



## **APPLICATIONS & APPEALS SERVICES**

**CONSTRUCTION OF SELF BUILD DWELLING AND  
DETACHED GARAGE WITH NEW VEHICLE  
ACCESS FROM BLACK GATE LANE AND  
ASSOCIATED DRIVEWAY/CAR PARKING**

**AT**

**CHERRY TREE COTTAGE, PICKHURST LANE,  
PULBOROUGH, RH20 1DA**

**PLANNING, DESIGN AND ACCESS STATEMENT**

**JULY 2026**



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## 1.0 INTRODUCTION

1.1 Planning permission is sought for the construction of a three bedroom, barn style self-build dwelling with a detached single garage on land to the northeast of Cherry Tree Cottage, Pickhurst Lane, near Pulborough, RH20 1DA. The proposed dwelling will be accessed via a new vehicle access to be created off Black Gate Lane which runs to the east of the application site. A new driveway will be laid out from this access, leading to the front of the proposed dwelling and garage.

1.2 This supporting Planning, Design and Access Statement sets out the detail of the proposal which is described and appraised having regard to the following aspects:

- **Physical Context** – explains the physical context of the site and its surroundings;
- **Planning Context** – relevant planning history of the site and broad policy requirements;
- **Use** – the purpose of the proposed development;
- **Amount** – the extent of development on the site;

- **Scale** – details of the physical size of the proposed development;
- **Layout** – the relationship of the proposed development to the site and its setting;
- **Appearance** – details of materials, style and impact upon the existing and neighbouring properties;
- **Landscape** – impact of the proposal on the existing landscape and proposed planting and surfacing;
- **Access** – access to the proposed development and associated parking.

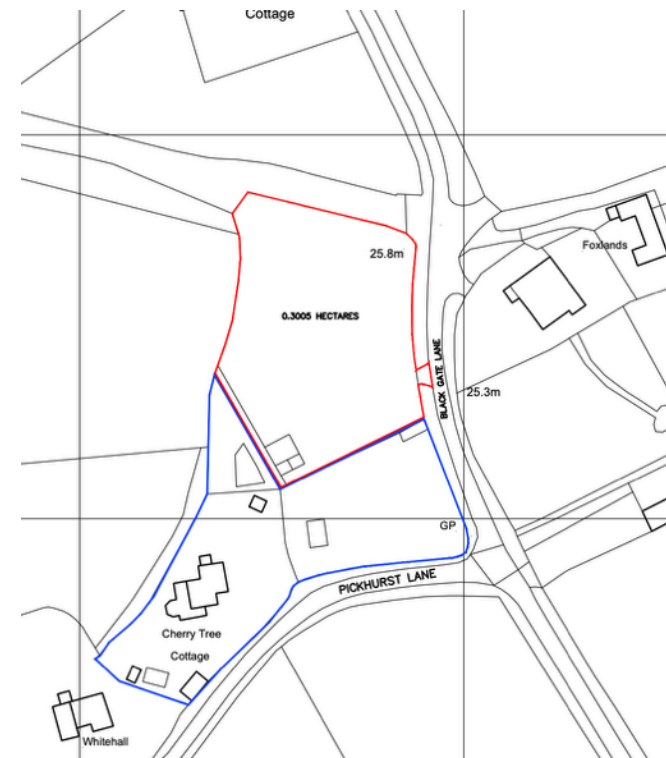
1.3 This Statement demonstrates that the proposed development accords with the relevant national and local planning policies and that it is acceptable in all respects.

## 2.0 PHYSICAL CONTEXT

- 2.1 Cherry Tree Cottage is a detached, two storey dwelling situated to the north of Pickhurst Lane, approximately 0.5 miles from Codmore Hill and approximately 1.8 miles from the centre of Pulborough. The property and application site are located within the countryside, outside of a built-up area boundary.
- 2.2 The application site relates to land to the north east of Cherry Tree Cottage (within the same ownership) and which is self-contained and enclosed to the boundaries by mature trees and hedgerows. Black Gate Lane runs along the eastern side of the application site.
- 2.3 Cherry Tree Cottage is a Grade II listed building (listed on 09 May 1980) believed to date from the 17th Century or earlier and was formerly a smallholding tenanted property. Whitehall Cottage, just to the west of Cherry Tree Cottage, is also a Grade II listed building (listed on the same date).
- 2.4 An area of Ancient Woodland (named 'Woodland east of Burts Farm') is situated to the north west of the application site, beyond which to the west is the boundary of the South Downs

National Park. To the south, beyond Pickhurst Lane is another area of Ancient Woodland (named 'Gerrards Rough') which is also covered by a Tree Protection Order (TPO/0706). The site falls in a Bat Sustenance Zone.

Figure 1: Site Location Plan



2.6 The following are photographs of the application site:







### 3.0 PLANNING HISTORY

3.1 The following is the relevant planning history for Cherry Tree Cottage:

- DC/16/1955 – Overhead lines. No objection to notification.
- DC/06/1559 – Erection of detached garden shed. Permitted 16 August 2006.
- DC/05/0307 – Single storey rear extension, dormer window, enlargement of window to bedroom 3 and new window to dressing area in bedroom 1 (listed building consent). Permitted 01 April 2005.
- DC/05/0306 – Single storey extension and dormer window. Permitted 01 April 2005.
- PL/62/96 – Conservatory (listed building consent). Permitted 20 November 1996.

- PL/61/96 – Conservatory. Permitted 20 November 1996.
- PL/5/92 – Change of use of land from agricultural to residential, erection of double garage and vehicle access. Permitted 06 March 1992.
- PL/62/85 – Extension to dwelling. Permitted 22 July 1985.
- PL/63/85 – Demolition and extension to dwelling (listed building consent). Permitted 22 July 1985.

3.2 In support of this application, five appeal decisions where planning permission has been granted for the construction of new dwellings outside of a built-up-area boundary within the Horsham district are included at Appendices NJA/1 – NJA/5. These appeals are referenced at Section 6 of this Statement.

3.3 In addition, it is relevant to note that the Council is currently considering an outline planning application (reference DC/26/0826) for the construction of up to 100 houses (including 35% affordable), a pharmacy, shop/café and open space (with all matters reserved except for access) at Toat Café on the

A29/Stane Street a short distance away from Cherry Tree Cottage.

## 4.0 PROPOSAL

- 4.1 The proposal is for the construction of a three bedroom, self-build dwelling with a detached single garage on land to the north east of Cherry Tree Cottage. The proposed dwelling is of a traditional barn style design, comprising a pitched tiled roof with dormer and roof light windows and with the elevations finished in horizontal boarding above a brick plinth. Accommodation will be laid out over two floors, with the first floor contained within the roof space.
- 4.2 A new vehicle access will be created from Black Gate Lane to access the new dwelling. A curved driveway will be laid out leading to the front of the proposed dwelling and the new garage. Space will be provided for the parking (and turning) of two vehicles.
- 4.3 The proposed dwelling and garage will be situated towards the northern end of the land, leaving ample space for large private garden areas extending primarily to the west and south of the new dwelling.

Figure 2: Proposed Site Plan



[illegible]

