside.

Character and Appearance

10. The appeal site is set between existing houses fronting on to Mill Lane. These form an ad hoc ribbon of development on the northern side of Mill Lane that extend out into the open countryside and away from the main focus of development to the east.

11. The development of the site would though be achieved without extending the ribbon of houses any further westwards away from the main focus of housing within Littleworth. Furthermore, the built form could be set back into the plots, all of which would reflect the linear pattern of development.

12. Although the layout shows two houses of similar footprint with car ports, this is only indicative. There is no reason why the houses could not be individually designed and the site laid out to reflect its more rural location. This would overcome the Council's concerns that the scheme would result in the emergence of a more suburban form of development that would undermine the character of the area.

13. The erection of two dwellings on the site would, by their very nature, reduce the space between some of the existing housing on this side of the road and the dispersed character of this part of Mill Lane. There would also be associated

activity, cars, lighting and paraphernalia associated with two new houses. However, the scale of the development and thus its impact is inherently limited to two dwellings. Furthermore, the size, layout and appearance of the houses (as well as any incidental outbuildings such as car ports) would be controlled through the reserved matters submissions to the Council. Overall, the site would appear to be of sufficient size to allow for two dwellings to be accommodated, without appearing excessive or unduly harmful to the prevailing environment.

14. The land is relatively flat and thus houses of a size and height commensurate with their plots and neighbouring buildings are unlikely to appear overly dominant within the landscape, especially if existing boundary hedging is appropriately retained. As such, the proposal would not prevent the surrounding landscape from remaining a dominant feature or stop it from being seen and appreciated from Mill Lane. Overall, despite there being some consolidation of built form in the area, the development would not be unduly harmful to the wider landscape setting.

15. The Council did not find harm in relation to the setting of the nearby listed buildings of Quince Cottage, St Johns and the Apple Store to the rear. However, the officer report does refer to the undeveloped nature of the site adding to the landscape setting of the listed buildings. The main setting of the listed buildings is their individual plots, but the wider landscape setting allows an appreciation of the individual aesthetic value of the buildings as well as their communal value. This wider setting therefore contributes positively to the special interest and significance of the listed building.

16. I have found that the proposed dwellings would be likely to follow a similar pattern of development to the existing houses and that the site could be developed in a way which would retain a sense of spaciousness, so as not to draw the eye and harm the prevailing environment. I am therefore satisfied that the proposed development would preserve the setting and special interest and would not harm the significance of the Grade II listed buildings. On this basis, there would be no conflict with the statutory presumption set out in section 66(1) of the Town & Country Planning Act 1990 or the provisions within the Framework which seek to conserve and enhance the historic environment.

17. Drawing the above points together, I therefore find that the proposal would not be contrary to Policies 25, 32 and 33 of the HDPF which collectively, and amongst other things, seek to ensure development is of an appropriate design and quality and that the prevailing character of the landscape and countryside is protected.

Other Matters

18. The Council cannot demonstrate a five-year supply of deliverable housing land. There is no dispute between the parties that currently there is a years' supply and that the most recent Housing Delivery Test was failed. Even with the introduction of the FAD and PAN, a policy led solution to housing need is not currently providing the level of housing growth expected by national policy. This weighs positively in favour of the proposal.

19. Access to the site is a matter to be considered at this stage. The proposal would introduce a single access point onto Mill Lane to serve both houses. Subject to the imposition of certain planning conditions the Highway Authority raises no objections to the proposal in terms of highway safety or capacity. The Council has

not raised any concerns in relation to the access arrangements, and I see no reason to disagree.

20. The appellant indicates that they intend to purchase off-site biodiversity units from a private habitat bank. On this basis the scheme would be capable of meeting the mandatory requirements for a minimum of 10% Biodiversity Net Gain (BNG). The statutory BNG condition would apply to any permission and is a matter the appellant would need to address directly with the Council. In such circumstances there would be no need for a separate legal agreement. The provision of BNG weighs in favour of the scheme.

21. Interested parties have raised concerns regarding the presence of Great Crested Newts. The Officer Report considered this issue, and I note that the matter would be addressed through the District Licencing scheme. I have no substantive information which would lead me to conclude that the District Licence would not be an appropriate mechanism to deal with the matter.

Planning Balance

22. The proposal would be outside the built up boundaries of a settlement and thus within the open countryside, contrary to Policy 26. Nevertheless, I am mindful of the housing supply position and that local policy and guidance is not providing a sufficient supply of housing land to meet future requirements. There is no dispute between the parties that the site is not in an isolated location nor has it been found to be lacking sustainable transport options. In terms of the character and appearance of the area, I have concluded that the proposal would not conflict with the requirements of Policies 25, 32 and 33. Whilst there is conflict with the development plan, given my conclusions on the main issues, I give this conflict limited weight.

23. Given the shortfall in housing supply, paragraph 11d) of the Framework is engaged. Permission should therefore only be withheld where any adverse impacts of the proposal would significantly and demonstrably outweigh the benefits, when assessed against the policies in the 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.

24. The proposal would support the government's objectives to significantly boost the supply of land for homes. As a small site it could be developed quickly. There would be some economic benefits both during construction and upon occupation. These would each be limited by the scale of the development, but collectively they represent important, if modest, benefits of the proposal.

25. However, overall, the limited adverse impacts associated with the site's location outside a settlement boundary do not significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. The proposal therefore benefits from the presumption in favour of sustainable development, and this indicates that permission should be granted.

Conditions

26. I have had regard to the conditions set out in the Council's submissions and relevant guidance on the imposition of conditions. Both parties have had the

opportunity to comment on the conditions, and I have obtained the appellant's written agreement where it is necessary for the requirements to be pre-commencement.

