Horsham District Council

The Planning Inspectorate
Temple Quay House
2 The Square
Bristol
BS1 6PN

Our ref: DC/24/1888
Your ref: 6004865
Contact: 01403 215 429
Email: Bethan.Tinning@horsham.gov.uk
Date: 23.03.2026

Dear Sir/Madam,

6004865 – Land Parcel at 518801 120405, Mill Lane, Partridge Green, West Sussex, RH13 8JU

Following the submission of the appeal against the refusal of outline planning permission for two detached residential dwellinghouses and garages with all matters reserved except access. The Local Planning Authority would refer the Inspector to the Planning Committee Report, and would like to reiterate the reason for refusal as follows:

Refusal Reason 1: -

The development would fail to reflect the pattern of surrounding built form and would represent a visually harmful encroachment into the open countryside. The development would detract from the informal rural character of the site and surroundings, therefore failing to protect, conserve or enhance the landscape character and intrinsic qualities of the countryside setting. The development would therefore result in harm to the landscape character and visual amenities of the site and surrounding area, contrary to Policies 25, 26, 32 and 33 of the Horsham District Planning Framework (2015).

Appellant's Case

The Appellant's Statement of Case argues that the proposed application site is an undeveloped infill plot that adjoins the Littleworth Secondary Settlement, which benefits from a level of services and amenities and has sustainable transport methods. As the appeal site adjoins the secondary settlement boundary, it would meet the full criteria of the Shaping Development in Horsham District guidance (formerly the FAD). The Appellant notes the Bayley Paddock appeal decision (ref: DC/23/0107), in which the Inspector accepted that sustainable transport options were available. They argue that this supports the case that the proposed dwellings would also benefit from such accessibility and demonstrated that the Local Planning Authority has previously approved residential development outside the built-up area boundary.

The Appellant makes comparison to the application at Potters Field (ref: DC/24/1887). This application and the appeal site were considered at the same planning committee meeting, with Potters Field being approved. Potters Field also sits outside of the built-up area boundary, and the Appellant argues that there are no material differences between both sites.

In respect of the countryside setting and visual impact, the Appellant states that the site sits between existing residential dwellings and is set 25m back from Mill Lane to maintain rural character. The existing scattered dwellings create a semi-rural pattern, and the proposed development is contained within an existing defensible boundary, and the landscape character features are maintained and enhanced.

Lastly, the Appellant states that the Council does not have a sufficient housing land supply, as a result the policies are out of date. Therefore, the benefits of the two dwellings would outweigh the harm.

Council's Response

Principle of Development

In response to the Appellant's first point regarding the secondary settlement; Littleworth is not a designated secondary settlement in the adopted Horsham District Planning Framework. The emerging Local Plan is at examination stage and carries limited weight. The adopted spatial strategy (Policies 2 and 4) directs development to main settlements and within defined built-up area boundaries (BUAB). The appeal site therefore lies within the countryside in policy terms.

The Shaping Development in the Horsham District report is guidance, in the absence of an up-to-date local plan. The criteria must be met in full for residential development to be considered acceptable. The appeal site does not adjoin the built-up area boundary, as previously highlighted, the secondary settlement is not within the made local plan and therefore holds limited weight. The appeal site also would not adjoin the boundary of this secondary settlement, which only covers the southern side of Mill Lane. The Shaping Development in the Horsham District report also cannot override Policies 25, 26, 32 and 33 of the Horsham District Planning Framework (2015).

Bayley Paddock

The Appellant's comparison to Bayley Paddock (ref: DC/23/0107) is not comparable, as Bayley Paddock was a back-land site, visually enclosed and surrounded by built form. The Planning Inspector found the site sat within a semi-rural residential backdrop, rather than open countryside. The Inspector found the development to be sustainable due to the level of services available in Partridge Green, however, these comments were contextual and while the Littleworth Secondary Settlement holds limited weight, Bayley Paddock would fall within the designated settlement in the draft local plan, although this is not something considered by the Inspector. It is also noted that sustainability does not override landscape harm under NPPF 11(d).

Potters Field

The comparison to Potters Field (ref: DC/24/1887) is understood. However, Potters Field forms a genuine infill development, as it situated between two residential plots and reads as part of the settlement envelope, due to sitting opposite existing residential development. In comparison, the appeal site is not an infill, as it faces the open countryside to the south and lies beyond the established end of ribbon development, extending the settlement westwards. The Committee considered the merits of each scheme, with the different site contexts justifying the different outcomes. Potters Field was considered to reinforce the settlement pattern, and the appeal site was considered to erode it.