Figure 4: Proposed Floor Plans

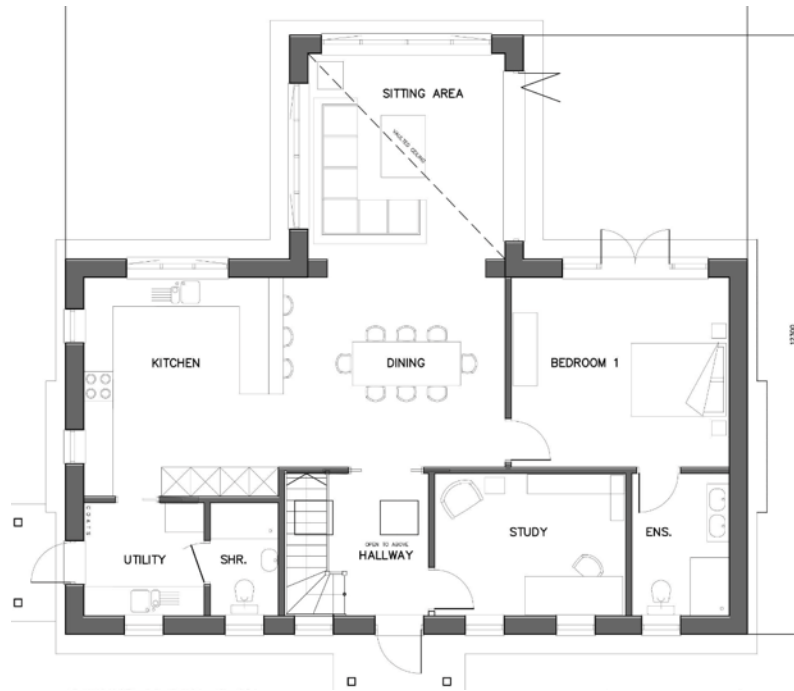
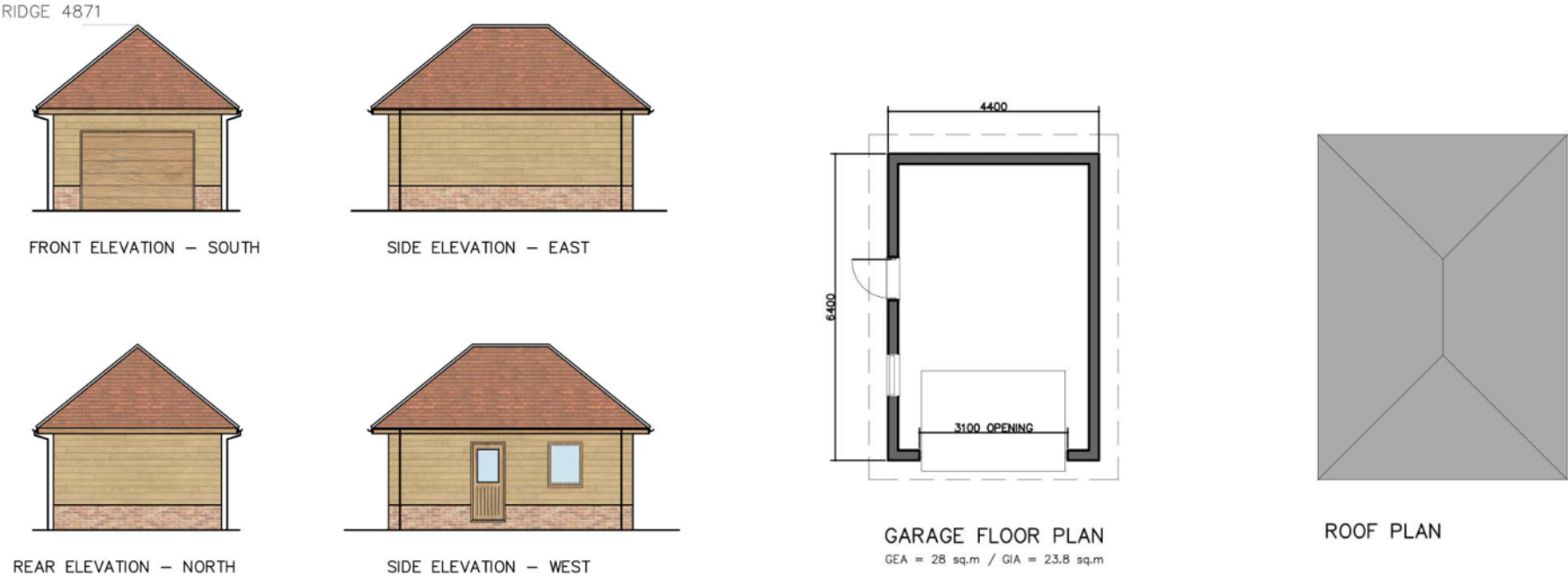


Figure 5: Proposed Garage



## 5.0 PLANNING POLICY

### National Planning Policy Framework (NPPF) (December 2024)

#### *Sustainable Development*

- 5.1 The NPPF sets out the Government's planning policies for England and how these should be applied. It provides a framework for the preparation of local plans for housing and other development. The NPPF should be read as a whole (NPPF paragraphs 1 and 3).
- 5.2 Paragraph 2 of the NPPF sets out that ***'Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework must be taken into account in preparing the development plan, and is a material consideration in planning decisions. Planning policies and decisions must also reflect relevant international obligations and statutory requirements'***.

- 5.3 Paragraph 7 states that the purpose of the planning system is to contribute to the achievement of sustainable development. Achieving sustainable development means that the planning system has the following three overarching objectives which are independent but need to be pursued in mutually supportive ways:

- a) ***'an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;***
- b) ***a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and***

**c) an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment, including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution and mitigating and adapting to climate change, including moving to a low carbon economy’.**

5.4 Paragraph 10 states **‘So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development (paragraph 11).** For decision-taking this means approving development proposals that accord with an up-to-date development plan without delay.

5.5 Where there are no relevant development plan policies or the relevant policies are out of date, the NPPF states that planning permission should be granted unless the application of policies of the Framework that protect areas or assets of particular importance provide a strong reason for refusing the development proposed, or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits

when assessed against the policies of the Framework taken as a whole. Particular regard should be given to key policies for directing development to sustainable locations, making efficient use of land, securing well-designed places and providing affordable homes, individually or in combination (NPPF paragraph 11 d).

5.6 Paragraph 12 of the Framework states that **‘The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not normally be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed’.**

- 5.7 Paragraph 34 requires policies in local plans and spatial strategies to be reviewed to assess whether they need updating at least once every five years and should then be updated as necessary. In respect of housing, ***‘Relevant strategic policies will need updating at least once every five years if their applicable local housing need figure has changed significantly; and they are likely to require earlier review if local housing need is expected to change significantly in the near future’.***
- 5.8 In terms of decision-making, the Framework states at paragraph 39 that ***‘Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible’.***

- 5.9 Paragraph 61 states ***‘To support the Government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay. The overall aim should be to meet as much as an area’s identified housing need as possible, including with an appropriate mix of housing types for the local community’.***
- 5.10 Paragraph 62 states that to determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning practice guidance. Within this context, paragraph 63 requires the size, type and tenure of housing needed for different groups in the community to be assessed and reflected in planning policies. These groups include (inter alia) people wishing to commission or build their own homes.

- 5.11 In terms of the provision of affordable housing, NPPF paragraph 65 states that this should not be sought for residential developments that are not major developments, other than in designated rural areas (where policies may set out a lower threshold of 5 units or fewer).
- 5.12 Paragraph 72 requires strategic policy-making authorities to have a clear understanding of the land available in their area through the preparation of a strategic housing land availability assessment. Planning policies should identify a supply of specific, deliverable sites for five years following the intended date of adoption and specific deliverable sites or broad locations for growth for the subsequent years 6-10 and where possible, years 11-15 of the remaining plan period.
- 5.13 Paragraph 73 sets out that ***‘Small and medium sized sites can make an important contribution to meeting the housing requirement of an area, are essential for Small and Medium Enterprise housebuilders to deliver new homes, and are often built out relatively quickly’.***
- 5.14 Paragraph 78 requires local planning authorities to identify and update annually a supply of specific, deliverable sites sufficient to provide a minimum of five years’ worth of housing against

their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old. The supply of deliverable sites should include a buffer as set out at paragraph 78 a) – c).

- 5.15 To maintain the supply of housing, NPPF paragraph 79 sets out that local planning authorities should monitor progress in building out sites which have permission. Where the Housing Delivery Test indicates that delivery has fallen below the local planning authority’s housing requirement over the previous three years, certain policy consequences should be taken into account as set out at paragraph 79 a) – c).

#### *Rural Housing*

- 5.16 In rural areas, NPPF paragraph 82 requires planning policies and decisions to be responsive to local circumstances and support housing developments that reflect local needs. To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities (paragraph 83).

- 5.17 Paragraph 84 states that planning policies and decisions should avoid the development of isolated new homes in the countryside unless certain circumstances apply.

*Highways and Car Parking*

- 5.18 Paragraph 109 requires transport issues to be considered at the early stages of plan-making and development proposals.
- 5.19 NPPF paragraph 110 requires the planning system to actively manage patterns of growth. Whilst significant development should be focused on locations which are or can be made sustainable, it should also be recognised that ***‘opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making’.***
- 5.20 Paragraph 112 states that if setting local parking standards for residential and non-residential development, policies should take into account the accessibility of the development, its type, mix and use, the availability of land and opportunities for public transport, local car ownership levels and the need to ensure that

adequate provision of spaces for charging plug-in and other ultra-low emission vehicles.

- 5.21 Maximum parking standards for residential and non-residential development should only be set where there is a clear and compelling justification that they are necessary for managing the local road network, or optimising the density of development in city and town centres and other locations that are well served by public transport (paragraph 113).
- 5.22 Paragraph 115 sets out that in assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that (inter alia), sustainable transport modes are prioritised taking into account the type of development and location together with a safe and suitable access to the site. Any significant impacts from the development on the transport network or highway safety shall be cost effectively mitigated to an acceptable degree through a vision-led approach.
- 5.23 Paragraph 116 makes it clear that ***‘Development should only be prevented or refused on highways grounds if there***

**would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios’.**

#### *Effective Use of Land*

- 5.24 Paragraph 124 requires planning policies and decision to promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring healthy living conditions.
- 5.25 Paragraph 125 states that planning policies and decision should encourage multiple benefits from both urban and rural land. Substantial weight should be given to the value of using suitable brownfield land within settlements for homes and other identified needs. In addition, policies and decisions should promote and support the development of under-utilised land and buildings especially if this would help meet identified needs for housing where land supply is constrained.
- 5.26 Paragraph 128 requires local planning authorities to take a proactive approach to applications for alternative uses of land

which is currently developed but not allocated for a specific purpose in place where this would help to meet identified development needs.

- 5.27 In terms of the density of new development, NPPF paragraph 129 encourages the efficient use of land taking into account a number of issues including the needs for different types of housing and other forms of development, the desirability of maintaining an area’s prevailing character and setting (including residential gardens) and securing well-designed, attractive and healthy places.

#### *Design*

- 5.28 In terms of design, Section 12 seeks to achieve well designed places sets out that the **‘The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities’** (paragraph 131).

5.29 Paragraph 135 further states that planning policies and decisions should ensure that developments function well and add to the overall quality of the area, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping. Development should also be sympathetic to local character and history and should be designed with a high standard of amenity for existing and future users.

