

Planning Department
Horsham District Council
Albery House, Springfield Road
Horsham, West Sussex, RH12 2GB

By email: planning@horsham.gov.uk and via Public Access

26 August 2026

Re: Objection to Planning Application DC/26/1227 (PP-15100338)
Dunnocks, Emms Lane, Brooks Green, Horsham, West Sussex, RH13 0TR
Permission in Principle for the erection of 1no. (self-build) dwelling

Dear Ms Darley,

We are the immediate neighbours at Little Dunnocks — semi-detached with Dunnocks itself, and directly adjoining the application site — and we write to object to this application in the strongest terms.

1. Request to decline to determine under Section 70A

The applicant's own Planning Statement (July 2026) states at paragraph 1.3 that *"This application is a re-submission of application DC/25/1520 for the same proposal (Permission in Principle) which was refused by the Council on 02 December 2025 and dismissed at appeal on 29 May 2026."* On the applicant's own case, therefore, the development and the land are the same as those already considered and dismissed at appeal (Appeal Ref: 6003266) less than three months before this resubmission was validated.

Section 70A of the Town and Country Planning Act 1990 allows a local planning authority to decline to determine an application where (a) the development and land are the same or substantially the same as a development dismissed at appeal within the preceding two years, and (b) there has been no significant change since that dismissal in the development plan, so far as material, or in any other material consideration. We respectfully ask the Council to exercise this discretionary power.

Limb (a) is satisfied on the applicant's own admission, quoted above.

Limb (b) is also satisfied. Nothing in the development plan has changed since 29 May 2026. Nor, in substance, have the material considerations changed. The Inspector's dismissal turned principally on future occupiers' unavoidable reliance on the private car (paragraphs 9–13 and 18 of the decision), given the absence of footways and street lighting on Emms Lane and Coolham Road. That physical reality is unchanged. The new Planning Statement adds specific bus service numbers and a claim of "very good" connectivity — but, as set out at paragraph 2(a) below, this is additional argument about a pre-existing and unchanged state of affairs, not a significant change in a material consideration.

We would also draw the Council's attention to the wider history of this land: an earlier scheme for two dwellings on the same site was refused and dismissed at appeal in 2020 (Ref: APP/Z3825/W/20/3247741), for materially the same reasons of countryside location and inaccessibility. This is now the third application affecting this land in six years to test the same fundamental issue, and Section 70A exists precisely so that neighbouring residents are not required to repeatedly re-engage with proposals that have already been fully and fairly tested and dismissed.

We understand a decision to decline to determine under Section 70A carries no right of appeal to the Planning Inspectorate under section 78, and can only be challenged by the applicant through judicial review on narrow public law grounds. We ask the Council to use this power.

2. If the Council proceeds to determine the application

Should the Council nonetheless determine the application, we ask that it be refused for the following reasons.

(a) Sustainable transport and accessibility — unchanged from the appeal, and considerably weaker than the Statement suggests. The Statement's claim of "very good" bus connectivity, with "on average 4-6 buses a day," is not supported by the published timetable. We photographed the current Compass Travel timetables displayed at the Brooks Green stop, the nearest stop to the application site. Read in full, and giving credit to every journey shown, the pattern is as follows: every weekday, the only guaranteed journey is a 06:57 departure from Brooks Green (arriving Horsham 07:14) paired with a 16:35 return (arriving back 17:03). On Wednesdays and Fridays, this is the entire service — nothing else runs. On Mondays, one further outbound and return are added (11:18 out, 13:25 back). On Tuesdays and Thursdays, three further outbound and return journeys are added (09:56/12:33/14:01 out on Tuesdays, 11:18/12:33/14:01 out on Thursdays, with returns at 10:20, 12:55 or 13:25, and 14:25). There is no service at all on Saturdays or Sundays.

Even crediting every journey at full value, this timetable cannot support a normal working or school day, on any day of the week. The 06:57 departure is too early for a 9am start under any circumstances, and using it commits a passenger either to a full day away from home until 16:35 (the only return on three of the five weekdays), or, where an earlier return exists, to a round trip of around three hours — long enough to travel, not long enough to work. No combination of outbound and return journeys, on any day, allows an arrival after 9am and a departure after 4:35pm. This is not a service with occasional gaps; it is a timetable that cannot, on any day, function as a commute — which is precisely the car-dependency the Inspector identified in dismissing the previous appeal.