27. In addition to the standard time limits for outline permission, a condition listing the approved plans is necessary to provide certainty.

28. Given the character of Mill Lane and adjoining properties, a condition requiring a construction management plan is reasonable, setting out the approach to site logistics and management.

29. In order to ensure that the site functions as intended a condition requiring a drainage strategy is necessary. For similar reasons, a condition ensuring the access and visibility details are implemented will be necessary. As on-site parking and turning are related to site layout it would not be appropriate to restrict those details at this stage.

30. Retaining existing planting around the site is an important element in ensuring the site reflects and protects the character of the area. The submission of an Arboricultural Method Statement is therefore an important component in ensuring the development will be successfully integrated into the environment. To ensure this aspect does not fall outside the remit of the landscaping reserved matter, a condition is necessary.

31. A condition is also necessary that reflects the recommendations of the Ecological Assessment (EA) that a Biodiversity Enhancement Strategy is submitted. A further condition is necessary requiring the implementation of the mitigation works set out in the EA.

32. In order to avoid harm to protected species it is necessary for there to be a condition that requires the development to comply with the terms of the District Licence.

33. To accord with the HDPF and assist with amongst other things, social well-being and economic growth, water usage should be controlled and superfast broadband enabled.

34. Given the revised position of Natural England on the issue of water neutrality, a condition requiring a water offsetting scheme is not required.

Conclusion

35. The proposal would not accord with the development plan but material considerations, especially the presumption in the Framework, outweigh this conflict. Therefore, for the reasons given, the appeal is allowed subject to the conditions in the attached schedule.

Stewart Glassar

INSPECTOR

Schedule of Conditions:

1) Details of the appearance, landscaping, layout, and scale, ("the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved.

2) Application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.

3) The development hereby permitted shall take place not later than two years from the date of approval of the last of the reserved matters to be approved.

4) The development hereby permitted shall be carried out in accordance with the following drawings:

Existing & Proposed Site Plan & Block Plan	- (10)100 B
Proposed Site Layout	- (11)100 B

5) No development shall take place 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.

6) No development shall take place until the following construction details have been submitted to and approved in writing by the Local Planning Authority. The details shall include the following measures:

   i. Details of site management contact details and responsibilities:

      A plan detailing the site logistics arrangements on a phase-by-phase basis (as applicable), including:

      a. location of site compound;

      b. location for the loading, unloading and storage of plant and materials (including any stripped topsoil);

      c. site offices (including location, height, size and appearance);

      d. location of site access points for construction vehicles;

      e. location of on-site parking; and

      f. locations and details for the provision of wheel washing facilities and dust suppression facilities

   ii. The arrangements for public consultation and liaison prior to and during any demolition and construction works - newsletters, fliers etc, to include site management contact details for residents;

   iii. Details of any floodlighting, including location, height, type and direction of light sources, hours of operation and intensity of illumination.

   The construction shall thereafter be carried out in accordance with the details and measures approved.

7) No development shall take place, including any demolition, ground clearance, or bringing equipment, machinery or materials onto the site, until an Arboricultural Method Statement detailing all trees/hedgerows on site and adjacent to the site to be retained during construction works, and measures to provide for their protection throughout all construction works, has been submitted to and

approved in writing by the Local Planning Authority. The development shall be implemented and thereafter carried out at all times in full accordance with the agreed details.

Any trees or hedges on the site which die or become damaged during the construction process shall be replaced with trees or hedging plants of a type, size and in positions agreed by the Local Planning Authority.

8) Prior to any works above slab level, a Biodiversity Enhancement Strategy for protected, Priority and threatened species, prepared by a suitably qualified ecologist in line with the recommendations of the Ecological Assessment Rev B (Greenspace Ecological Solutions, February 2025), shall be submitted to and approved in writing by the local planning authority.

The content of the Biodiversity Enhancement Strategy shall include the following:

a. Purpose and conservation objectives for the proposed enhancement measures;

b. detailed designs or product descriptions to achieve stated objectives;

c. locations of proposed enhancement measures by appropriate maps and plans (where relevant);

d. persons responsible for implementing the enhancement measures; and details of initial aftercare and long-term maintenance (where relevant).

The works shall be implemented in accordance with the approved details shall be retained in that manner thereafter.

9) No dwelling hereby permitted shall be occupied until superfast broadband (with speeds of at least 30 megabits per second) has been installed within that respective dwelling.

10) No dwelling hereby permitted shall be occupied until the parking, turning and access facilities necessary to serve that dwelling have been implemented in accordance with the approved details as shown on plan (11)100, REV B and shall thereafter be retained as such.

11) No dwelling hereby permitted shall be occupied until visibility splays of 2.4 metres by 60 metres to the west and 2.4 metres by 62 metres to the east have been provided at the proposed site vehicular access onto Mill Lane in accordance with the approved drawings. Once provided the splays shall thereafter be maintained and kept free of all obstructions over a height of 0.6 metre above adjoining carriageway level.

12) All the recommendations and ecological enhancement works contained in Ecological Assessment Rev B (Greenspace Ecological Solutions, February 2025) shall be carried out in accordance with the specified details and timetables.

13) No development hereby permitted shall take place except in accordance with the terms and conditions of the Council's Organisational Licence (WML-OR136, or a 'Further Licence') and with the proposals detailed on plan "Land Adjacent Quince Cottage: Impact plan for great crested newt District Licensing (Version 1)" dated 13th May 2025.

14) The dwellings 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.

****** END OF SCHEDULE ******