5.30 Paragraph 139 states that ***‘Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to:***

- a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes: and/or***
- b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of***

***design more generally in an area, so long as they fit with the overall form and layout of their surroundings’.***

#### *Climate Change*

5.31 Paragraph 161 requires the planning system to support the transit to net zero by 2050 and take full account of all climate change impacts. New development should be planned in ways that avoid increased vulnerability to the range of impacts arising from climate change and to help reduce greenhouse gas emissions, such as through its location, orientation and design.

5.32 Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (paragraph 170). Local planning authorities should ensure that flood risk is not increased elsewhere as a result of new development (paragraph 181).

5.33 Applications which could affect drainage in or around the site should incorporate sustainable drainage systems to control flow rates and reduce volumes of runoff which are proportionate to the nature and scale of the proposal (paragraph 182).

### *Natural Environment*

- 5.34 Paragraph 187 requires planning policies and decisions to contribute to and enhance the natural and local environment by (inter alia) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils and recognising the intrinsic character and beauty of the countryside. Policies and decisions should also minimise impacts on and provide net gains for biodiversity. Paragraph 189 requires great weight to be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and National Landscapes.

### *Habitats and Biodiversity*

- 5.35 Paragraph 193 states that when determining planning applications, local planning authorities should apply a set of principles and if significant harm to biodiversity resulting from development cannot be avoided, adequately mitigated against or, as a last resort, compensated for, then planning permission should be refused.
- 5.36 The presumption in favour of sustainable development does not apply where there would be a significant effect on a habitats site (either alone or in combination with other plans and projects)

unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site (paragraph 195).

### *Ground Conditions and Pollution*

- 5.37 Paragraph 196 requires planning policies and decisions to ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner (paragraph 197). Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment (paragraph 198).

### *Heritage*

- 5.38 Section 16 of the NPPF refers to the conservation and enhancement of the historic environment. Paragraph 212 states that when considering the impact of a proposed development on

the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be).

- 5.39 Any harm to, or loss of the significance of a designated heritage asset (from its alteration or destruction or from development within its setting) should require clear and convincing justification (paragraph 213). However, this does not necessarily preclude new development within the setting of a designated heritage asset and paragraph 219 states that local planning authorities should look for opportunities for new development within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.

#### Local Planning Policy

- 5.40 The 'development plan' comprises the Horsham District Planning Framework (HDPF) (2015) and in this case the

Pulborough Neighbourhood Plan 2015 – 2031 ('made' in October 2025). The relevant policies are listed below:

#### ***Horsham District Planning Framework (2015)***

- Policy 1: Strategic Policy: Sustainable Development
- Policy 2: Strategic Policy: Strategic Development
- Policy 3: Strategic Policy: Development Hierarchy
- Policy 4: Strategic Policy: Settlement Expansion
- Policy 15: Strategic Policy: Housing Provision
- Policy 16: Meeting Local Housing Needs
- Policy 24: Strategic Policy: Environmental Protection
- Policy 25: The Natural Environment and Landscape Character
- Policy 26: Strategic Policy: Countryside Protection
- Policy 27: Settlement Coalescence
- Policy 30: Protected Landscapes
- Policy 31: Green Infrastructure and Biodiversity
- Policy 32: The Quality of New Development
- Policy 33: Development Principles
- Policy 34: Cultural and Heritage Assets
- Policy 35: Climate Change

- Policy 36: Appropriate Energy Use
- Policy 37: Sustainable Design and Construction
- Policy 38: Flooding
- Policy 39: Infrastructure Provision
- Policy 40: Sustainable Transport
- Policy 41: Parking

### ***Pulborough Neighbourhood Plan 2015 - 2031***

- Policy 1: A Spatial Plan for the District
- Policy 15: Design
- Policy 16: Water Neutrality

### Emerging Policy

5.41 The Horsham District Local Plan 2023-2040 was formally submitted to the Planning Inspectorate on Friday 26 July 2024 for public examination. Hearings commenced, however in a recent letter dated 04 April 2025 the Planning Inspector found that the Duty to Co-operate had not been met and raised significant soundness concerns in relation to the Plan's housing

requirement and spatial strategy. As a result, the Planning inspector recommended that the Council withdraw the Plan.

5.42 Matters have since progressed and in January 2026 a Planning Inspector was appointed to conduct a new examination of the Horsham Local Plan 2023-2040. Examination re-commenced with final hearings in October 2026 and adoption is presently anticipated for January 2027. In addition and following the Government's changes to the Local Plan process and requirements, Horsham District Council has been mandated to start a new Local Plan as well, at the same time. As such, the Council presently has an emerging Local Plan at Examination stage, in addition to commencing work on a new style Local Plan.

5.43 At this stage however, the HDPF and the Pulborough Neighbourhood Plan, remain the adopted development plan documents relevant to the determination of this planning application.

### Relevant Legislation and Case Law

5.44 Planning legislation holds that the determination of a planning application shall be made in accordance with the Development Plan unless material considerations indicate otherwise (as also reiterated at paragraph 2 of the NPPF).

5.45 Specifically, section 70 (2) of the Town and Country Planning Act 1990 states that in dealing with an application for planning permission (or permission in principle), the authority shall have regard to the provisions of the development plan, including a post-examination draft neighbourhood development plan, any local finance considerations and any other material considerations (all so far as relevant to the application).

5.46 Section 38(6) Planning and Compulsory Purchase Act 2004 provides:

***"If regard is to be had to the development plan for the purposes of any determination to be made under the planning Acts the determination must be made in***

***accordance with the plan unless material considerations indicate otherwise."***

5.47 When considering whether or not a proposed development accords with a development plan, it is not necessary to say that it must accord with every policy within the development plan. The question is whether it accords overall with the development plan (see *Stratford on Avon v Secretary of State for Communities and Local Government* [2013] EWHC 2074 (Admin)). Even if a proposal cannot be described as being in accordance with the development plan, the statutory test requires that a balance be struck against other material considerations.

5.48 The Courts have emphasised that a planning authority is not obliged to strictly adhere to the development plan and should apply inherent flexibility (see *Cala Homes (South) Limited v Secretary of State for Communities and Local Government* [2011] EWHC 97 (Admin) and *Tesco Stores Ltd v Dundee City Council* [2012] UKSC 13).

5.49 In *Corbett v Cornwall Council* [2020] EWCA Civ 508 the appeal court judge emphasised the importance of considering the plan as a whole stating:

***“Under section 38(6) the members' task was not to decide whether, on an individual assessment of the proposal's compliance with the relevant policies, it could be said to accord with each and every one of them. They had to establish whether the proposal was in accordance with the development plan as a whole. Once the relevant policies were correctly understood, which in my view they were, this was classically a matter of planning judgment for the council as planning decision-maker.”***

- 5.50 Paragraph 3 of the NPPF confirms that it should be read as a 'whole' and the Government's National Planning Policy Guidance (NPPG) confirms that ***‘The National Planning Policy Framework represents up-to-date government policy and is a material consideration that must be taken into account where it is relevant to a planning application or appeal. This includes the presumption in favour of development found at paragraph 14 of the Framework. If decision takers choose not to follow the National Planning Policy Framework, where it is a material consideration, clear and convincing reasons for doing so are needed’*** (Paragraph: 006 Reference ID:21b-006-20190315).

- 5.51 In addition, it states that ***‘Conflicts between development plan policies adopted, approved or published at the same time must be considered in the light of all material considerations, including local priorities and needs, as guided by the National Planning Policy Framework’*** (Paragraph: 012 Reference ID: 21b-012-20140306).

*Housing Land Supply (Case Law)*

- 5.52 The NPPF requires local planning authorities to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of 5 years' worth of housing (paragraph 78). Plans and decisions should apply a presumption in favour of sustainable development (NPPF paragraph 11). Where there are no relevant development policies, or the policies which are most determining the application are out-of-date (including where any authority cannot demonstrate a 5 year supply of deliverable housing sites, with the appropriate buffer, or where the Housing Delivery Test indicates that the delivery of housing was substantially below, less than 75%, of the housing requirement over the previous three years, as per NPPF footnote 8), planning permission should be granted unless:

- i. ***‘the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or***
- ii. ***any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of this 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’*** (NPPF paragraph 11 d).

5.53 The Suffolk Coastal District Council v Hopkins Homes Ltd and another (Respondents) Richborough Estates Partnership LLP and another (Respondents) v Cheshire East Borough Council (Appellant) [2017] UKSC 37 case had regard to the meaning and effect of the provisions of the NPPF on housing land supply and the presumption in favour of sustainable development in having regard to the NPPF (paragraphs 14 and 49 in the 2012 version).

5.54 The judgement emphasised that if a Council cannot demonstrate a five-year supply of housing land, the presumption in favour of sustainable development is triggered (the tilted balance) and the weight given to restrictive policies is diminished if counterpart to out-of-date housing goals.

#### *Rural Housing (Case Law)*

5.55 In terms of the provision of housing within the countryside, the Braintree DC v Secretary of State for Communities and Local Government [2018] Civ 610 afforded particular attention in the assessment of ‘isolation’ when having regard to the NPPF. The term ‘isolated’ was considered by the Court of Appeal (who upheld a High Court decision) confirming that the word ‘isolated’ should be given its ordinary meaning as being ‘far away from other places, buildings and people; remote’.