Countryside setting and landscape impact

The Committee found that the appeal site does not integrate with the built form to either the north or south. The southern ribbon development has a clear end point, and the appeal site lies beyond it. The proposal would therefore shift the settlement edge westwards.

The site forms part of the transition between built form and open countryside, a sensitive landscape edge where new development has a disproportionate impact. The Appellant has not provided any evidence to address or contradict the landscape harm identified by the Council's Landscape Officer and set out in the Delegated Report.

Housing Need and Planning Balance

As concluded within the Delegated Report, it is acknowledged that the Council in unable to demonstrate a 5-year deliverable supply of housing. However, the proposal would provide two market dwellings with the Council considering this benefit limited given the negligible overall contribution to the supply. The conflict with the development plan is given moderate weight and the site's unsustainable location is given significant weight, with these outweighing the benefits when assessed against the policies in the framework. As such, the proposal is considered to be contrary to Policies 2, 3, 4, and 26 of the Horsham District Planning Framework (2015) and National Planning Policy Framework (2024).

Conclusion

The Council therefore remain 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 Suggested Conditions is attached to this letter.

Yours sincerely,

Bethan Tinning
Planning Officer

List of Suggested Conditions

1. **Approved Plans**

2. **Standard Time Condition:**

   a. Approval of the details of the layout of the development, the scale of each building, the appearance of each building and the landscaping of the development (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

   b. Plans and particulars of the reserved matters referred to in condition (a) above, relating to the layout of the development, the scale of each building, the appearance of each building, and the landscaping of the development, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

   c. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission.

   d. The development hereby permitted shall begin either before the expiration of 3 years from the date of this permission, or before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

   Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990.

3 **Pre-Commencement Condition**: No development shall commence 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.

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-Commencement Condition**: The development hereby approved shall not commence 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;
ii . 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,
f. locations and details for the provision of wheel washing facilities and dust suppression facilities

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

Reason: As this matter is fundamental in order to consider the potential impacts on the amenity of nearby occupiers during construction and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

5 **Pre-Commencement Condition:** No development shall commence, including demolition pursuant to the permission granted, 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 strictly in 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.

Reason: As this matter is fundamental to ensure the successful and satisfactory protection of important trees and hedgerows on the site in accordance with Policy 33 of the Horsham District Planning Framework (2015).

6 **Pre-Commencement (Slab Level) Condition:** 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
(e) 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.

Reason: To enhance protected, Priority and threatened species and allow the LPA to discharge its duties under paragraph 187d of NPPF 2024 and s40 of the NERC Act 2006 (as amended).

7 **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).

8 **Pre-Occupation Condition**: No part of the development 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 be thereafter retained as such.

Reason: To ensure adequate parking, turning and access facilities are available to serve the development in accordance with Policy 40 of the Horsham District Planning Framework (2015).

9 **Pre-Occupation Condition**: No part of the development 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 planning 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 or as otherwise agreed.

Reason: In the interests of road safety and in accordance with Policy 40 of the Horsham District Planning Framework (2015).

10 **Regulatory Condition**: All mitigation measures and/or works shall be carried out in accordance with the details contained in Ecological Assessment Rev B (Greenspace Ecological Solutions, February 2025) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

This will include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details."

Reason: To conserve protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended), s40 of the NERC Act 2006 (as amended) and Policy 31 of the Horsham Development Framework.

11 **Regulatory Condition:** 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.

Reason: In order to ensure that adverse impacts on great crested newts are adequately mitigated and to ensure that site works are delivered in full compliance with the organisational licence (WML-OR136, or a 'Further Licence'), section 15 of the National Planning Policy Framework, Circular 06/2005 and the Natural Environment and Rural Communities Act 2006.

12 **Regulatory Condition**: 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.

Reason: To limit water use in order to improve the sustainability of the development and to ensure the development is water neutral to avoid an adverse impact on the Arun Valley SACSPA and Ramsar sites in accordance with Policies 31 and 37 of the Horsham District Planning Framework (2015), Paragraph 193 of the National Planning Policy Framework (2024), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

INFORMATIVE
It is recommended that the NatureSpace Best Practice Principles are taken into account and implemented where possible and appropriate.

INFORMATIVE
It is essential to note that any works or activities whatsoever undertaken on site (including ground investigations, site preparatory works or ground clearance) prior to receipt of the written authorisation from the planning authority which permits the development to proceed under the District Licence (WML-OR136, or a 'Further Licence') are not licensed under the great crested newt District Licence. Any such works or activities have no legal protection under the great crested newt District Licence and if offences against great crested newt are thereby committed then criminal investigation and prosecution by the police may follow.