As residents of Little Dunnocks [REDACTED], we can confirm from direct and sustained experience that this service has never offered a realistic alternative to the car, for exactly these reasons; even where working arrangements have allowed some flexibility, this timetable has never made the bus a workable option, and we have never used it to commute [REDACTED].

(b) Scale and character of the development. The Council's own Delegated Applications Assessment Sheet for DC/25/1520 (2 December 2025) found the proposed dwelling would "suburbanise" the plot, would be "excessive... for the amount of land within the plot when compared to the neighbouring dwelling," would be "cramped," and would create a "visually prominent form of development... uncharacteristic for the rural locality." These findings were not carried into the final refusal reason but remain directly relevant to whether the "amount of development" now proposed is appropriate for this location — a matter squarely within the scope of this Permission in Principle application, not deferred to Technical Details Consent.

(c) Conflict with the Shipley Parish Neighbourhood Plan. The Council's own assessment noted that Policy Ship HD2 "only permits market housing as part of a scheme that also provides affordable housing." This proposal, for a single large self-build market dwelling with no affordable housing component, does not accord with Ship HD2, in addition to failing to meet all the criteria of Ship HD1.

(d) Biodiversity Net Gain. No Biodiversity Net Gain plan has again been submitted, despite the statutory requirement for a minimum 10% net gain absent a specific exemption (Schedule 7A, Town and Country Planning Act 1990). This was flagged as outstanding on the previous application and remains unaddressed.

(e) Drainage. Southern Water has already raised this same objection on the current application. Their consultation response of 14 August 2026 (Ref: DSA000048023) confirms that "insufficient information" has again been provided, and that construction must not commence until details of foul and surface water drainage disposal have been submitted to and approved by the Council in consultation with Southern Water. This is the same objection raised, and left unresolved, on DC/25/1520, and it remains outstanding on this resubmission.

(f) Direct impact on our residential amenity. Little Dunnocks is semi-detached with Dunnocks and directly adjoins the application site. The illustrative plans show the proposed dwelling's front (north) elevation, which includes three first-floor bedroom windows, facing directly back towards our property and garden, at

a distance we estimate at approximately 20 metres. This would result in direct overlooking and a material loss of privacy, contrary to HDPF Policy 33(2). We recognise that detailed siting and fenestration is ordinarily a Technical Details Consent matter, but where the Council's own officers have already found this plot to be "cramped" and the proposed dwelling "excessive" for its size, the amount of development proposed cannot be separated from its amenity consequences for us as the immediately adjoining neighbours, and we ask that this be weighed accordingly at this stage.

3. Costs

Should the Council refuse this application and the applicant lodge a further appeal without addressing the matters set out above and in the Inspector's decision of 29 May 2026, we would ask the Council to consider whether such an appeal would amount to unreasonable behaviour for the purposes of an award of costs. The Planning Practice Guidance on Appeals (Paragraph: 053, Reference ID: 16-053-20140306) states that an appellant is at risk of a costs award where "the appeal follows a recent appeal decision in respect of the same, or a very similar, development on the same, or substantially the same site where the Secretary of State or an Inspector decided that the proposal was unacceptable and circumstances have not materially changed in the intervening period" — precisely the position here. Subjecting the Council and local residents to repeated appeal proceedings on a settled land-use matter places an unjustifiable burden on the public purse, and we ask the Council to put the applicant on notice of this risk accordingly.

Conclusion

We ask the Council to decline to determine this application under Section 70A of the Town and Country Planning Act 1990. In the alternative, we ask that it be refused for the reasons set out above.

Yours sincerely,

[Redacted Signature]

Little Dunnocks, Emms Lane, Brooks Green, Horsham, West Sussex, RH13 0TR

The appendix below includes the two images of the bus timetable taken on the 26th of August at the bus stop on Emms Lane, Brooks green.

C operates via Thaksham, Fuzze Comerton Road. This section to Thaksham carries school pupils only and not the public.
M-F operates Mondays to Fridays
Mon operates Mondays only
Tue operates Tuesdays only
Thu operates Thursdays only
Sch operates schooldays only
R Requested for passengers already onboard