5.56 The case held that the context of paragraph 55 of the previous NPPF (2012), (now paragraph 84 in the present NPPF), ‘isolated’ simply connotes a dwelling that is physically separate or remote from a settlement. Whilst previous hearings had considered that the term ‘isolated’ could have a dual meaning, in that it referred to physical and functional (i.e. from services and facilities) isolation; this argument was rejected by the Court.

5.57 The case additionally drew reference to transport opportunities in rural areas where it is consistent with the NPPF that sustainable transport opportunities are likely to be more limited in rural areas. This therefore further acknowledges that rural areas should not necessarily preclude new development.

5.58 The *Bramshill v Secretary of State for Housing, Communities and Local Government* [2021] EWCA Civ 320 decision forms more recent case law addressing the interpretation of 'isolated dwellings' in the countryside. This upheld the previous interpretation of *Braintree* that the term 'isolated' should be given its ordinary meaning as being 'far away from other places, buildings and people; remote' and that in determining whether a particular proposal is for 'isolated homes in the countryside', the decision-maker must consider whether the development would be physically isolated, in the sense of being isolated from a settlement. What is a 'settlement' and whether the development would be 'isolated' from a settlement are both matters of planning judgment for the decision-maker on the facts of the particular case.

#### Horsham District Council's Housing Land Supply Position

5.59 NPPF paragraph 61 states that to support the Government's objective of '**significantly boosting the supply of homes**', it is important that a sufficient amount and variety of land can come forward where it is needed. To determine the minimum number of homes needed, strategic policies should be informed by a local housing needs assessment, conducted using the standard method in national planning practice guidance (NPPF paragraph 62).

5.60 Policies in local plans and spatial strategies should be reviewed to assess whether they need updating at least once every five years and should then be updated as necessary (NPPF paragraph 34). In addition, and as set out, the NPPF requires local planning authorities to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing (paragraphs 72 and 78).

5.61 In the case of Horsham District Council, the present HDPF was adopted in 2015. It is therefore significantly over five years old and it does not take into account the current standard method in

its policies relating to the supply of new homes (specifically HDPF policy 15).

- 5.62 In addition, the Council's most recent Authority Monitoring Report (AMR) for 2024/25 (published on 19 December 2025) states that in accordance with the NPPF, the Standard Method calculates the local housing need (at December 2025) to be 1,338 per year. This equates to 6,690 for the five-year period (1 April 2025 – 31 March 2030). However, as Horsham district has a 62% result from the 2023 Housing Delivery Test results, a 20% buffer must be added to this figure and this results in a total five year supply requirement of 8,028 (see paragraphs 3.21 – 3.26 of the AMR).
- 5.63 Paragraphs 3.40 of the AMR confirms that the Council can only demonstrate a **housing land supply of 1.7 years** and as such, it is unable to demonstrate a five-year supply as required by the NPPF. Specifically, the supply deficit is 5,286 homes which is significant (see table 6 of the AMR).
- 5.64 The under provision of housing within the Horsham district has persisted for some time - the Council's AMR for 2023/24 set out

a 1 year supply of housing and the AMR for 2022/23 set out 2.9 years' supply.

- 5.65 As the Council cannot demonstrate the necessary level of housing land supply as required by the Framework, the provisions of NPPF paragraph 11 d) (and the '*tilted balance*') apply to the proposal which must in turn be considered against the Framework's presumption in favour of sustainable development.
- 5.66 Having regard to paragraph 11 d) i, NPPF footnote 7, the Council is no longer requiring Applicants to demonstrate that that new development is water neutral (as of November 2025). In addition, the application site is not located within a 'protected area' and neither is it affected by a 'protected asset' of particular importance. There are as such no policies in relation to these issues which provide a strong reason for refusing the development proposed or prevent the proposed development from being considered under the presumption in favour of sustainable development and the provisions of NPPF paragraph 11 d).

5.67 For the reasons set out in this Statement, and having regard to 11 d) ii, there are no adverse impacts of granting planning permission that would significantly and demonstrably outweigh the benefits of the provision of a new home (of a high quality design, in a sustainable location which makes effective use of land) when assessed against the policies of this Framework taken as a whole.

Shaping Development in Horsham District Planning Advice Note  
September 2025

5.68 The Shaping Development in Horsham District Planning Advice Note (SD PAN) was approved by the Council on 17 September 2025. The SD PAN supersedes the Council's former Facilitating Appropriate Development (FAD) which was published in 2022.

5.69 The SD PAN is now a material consideration in determining planning application. It sets out the Council's aspirations for how development comes forward and the weight that can be given to current local planning policy within the context of legislation, national planning policy and guidance.

5.70 The SD PAN covers the following issues:

- The tilted balance
- The weight of the adopted HDPF
- The status of, and weight to be given to the emerging Horsham District Local Plan 2023-40
- The weight given to 'made' and emerging Neighbourhood Plans
- Water neutrality
- Importance of the spatial strategy and settlement hierarchy
- Consideration in principle of applications for housing development
- Applying local plan policies in current circumstances

5.71 The Council's SD PAN acknowledges that the Council (at the time of writing) can only demonstrate a 1 year supply of housing land and that the Council's performance against the Housing Deliver Test is 62%. Accordingly, the Council has produced a Housing Delivery Action Plan (paragraph 1.7).

5.72 The SD PAN confirms the following:

***‘Because of the circumstances in which the Council finds itself, and notwithstanding the current requirement of all new development to demonstrate that it is water neutral, HDC expects to receive planning applications proposing development in locations and of types not supported by the HDPF, the emerging Local Plan or in Neighbourhood Plans.***

***HDC will continue to act in a proactive manner by supporting sustainable development that both delivers the development to meet identified needs and ensures that other objectives are met. To demonstrate this, HDC has produced this document to provide clarity in its approach and guidance to those who engage with the planning system in Horsham’*** (paragraphs 1.8 and 1.9).

- 5.73 The SD PAN sets out at paragraph 2.4 that in the absence of a 5 year housing land supply and/or where Housing Delivery Test performance is less than 75%, NPPF paragraph 11 (and footnote 8) indicate that the policies that effect that supply of housing may be considered out-of-date. It further confirms that this has the effect of reducing the weight that may be afforded

to such policies and engages the ‘tilted balance’ where there is an expectation that planning applications for housing should be approved.

- 5.74 In respect of the Council’s emerging Local Plan, SD PAN paragraphs 2.13 and 2.18 confirm that (at the time of publishing the SD PAN), the Council does not take the view that the emerging Local Plan is sufficiently advanced to justify great weight to its policies, in addition to there being unresolved objections to the majority of policies within it. In addition, the Council acknowledges that Strategic Policy 37 (Housing Provision) of the emerging Local Plan (at the time of publishing the SD PAN) is not consistent with the NPPF as it does not fully address housing needs (paragraph 2.19).

- 5.75 In respect of Neighbourhood Plans, the SD PAN confirms that where NPPF paragraph 14 is not engaged, the ‘tilted balance’ would be engaged, reducing the weight that can be applied to Neighbourhood Plan policies that relate to the supply of housing.

5.76 The Council recognises that as it is unable to demonstrate a 5 year supply of housing land that in accordance with the NPPF, the presumption in favour of sustainable development is engaged. Given these circumstances, it is also acknowledged that it is likely to receive applications outside of built-up area boundaries and on unallocated sites. Subsequently, the SD PAN confirms that it will consider positively applications that meet all of the following criteria:

- ***‘The site adjoins the existing settlement edge as defined by the BUAB;***
- ***The level of expansion is appropriate to the scale and function of the settlement the proposal relates to;***
- ***The proposal demonstrates that it meets all local housing needs or will assist the retention and enhancement of community facilities and services;***
- ***The impact of the development individually or cumulatively does not prejudice comprehensive long-term development; and***
- ***The development is contained within an existing defensible boundary and the landscape character features are maintained and enhanced’.***

#### Biodiversity and Green Infrastructure Planning Advice Note (October 2022)

5.77 The Council’s Biodiversity and Green Infrastructure Planning Advice Note (PAN) provides guidance on how biodiversity and net gain should be taken into account within development proposals and applicants are encouraged to seek to achieve a 10% biodiversity net gain (BNG) or more.

#### Water Neutrality

5.78 The Horsham district lies within the Sussex North Water Resource Zone (WRZ) which is supplied from ground water abstraction, from the Folkestone bed of the Lower Greensand/Wealden Greensand semi-confirmed aquifer, close to Pulborough. The WRZ also covers the Arun district, Crawley borough, Chichester district and Mid Sussex district including areas located within the South Downs National Park.

5.79 The abstraction site is located on the River Arun, close to a group of nature conservation sites known as the ‘Arun Valley Sites’. These are designated as a Special Area of Conservation,

Special Protection Area and Ramsar Site due to their rare and protected habitats.

5.80 In September 2021, Natural England issued a Position Statement setting out that it could not be concluded that water extraction was not having an impact on the protected Arun Valley sites and that development must not add to this impact by increased water abstraction. As a result, development was required to be 'water neutral' by not increasing the demand for water above current abstraction rates.

5.81 However more recently, on 31 October 2025, Natural England issued a Withdrawal Statement confirming that its Water Neutrality Position Statement of September 2021 has been withdrawn. For individual applications, the Council will be using the 2024/25 water efficiency savings made by Southern Water to allow all development to move forward as water neutral from 01 November 2025. As a result, for Applicants, it is no longer a requirement to demonstrate water neutrality at planning application stage. This means that:

1. No water neutrality statement is now required.
2. No payment into SNWCS is needed to use the Southern Water capacity.
3. No bespoke conditions or s106 obligations are required to demonstrate water neutrality.

## 6.0 DETAILS OF THE PROPOSAL:

### USE, AMOUNT & SCALE OF DEVELOPMENT

#### The Principle of Development

- 6.1 NPPF paragraph 7 states that the purpose of the planning system is to contribute to the achievement of sustainable development including the provision of homes, commercial development and supporting infrastructure in a sustainable manner. Achieving sustainable development means that the planning system has three overarching objectives: economic, social and environmental (NPPF paragraph 8).
- 6.2 Paragraph 10 of the NPPF states ***‘So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development (paragraph 11)’***.
- 6.3 HDPF Policy 1 states that when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained within the NPPF. Therefore, in line with the NPPF, planning

applications that accord with the policies of the HDPF will be approved without delay (unless material considerations indicate otherwise). Where there are no policies relevant to the application, or relevant policies are out of date, Policy 1 states that the:

***‘Council will grant permission, unless material considerations indicate otherwise – taking into account whether:***

- Any adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or***
- Specific policies in that Framework indicate that development should be restricted’.***

- 6.4 The application site is located within the countryside and HDPF policy 26 seeks to protect the countryside from inappropriate development. The policy requires development to be essential to its countryside location and must meet one of four criteria set

out. In addition, proposals must be of a scale appropriate to its countryside character and location.

6.5 HDPF policy 2 is the Council's overarching policy that covers location and amount of development. The policy states that new development should be focused in and around the key settlement of Horsham, and to allow for growth in the rest of the district in accordance with the identified settlement hierarchy. This is set out at HDPF policy 3 and settlement expansion is referred to at HDPF policy 4.

6.6 Whilst it is acknowledged that the site is located within the countryside, outside of a built-up area boundary (including Codmore Hill and Pulborough – Neighbourhood Plan policy 1) in this case, there are compelling reasons which justify the proposed development when considering the policies of the NPPF and HDPF as a whole. These material planning considerations are addressed as follows:

#### Housing Land Supply

6.7 The Council is unable to demonstrate a five year supply of housing as required by the NPPF. The latest AMR 2024/25

(published 19 December 2025) confirms that the Council can demonstrate just 1.7 years' supply. As a result, the Council's policies in respect of the supply and location of new homes (HDPF policies 2, 3, 4, 15 and 26) are out of date and should be given less weight in the decision making process. The tilted balance of NPPF paragraph 11 d) is engaged.

6.8 Although the application site is located within the countryside, it is not situated within a protected area (this Statement demonstrates that no harm will be caused to the setting of the South Downs National Park) and it is not affected by a protected asset (the Council is no longer requiring Applicants to demonstrate water neutrality at planning application stage and it is demonstrated that no harm will be caused to the setting of Cherry Tree Cottage as a designated heritage asset).

6.9 This Statement further confirms that there are other reasons or adverse impacts of granting planning permission for the proposal that would significantly and demonstrably outweigh the benefits of the provision of a new home of a high quality design, in a sustainable location and which make effective use of land (11 d) ii).

- 6.10 The Government has set out a target of 1.5 million new homes to be built over the present Parliament. There is as such a significant need to build new homes and proposal will positively contribute towards the supply of windfall homes within the district.
- 6.11 Windfall housing development is an important source of supply as noted at NPPF paragraph 73 which states that ***‘Small and medium sites can make an important contribution to meeting the housing requirement of an area, are essential for Small and Medium Enterprise housebuilders to deliver new homes and are often built out relatively quickly’.***
- 6.12 Having regard to NPPF paragraph 14, whilst the Neighbourhood Plan was adopted in October 2025 (being less than five years old) and contains sites allocated for housing development, the allocations are based upon a 2017 AECOM Housing Needs Assessment. Furthermore, at just 1.7 years’ supply as calculated under the Council’s latest AMR, there is a ***significant*** under provision of housing within the district overall.

#### Location and Shaping Development

- 6.13 As set out, with particular regard to the spatial strategy of the HDPF, its policies in respect of the supply and location of new homes should be considered out of date (HDPF policies 2, 3, 4, 15 and 26) and less weight should be given to them in the decision making process due to the age of the HDPF and the lack of a five year supply of housing. Nevertheless, the relevant policies of the HDPF in respect of the location of new homes are addressed as follows:
- 6.14 HDPF policy 2 seeks to maintain the rural character of the district and states that new development should be focused in and around ***‘the key settlement of Horsham’*** with growth in the rest of the district in accordance with the settlement hierarchy set out at HDPF Policy 3 and also in accordance with HDPF Policy 4.
- 6.15 Policy 3 establishes the settlement hierarchy for the district and confirms that development will be permitted within towns and villages which have defined built-up areas.

6.16 The application site is located close to the built-up area boundaries of Codmore Hill and Pulborough. Together, these areas are defined by HDPF policy 3 as a small town/larger village and Pulborough is one of the main settlements within the district.

6.17 HDPF Policy 3 describes these settlements as having ***‘a good range of services and facilities, strong community networks and local employment provision, together with reasonable rail and/or bus services. The settlements act as hubs for smaller villages to meet their daily needs, but also have some reliance on larger settlements/each other to meet some of their requirements’.***

6.18 Within Pulborough there are a number of local services and facilities including a supermarket, local shops, cafes and restaurants/takeaways, public houses, a medical centre, a primary school, a recreation ground, village hall, bus stops and a train station. The centre of Pulborough is approximately 1.8 miles away from the application site and the settlement boundary at Codmore Hill is approximately 0.5 miles away in the

vicinity of Cray Lane/Hill Farm Lane off the A29 Stane Street which runs through Pulborough.

6.19 The proposed dwelling will therefore not be remote from a settlement and many of the day-to-day needs of the future occupiers may be met locally. Furthermore, the proposed dwelling will also not be remote from other built form including Cherry Tree Cottage itself and other dwellings located along Pickhurst Lane and Black Gate Lane.

6.20 Having regard to the cases of Braintree District Council v Secretary of State for Communities and Local Government (2018) and Bramshill v Secretary of State for Housing, Communities and Local Government (2021) (referred to previously at Section 2) it is clear that the application site is not physically isolated from a settlement given its proximity to Pulborough as described and neither is it isolated from other built form.

6.21 NPPF paragraph 110 requires the planning system to actively manage patterns of growth. Whilst significant development should be focused on locations which are or can be made

sustainable, it should also be recognised that ***‘opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making’.***

6.22 In addition, NPPF paragraph 115 states that sustainable transport modes should be prioritised when taking account the vision for a site, the type of development proposed and its location. A safe and suitable access to a site should be achieved for all users and any significant impacts from a development on the transport network should be mitigated.

6.23 The proposed construction of a single dwelling is not ‘significant’ development and it will not in itself result in unsustainable patterns of vehicle movements within the rural area or result in any harmful impact upon the local transport network.

6.24 HDPF Policy 4 supports the growth of settlements across the district in order to meet identified local housing, employment and community needs. Therefore, outside built up area boundaries, Policy 4 permits the expansion of settlements subject to the following:

1. ***‘The site is allocated in the Local Plan or in a Neighbourhood Plan and adjoins an existing settlement edge.***
2. ***The level of expansion is appropriate to the scale and function of the settlement type.***
3. ***The development is demonstrated to meet the identified local housing needs and/or employment needs or will assist the retention and enhancement of community facilities and services.***
4. ***The impact of the development individually or cumulatively does not prejudice comprehensive development, in order to not conflict with the development strategy; and***
5. ***The development is contained within an existing defensible boundary and the landscape and townscape character features are maintained and enhanced’.***

6.25 The supporting text for HDPF Policy 4 (and 3) sets out the following justification - ***‘to ensure that development takes place in a manner that ensures the settlement pattern and the rural landscape character of the District is retained and enhanced, but still enables settlements to develop in order***

***for them to continue to grow and thrive'*** (HDPF paragraph 4.6).

6.26 Given the fact that the Council cannot demonstrate an appropriate supply of housing, the Council's SD PAN previously referred to acknowledges that the Council is likely to receive applications for residential development outside of the defined built up area boundaries and on unallocated sites.

6.27 As such, the SD PAN (at paragraph 5.12) confirms that the Council will consider positively applications that meet all of the following criteria:

- ***'The site adjoins the existing settlement edge as defined by the BUAB;***
- ***The level of expansion is appropriate to the scale and function of the settlement the proposal relates to;***
- ***The proposal demonstrates that it meets all local housing needs or will assist the retention and enhancement of community facilities and services;***

- ***The impact of the development individually or cumulatively does not prejudice comprehensive long-term development; and***
- ***The development is contained within an existing defensible boundary and the landscape character features are maintained and enhanced'.***

6.28 The above essentially follows the same principles of HDPF policy 4 with the exception that it does not contain the same requirement for sites to be allocated for development in the Local or Neighbourhood Plan.

6.29 The application site does not adjoin a settlement edge; however, as set out, it is very close to Pulborough and Codmore Hill and visually it does not appear isolated from other development along Pickhurst Lane and Black Gate Lane. The site is in a sustainable location and in a suitable position to accommodate just one new dwelling without resulting in significant conflict with the Council's spatial strategy of the principles of the NPPF when considered as a whole.

- 6.30 In terms of criterion 2 of the SD PAN and HDPF policy 4, the level of expansion, just one dwelling is small. The low density of development is wholly appropriate to site's location which is close to other built form, including residential development set within well defined, spacious plots like the application proposal.
- 6.31 The proposed development meets local housing needs in respect of the clear need for new housing within the district and the impact of the proposal will neither individually nor cumulatively prejudice comprehensive long term development. The proposal complies with criteria 3 and 4 of the SD PAN and HDPF policy 4.
- 6.32 In respect of criterion 5 of the SD PAN and HDPF policy 4, the application site is contained by an existing defensible boundary and the proposed dwelling will not harmfully encroach into open countryside.
- 6.33 In summary of HDPF policies 1, 2, 3 and 4, these policies encourage sustainable development and allow for the expansion of settlements outside of built up area boundaries

where the level of expansion is appropriate to the scale and function of the settlement type.

- 6.34 Given the small scale of development proposed, the sustainable location of the application site, the lack of any harm caused to the visual amenities of the countryside landscape (as further addressed within this Statement) and the high need for new homes within the district, it is reiterated that the proposal does not significantly conflict with the overarching principles of the Council's spatial strategy or the Council's SD PAN. However as set out, any conflict must be weighed in balance with the provisions of NPPF paragraph 11 d) and the presumption in favour of sustainable development with less weight given to the Council's policies in respect of the supply and location of new homes which are not up to date.
- 6.35 It should also be noted that the proposed dwelling is deliverable in the short term in accordance with the NPPF and the Council's SD PAN (paragraphs 5.13 – 5.17).

### Rural Housing and Countryside Impact

- 6.36 The NPPF seeks to avoid the development of 'isolated' homes within the countryside unless certain circumstances apply (NPPF paragraph 84). In this case it is demonstrated that the application site is not located within truly isolated countryside.
- 6.37 As set out, HDPF policy 26 seeks to protect the rural character and undeveloped nature of the countryside against inappropriate development. However policy 26 must also be read in the context of the text at HDPF paragraph 9.18 which sets out that **'The Council is seeking to identify the most valued parts of the district for protection, as well as maintain and enhance this natural beauty and the amenity of the district's countryside'**.
- 6.38 The NPPF supports the provision of rural homes at paragraph 83 where it states:

***'To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning***

***policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby'***.

- 6.39 This recognises the importance of allowing new residential development within the rural areas which can help to sustain local rural communities. As such, appropriate residential development on sustainably located sites, such as the application site is arguably 'essential' in supporting the sustainable development of rural areas (HDPF policy 26, criterion 4).
- 6.40 The proposed dwelling will be situated close to other built form, the site is not located within a prominent or isolated position and it is enclosed within well-defined and partially screened boundaries. As such, the proposed dwelling will not encroach into undeveloped countryside outside of the existing, defined site area.
- 6.41 The proposed dwelling is of a high quality, traditional design, appropriate to and in keeping with the rural character of the area.

The chalet/barn style design will ensure that the dwelling will not appear as an unduly prominently feature within the countryside landscape and it will not dominate its surroundings including views from the lane, nearby dwellings or from the South Downs National Park.

6.42 Furthermore, just one dwelling will not result in any significant or harmful increase in the overall level of activity within the countryside and it will not affect the tranquillity of the area.

6.43 Overall, there is no conflict with policy 26 in respect of its requirement for proposals to be of a scale appropriate to the countryside character and location and to protect/conserve/enhance key features and characteristics of landscape character (notwithstanding the site's location outside of a built-up area boundary).

#### Housing Mix

6.44 The proposed dwelling is a self-build home. HDPF policy 16 requires development to provide for a mix of housing sizes, types and tenures to meet the needs of the district's

communities. As of 24 April 2026, there are 180 entries on Horsham District Council's Self and Custom Build Register of Interest of which 128 are Horsham district residents.

6.45 In addition to ensuring that the supply of a sufficient amount of new homes, the NPPF at paragraph 63 also requires the size, type and tenure of housing needed for different groups in the community to be assessed and reflected in planning policy. This includes ***'people wishing to commission or build their own homes'***.

6.46 The Government's PPG acknowledges that self-build or custom build homes help to diversify the housing market and increase consumer choice. Self-build and custom housebuilders choose the design of their own home, and can be innovative in its design and construction. The provision of such homes is clearly supported by the Framework and which play an important role in helping to tackle the housing crisis, with projects cumulatively making an important contribution to meeting housing need (helping to speed up delivery) and increased choice and variety in the type of new homes.

### Efficient Use of Land

- 6.47 Paragraph 124 of the NPPF states that ***‘Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions’***. Paragraph 128 requires that a positive approach is taken to applications for alternative uses of land which is currently developed but not allocated for a specific purpose in plans, where this would help meet identified development needs.
- 6.48 In addition HDPF policy 2 (criterion 8) supports sustainable development including the encouragement of the ***‘effective use of and by reusing land that has been previously developed (brownfield land), provided it is not of a high environmental value’***.
- 6.49 The proposal makes effective use of a small parcel of land which serves no particular purpose but which provides a suitable opportunity to accommodate residential development as

proposed, in a sustainable location with no harm caused to the character and appearance of the area.

### Case Studies

- 6.50 The following four appeals permit the construction of dwellinghouses within the HDC countryside. In particular, weight was given to the Council's insufficient supply of housing and the provisions of NPPF paragraph 11 d). These cases are summarised as follows:

#### **1. DC/24/1486 – Land at Thornhill Stables, Billingshurst Road, Coolham**

- 6.51 Planning permission was granted at appeal for the construction of a two storey dwelling on land at Thornhill Stables, near Coolham (see Appendix NJA/1).
- 6.52 The Planning Inspector did not find the appeal site to be in isolated countryside in the context of NPPF paragraph 84 but also did not consider the site to be in a suitable location having

regard to local and national policy in respect of the accessibility of the site to services, facilities and employment opportunities.

- 6.53 However, when considering the proposal in the planning balance, the Planning Inspector found the following:

***‘Balanced against the harm are a number of benefits. The overall housing supply remains significantly deficient, and the provision of an additional dwelling would make a meaningful contribution to addressing this shortfall. The Framework recognises that small sites can make an important contribution to housing supply and are often built out quickly. There would also be modest economic benefits during construction and through local spending, as well as a small contribution to housing diversity. While the scale of these benefits is modest given that only one dwelling is proposed, in the context of the current housing pressures, even a single additional home represents a valuable and positive contribution.***

***Taking all matters into account, the adverse impacts of granting planning permission would not significantly and demonstrably outweigh the benefits when assessed***

***against the Framework as a whole. Consequently, the proposal benefits from the presumption in favour of sustainable development as defined in paragraph 11d of the Framework’.***

## **2. DC/22/2250 - Cowfold Lodge Cottage, Cowfold**

- 6.54 Planning permission was granted at appeal for the construction of a log style dwelling at Cowfold Lodge Cottage, near Cowfold (see Appendix NJA/2). Cowfold Lodge is located outside of the settlement boundary of Cowfold which it is reiterated is classed by the HDPF as a ‘Medium Village’ with a moderate level of services and facilities. The Planning Inspector found that the site was not in isolated countryside and that the appearance of the dwelling (a log cabin design) would not be inappropriate to the rural area and close to other buildings.
- 6.55 Whilst the Planning Inspector found that there would be some harm to the character and appearance of the area by way of a reduction in the openness of the countryside (and thereby resulting in conflict with HDPF policies 25, 26, 32 and 33), as the site is not isolated and the dwelling would not be unduly

prominent, this harm would be modest.

- 6.56 In respect of location, the Planning Inspector found that the site would not be in a suitable location when judged against the policies of the HDPF but gave weight to the Council's deficient housing land supply situation. The Planning Inspector found that the proposed dwelling would contribute towards the much needed supply of houses noting that:

***'Small sites can often be built-out relatively quickly and in this case the appellant intends to occupy the dwelling. There would be economic benefits arising from construction to spend in the local economy. Although these benefits are tempered by the small contribution that one house would make in the economic context of the current circumstances the additional dwelling would be valuable' (paragraph 24).***

- 6.57 Importantly and having regard to the provisions of NPPF paragraph 11 d), the Planning Inspector found that the adverse impacts of granting planning permission would not significantly

or demonstrably outweigh the benefits of an additional dwelling when assessed against the policies of the NPPF taken as a whole. As a result, the Planning Inspector in applying the NPPF's presumption in favour of sustainable development found that planning permission should be granted.

### **3. DC/22/0495 – Marlpost Meadows, Southwater**

- 6.58 Planning permission was granted at appeal for the construction of a detached dwelling, outside of a built-up area boundary at Marlpost Meadows near Southwater (see Appendix NJA/3).
- 6.59 Marlpost Meadows is located approximately 1.5km from the village centre of Southwater (a 'Small Town/Larger Village', as per HDPF policy 3). In noting the provisions of NPPF paragraph 11 d) and the lack of a five year supply of housing within the District, the Planning Inspector found the proposal to be acceptable in the planning balance.
- 6.60 Limited weight was given to HDPF policy 26 in respect of development outside of built-up area boundaries on the basis that the housing shortfall dictates that those boundaries are out of date. The Planning Inspector found that the site's location

outside of a settlement boundary did not therefore constitute a reason for refusing planning permission and found the proposal to be acceptable for the following reasons:

***‘The proposal would increase the supply of housing in the District and help to address the identified shortfall in new homes. The benefits of a single dwelling are very modest, but cumulatively windfall sites have a significant influence on supply. The Framework explains that small and medium sized sites can make an important contribution to meeting the housing requirement of an area and are often built out relatively quickly. The land forms part of the curtilage of an existing dwelling in the countryside and it would qualify as previously developed land under the definition set out at Annex 2 of the Framework. The site has reasonably good accessibility to services and facilities within Southwater, despite its location outside of the built-up area’*** (paragraph 17).

6.61 The Planning Inspector concludes that:

***‘In the overall planning balance, I conclude that there are no adverse impacts that would significantly and demonstrably outweigh the benefits. The proposal would therefore***

***constitute an acceptable form of development in terms of the Framework, and this would be a material consideration sufficient to outweigh the conflict with the development plan arising from the location of development outside of settlement boundaries’*** (paragraph 18).

#### **4. DC/24/1966 – Land North of Cowfold Road, Coolham**

6.62 Planning permission was granted at appeal for the construction of 9 x dwellings on land to the east of Coolham (Appendix NJA/4). The main issues of the appeal were:

1. Whether the appeal site would be in a suitable location for the proposed development having regard to planning policy; and
2. The effect of the proposal on the character and appearance of the area.

6.63 In terms of the accessibility of the site, the Planning Inspector noted that ***‘Within walking distance of the appeal site there is a primary school, a village hall and a public house. Access to them is via the A272 which, whilst unlit, possessed a pavement. Although residents would be***

***required to cross the A272 to reach the facilities, they would be aided by the fact that the road has a 20mph speed limit. Dropped kerbs and tactile paving are proposed along the route to aid pedestrians. There are bus stops within walking distance of the site, with an early morning and afternoon bus on weekdays to higher order facilities in Horsham and Storrington, and an irregular service during the day'*** (paragraph 12).

- 6.64 Notwithstanding the above, when considering local planning policy, the Planning Inspector found the location of the appeal site to conflict with HDPF policies 1, 2, 3 4 and 26, policy SHIP HD1 of the Neighbourhood Plan and the Council's Shaping Development in the Horsham District guidance. However, when considering the proposal in the planning balance, the Planning Inspector found the proposal to be acceptable against the presumption in favour of sustainable development having regard to the shortfall in housing within the district, the provisions of NPPF paragraph 11 d) and the site's location adjoining the edge of the settlement of Coolham.

- 6.65 The Planning Inspector also found that the proposed development would not result in harm to the character and appearance of the area, noting the site's proximity to Coolham. Specifically the Planning Inspector comments at paragraph 17 that:

***'The appeal site is however located close to Coolham, and its character is significantly influence by its proximity to the settlement. Whilst the appeal site forms a gap between the school and home farm, such that Home Farm is nominally outside the settlement, the compact form and domestic character of the converted farm buildings reflect the built-up area. The development of the site would not therefore be perceived as an encroachment into the countryside but rather as a consolidation of the settlement itself. Moreover, the strong existing boundary treatment around the site would limit the visual impact of the proposal when viewed from the countryside'.***

## 5. DC/23/1178 - Horsham Golf Club, Denne Park, Horsham

- 6.66 Planning permission was granted at appeal in July 2025 for the construction of a sports and leisure hub, a golfing education facility, a local centre and sports facilities and up to 800 dwellings at Horsham Golf Club (see Appendix NJA/5). Horsham Golf Club is situated in-between Horsham and Southwater.
- 6.67 In terms of housing land supply, the appeal decision notes that the Council is unable to demonstrate a five year supply of housing **‘or anything close to it’** and that given the fact that the adoption of the new Local Plan is some time away, there is no **‘realistic or imminent prospect of that the current shortfall will be remedied through the development plan process’** (paragraph 58 point 1). This means that the relevant policies, particularly the settlement boundaries, are considered to be out-of-date and the tilted balance in HDPF policy 1 and NPPF paragraph 11 d) is engaged. The Planning Inspector further noted that **‘...it follows that the same boundaries within the Southwater Neighbourhood Plan must also be out-of-date’**.

- 6.68 The Planning Inspector found that **‘....in seeking to protect the countryside for its own sake and restricting development outside settlement boundaries, Policy 26 and SNP1 are inconsistent with the balanced cost/benefit approach set out in the NPPF. The balancing of harm against benefit is a defining characteristic of the NPPF’s overall approach embodied in the presumption in favour of sustainable development. Because of this, where Policy 26 is used to restrict housing outside settlement boundaries, it cannot be seen to be consistent with the language of the NPPF’** (paragraph 58 point 2).

- 6.69 The Planning Inspector set out that greenfield sites on the edge of Horsham and other top tier settlements will need to come forward if the housing needs of the district are going to be met. A realistic approach is advocated by the Planning Inspector, stating at paragraph 41 of the decision notice:

**‘Those principles apply with equal or greater force here because greenfield sites on the edge of Horsham and other top tier settlements will need to come forward if housing needs are going to be met. By virtue of their peripheral**

***location, very few, if any, of these sites will score highly across all aspects of sustainable travel. Some, may be better located for walking and others, as in the case here, for public transport and cycling. If one were to take the Council's approach in this case, which was to rigidly apply 'recommended' walk distances to some destinations and failing to balance that against the availability of other sustainable travel modes, there is very little prospect of the county meeting its ambitious housing targets'.***

#### Sustainable Development

6.70 Given that the tilted balance at NPPF paragraph 11 d) is engaged in this case, it is reiterated that the proposal should be considered against the presumption in favour of sustainable development set out within the Framework. Having regard to the three key objectives of sustainable development set out at paragraph 8 of the NPPF, the proposed development complies as follows:

- a) an economic objective – the proposal will make a small contribution to the local building industry and associated trades in constructing the new dwelling. Furthermore,

occupiers of the new dwelling will help to support local services and facilities. The proposal complies with the economic objective of sustainable development.

- b) a social objective – the proposal provides a suitable site for the creation of a single dwelling in close proximity to local services and facilities including retail education and public transport at Pulborough. The proposal will also make a modest but important contribution to the supply of new homes within the district. The proposal complies with the social objective of sustainable development.
- c) an environmental objective – the proposal makes efficient use of land and no harm will result to the visual amenities of the countryside landscape. The proposed dwelling is sustainably located, it is of a sustainable design and construction and ecology is addressed within the Preliminary Ecological Appraisal and trees are addressed within the Arboricultural Report. The proposal is considered to comply with the environmental objective of sustainable development.

## 7.0 LAYOUT, DESIGN & APPEARANCE

7.1 The NPPF sets out that the Government attaches great importance to the design of the built environment and that good design is a key aspect of sustainable development. Developments should be visually attractive and sympathetic to the local character of the surrounding area and should optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (paragraphs 131 and 135).

7.2 HDPF policy 32 requires high quality design for all development in the District. In addition, HDPF Policy 33 sets out the Council's key development control criteria and states that development should make efficient use of land, should not cause harm to neighbouring residential amenities, should be appropriate in scale, massing and appearance and be of a high standard of design. Development should also be locally distinctive in character and should use high standards of building materials, finishes and landscaping.

7.3 HDPF Policy 33 is addressed in detail as follows:

***In order to conserve and enhance the natural and built environment developments shall be required to:***

***1. Make efficient use of land, and prioritise the use of previously developed land and buildings whilst respecting any constraints that exist;***

7.4 The proposal makes efficient use of a small parcel of land with well-defined boundaries and there will be no harmful encroachment into undeveloped countryside. The proposal complies with criterion 1.

***2. Ensure that it is designed to avoid unacceptable harm to the amenity of occupiers/users of nearby property and land, for example through overlooking or noise, whilst having regard to the sensitivities of surrounding development;***

7.5 The proposed residential use will not be unduly intensive and as such, there will be no harmful impact in respect of noise. The

proposed dwelling is sited sufficiently away from other residential development, including Cherry Tree Cottage itself, and appropriately orientated to ensure that no harm will be caused to neighbouring residential amenity. A high quality living environment will be provided for future occupiers of the dwelling in respect of amenity space, good levels of natural lighting, privacy and spacious rooms. The proposal complies with criterion 2.

**3. *Ensure that the scale, massing and appearance of the development is of a high standard of design and layout and where relevant relates sympathetically with the built surroundings, landscape, open spaces and routes within and adjoining the site, including any impact on the skyline and important views;***

7.6 The proposed dwelling is of an appropriate scale, massing and height in relation to the site's character and location. As a result, the dwelling will not appear unduly prominent to views from outside of the site (including from the South Downs National Park) and the dwelling is of a high quality, traditional design which will relate sympathetically to the site's surroundings. The

proposal complies with criterion 3 together with NPPF paragraph 189 and HDPF policy 30.

**4. *Are locally distinctive in character, respect the character of the surrounding area (including its overall setting, townscape features, views and green corridors) and, where available and applicable, take account of the recommendations/policies of the relevant Design Statements and Character Assessments;***

7.7 The area is characterised by a range of different age and types of dwellings within the vicinity however, the proposed dwelling will fit in with the character and appearance of the area overall by being a detached dwelling of a traditional design. The proposal complies with criterion 4.

**5. *Use high standards of building materials, finishes and landscaping; and includes the provision of street furniture and public art where appropriate;***

7.8 The proposed materials will be of a high quality and appropriate to the rural setting. There is as such no conflict with criterion 5.

**6. Presume in favour of the retention of existing important landscape and natural features, for example trees, hedges, banks and watercourses. Development must relate sympathetically to the local landscape and justify and mitigate against any losses that may occur through the development;**

7.9 The specific details of hard and soft landscaping can be agreed by condition. There will be no harmful loss of any important natural features and this planning application is submitted with an Arboricultural Report with tree survey and protection plans. The Arboricultural Report confirms at paragraph 3.13 that **‘The proposed new dwelling and associated garage is away from the RPA of any trees in the area and therefore there are no arboricultural issues in regards to this planning application’**. The proposal complies with criterion 6.

**7. Ensure buildings and spaces are orientated to gain maximum benefit from sunlight and passive solar energy, unless this conflicts with the character of the surrounding townscape, landscape or topography where it is of good quality.**

7.10 As set out, the proposed dwelling is appropriately laid out to ensure sufficient daylighting and a sufficiently sized private garden area. The dwelling will also be well insulated and energy efficient and built in accordance with Building Control standards. The proposal complies with criterion 7.

**Proposals will also need to take the following into account where relevant:**

**8. Incorporate where appropriate convenient, safe and visually attractive areas for the parking of vehicles and cycles, and the storage of bins/recycling facilities without dominating the development or its surroundings;**

7.11 There is more than sufficient car parking (two spaces) and turning area proposed on site for the new dwelling and the proposal complies with criterion 8.

**9. Incorporate measures to reduce any actual or perceived opportunities for crime or antisocial behaviour on the site and in the surrounding area, and create visually attractive frontages where adjoining**

***streets and public spaces, including appropriate windows and doors to assist in the informal surveillance of public amenity areas by occupants of the site;***

***10. Contribute to the removal of physical barriers; and***

***11. Make a clear distinction between the public and private spaces within the site.***

- 7.12 The application site is safe and secure having regard to criterion 9 and there are no implications in respect of criteria 10 and 11. Overall the proposal complies with HDPF policies 32 and 33 together HDPF policies 24, 25, 26 and 30 in the protection of landscape character (including the setting of the South Downs National Park) and Neighbourhood Plan policy 15.

#### Heritage

- 7.13 Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires (inter alia) special regard to be made to the desirability of preserving listed buildings, their settings or any features of special architectural or historic interest.

- 7.14 Section 16 of the NPPF refers to heritage assets and paragraph 205 refers to the impact of a proposed development upon the significance of designated heritage assets (including their settings).

- 7.15 HDPF policy 34 requires development to reinforce the character of the historic environment and should make a positive contribution to the character and distinctiveness of the area.

- 7.16 This planning application is accompanied by a Heritage Report which provides an assessment of significance of Cherry Tree Cottage and an impact assessment in respect of the proposed development. The report finds at paragraph 4.14 the following:

***'In coming to a conclusion, the proposed development would leave the significance of Cherry Tree Cottage unchanged and any change would only amount to a very limited awareness of the proposed dwelling from a distance. Although the development of the proposed site would bring about change in the character of this land, the high quality design and material finish of the proposed***

***dwelling is considered capable of preserving the setting and significance of the listed building as a whole’.***

- 7.17 As a result, the heritage provisions of the NPPF and Local Plan policy 34 are appropriately addressed and met.

#### Ecology and Biodiversity

- 7.18 NPPF paragraph 192 requires the protection and enhancement of biodiversity and geodiversity. Paragraph 193 states that when determining planning applications, local planning authorities should avoid significant harm to biodiversity which should be adequately mitigated or, as a last resort, compensated for. Development should not result in the loss of deterioration of irreplaceable habitats unless there are wholly exceptional reasons and a suitable compensation strategy exists. Similarly, HDPF policy 31 requires the protection and enhancement of biodiversity.
- 7.19 This planning application is accompanied by a Preliminary Ecological Appraisal (PEA) which confirms that environmental and biodiversity matters are appropriately considered in

accordance with the relevant policies. The proposed development will be carried out in accordance with the recommendations of the PEA. The proposal raises no conflict with the NPPF or HDPF policy 31 in respect of the protection of biodiversity.

## 8.0 ACCESS AND CAR PARKING PROVISION

HDPF policies 40 and 41 in respect of highway and car parking matters.

- 8.1 The NPPF sets out at paragraph 116 that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 8.2 HDPF Policy 40 (Sustainable Transport) requires (inter alia) new development to be appropriate in scale to the existing transport infrastructure. Development should also minimise the distance people need to travel. HDPF Policy 41 states (inter alia) that adequate car parking must be provided within new developments.
- 8.3 The proposed dwelling will be accessed via a new vehicle access from Black Gate Lane and a driveway will be created linking the access to the proposed dwelling and garage. Two car parking spaces will be provided which is sufficient provision for a three bedroom dwelling and with space for onsite vehicle turning. with space for the parking and turning of two vehicles. The proposal complies with the provisions of the NPPF and

## 9.0 CONCLUSIONS

- 9.1 This Statement supports the proposal for the construction of a barn style, three bedroom self-build dwelling and garage on land to the north east of Cherry Tree Cottage near Pulborough. The proposed dwelling will be accessed via a new vehicle access to be created from Black Gate Lane.
- 9.2 As set out at Section 2, case law confirms when considering whether a proposal complies with a development plan, it is not necessary to say that it must accord with every policy of the development plan and the question is whether it accords with the development plan overall. In addition, paragraph 3 of the NPPF confirms that the Framework should be read as a 'whole' and the Government's Planning Policy Guidance (PPG) states that any conflicts between the development plan should be considered in light of all material planning considerations including local priorities and needs, as guided by the NPPF.
- 9.3 Therefore whilst the site is located outside of a built-up area boundary, it is necessary to consider the following aspects of the proposal in the planning balance:

- The Council's HDPF is over five years old and the Council is unable to demonstrate a five year supply of housing as required by the NPPF. As a result, the Council's policies in respect to the supply and location of new homes are out of date and the provisions of NPPF paragraph 11 d) and the tilted balance are engaged. This requires the proposal to be considered against the presumption in favour of the proposed development.
- In respect of NPPF paragraph 11 d) (i), it is demonstrated that there are no protected areas or assets that provide a strong reason for refusing planning permission. This is on the basis that the Council is no longer requiring Applicants to demonstrate water neutrality and because there would be no harm caused to the setting of the South Downs National Park or to the setting and heritage of Cherry Tree Cottage.
- The proposal will make a small but important contribution towards windfall housing provision within the district. The cumulative provision of individual homes should not be underestimated as acknowledged by NPPF paragraph 73. The long term, continued lack of housing supply within the district

undermines the Government's intentions to 'significantly boost' the supply of new homes (NPPF paragraph 61).

- NPPF paragraph 83 encourages the sustainable development of rural areas and sets out that housing should be located where it will enhance or maintain the vitality of rural communities. Occupiers of the proposed dwelling will help to support local services and facilities within the rural community.
- NPPF paragraph 110 makes it clear that whilst the planning system should actively manage patterns of growth (and *significant* development should be focused on locations which are or can be made sustainable), opportunities to maximise sustainable transport solutions will vary between urban and rural areas. This should be taken into account in both plan-making and decision-making. The proposal is not for significant development and neither will it generate significant levels of vehicle movements.
- The application site is not located within isolated countryside the proposal will not result in unsustainable modes of travel, out of keeping with the character of the area. The new dwelling will

not be remote from a settlement with Pulborough and Codmore Hill nearby. As such, many of the day-to-day needs to the future occupiers may be met locally via short travel distances.

- The proposed dwelling will not be remote from other built form and it has been carefully designed to ensure that it is of a high quality construction and appearance and of an appropriate siting, height, scale and mass. As a result, the proposed dwelling will not have any significant or harmful impact upon countryside views and special landscape qualities including the setting of the South Downs National Park. The proposal does not conflict with HDPF policy 26 in this regard which seeks to protect the countryside from inappropriate development or HDPF policy 30.
- The proposal makes effective use of a small parcel of land which is self-contained with well-defined boundaries and no harm will be caused to neighbouring residential amenity. Heritage, trees and ecology/biodiversity are all appropriately considered within this planning application submission.

- The proposed dwelling is a self-build home, the provision of which is supported by the NPPF paragraph 63. This considers the need to provide a variety of size, type and tenure of housing needed for different groups in the community and including people wishing to commission or build their own homes. The provision of self-build/custom-build homes play an important role in the provision of new homes, offering choice and variety within the housing market and helping to meet housing need.

9.4 This Statement demonstrates that there are no adverse impacts of granting planning permission that would significantly and demonstrably outweigh the benefits of a new home in a sustainable location which will make a small but important contribution towards the supply of much needed homes within the district. Therefore, in accordance with paragraphs 11 and 39 of the NPPF and HDPF policy 1, planning permission should be granted for the sustainable development proposed.