

## MME PLANNING SERVICES

Removal of existing outbuilding and erection of 1no  
detached self-build / custom build dwelling with  
associated works.

at

1 Hilltop Cottages, The Mount, Ifield, Crawley, West  
Sussex, RH11 0LF

Grounds of Appeal Statement

Ref: P-017b

April 2026

Version 1



Figure 1: Site Location

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## 1. Introduction

- 1.1 This appeal has been prepared and submitted following the Council's decision to refuse planning application reference DC/25/1963. The development sought planning permission for the removal of an existing outbuilding and erection of 1no detached self-build / custom-build dwelling with associated works at 1 Hilltop Cottages, The Mount, Ifield, Crawley, West Sussex, RH11 0LF. By decision notice dated 12 February 2026, permission was refused for the following reason(s):

- 1 *The proposed development would be sited within an unsustainable location in the countryside, outside of a defined built-up area boundary, and on a site not allocated for housing development within the Horsham District Planning Framework, or a made Neighbourhood Plan. Furthermore, the proposed development is not essential to its countryside location, nor necessary for the function and needs of the business. Notwithstanding the absence of a five year land housing supply, and the provisions of the National Planning Policy Framework (2024) at paragraph 11(d), it is not considered that there are any material considerations in this instance which would outweigh harm arising from conflict with Policies 1, 2, 3, 4, 20 and 26 of the Horsham District Planning Framework (2015).*
- 2 *It has not been demonstrated to the satisfaction of the Local Planning Authority that the occupiers of the proposed development would not be adversely affected by aircraft noise. Due to the siting of the proposed development there is therefore the potential to result in a poor quality living environment, contrary to Policies 32 and 33 of the Horsham District Planning Framework (2015).*

- 1.2 This statement will consider the reason(s) for refusal and the policies attached to these. Having reviewed the submitted plans and considered the Council's assessment of this proposal, it is our view that planning permission should reasonably have been granted. In addition, the Inspector is respectfully asked to consider the updated Noise Impact Assessment which would address the second reason for refusal.

- 1.3 The Appellant contends that given the Council's lack of 5-year housing land supply, which currently stands at just 1.7 years, the fact that the appeal site represents previously developed land, and relevant recent examples of housing developments permitted outside of settlement boundaries within the District, the principle of residential development in this instance is therefore acceptable and the appeal scheme is policy compliant.

- 1.4 It is considered that paragraph 11(d) of the NPPF would be engaged. In the circumstances, therefore, we would respectfully request that the appeal is allowed and planning permission is granted for this proposal.

## **2. Appeal Site and Surroundings**

- 2.1 The appeal site relates to an existing residential property located on the southern side of The Mount, Ifield, outside any designated built-up area boundary. The appeal site is therefore located within the countryside in policy terms. The existing property at 1 Hilltop Cottages consists of a two-storey semi-detached dwelling. A large paddock area with a historic barn building is located further to the south of the appeal site.
- 2.2 The appeal site is positioned within a cluster of existing buildings which consist of a mixture of residential, agricultural and equestrian uses as well as businesses. Access to the appeal site is via a track located to the east of the appeal site which is shared with a number of other properties. There is also a Grade II listed building at The Mount Farm, located further to the west.
- 2.3 The existing dwelling at 1 Hilltop Cottages has been previously extended and benefits from a large side garden consisting mainly of lawned grass and a small outbuilding located in the south-eastern corner of the site. Existing parking is present to the south of the existing dwelling and also serves 2 Hilltop Cottages.



*Figure 2: Map showing relationship of the appeal site (Green Flag) with existing Public Rights of Way (PROW) (red lines) connecting the site directly into the Built-Up Area of Crawley to the south-east.*

- 2.4 It is highlighted that the appeal site is located a few metres away from a Public Right of Way (PROW) which provides direct access to the closest built-up area, as detailed at Figure 2 above.

### **3. Relevant Planning Policy Considerations**

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

- 3.1 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.
- 3.2 Running throughout the NPPF is a presumption in favour of sustainable development. Sustainable development is achieved through three main objectives which are – economic, social and environmental.
- 3.3 Paragraph 11 of the NPPF states that for decision-taking, this means approving development proposals that accord with an up-to-date development plan without delay. Where there are no relevant development plan policies, or the policies which are most important for determining the application / appeal are out of date, planning permission should be granted unless the policies of the Framework that protect areas or assets of particular importance provide a clear reason for refusing the development proposed, or, any adverse impact of doing so would 'significantly and demonstrably outweigh the benefits' when assessed against the policies of the NPPF when taken as a whole (NPPF paragraph 11(d)).

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

- 3.4 Paragraph 34 of the NPPF requires that all development plans complete their reviews no later than 5 years from their adoption. Horsham District Council has submitted its new local plan for examination, however at this stage, the emerging policies carry little to no weight in decision-making.
- 3.5 A Local Development Scheme (LDS) was published in February 2025 by the Council. The LDS sets out the production timetable for the New Local Plan anticipated to be adopted in April 2026. Notwithstanding the above, as the HDPF is now over 5 years old, the most important policies for determining this application / appeal are now considered to be 'out-of-date'.

- 3.6 This position is further highlighted given that the Horsham District Local Plan examination hearing meetings scheduled for January 2025 were cancelled by the appointed Inspector, and in April 2025 advised that the Plan is withdrawn due to concerns about its legal compliance. Proceedings for the new Local Plan are due to re-open in April 2026, however the new local plan carries limited weight in decision-making at this stage.
- 3.7 The Council is currently unable to demonstrate a 5-year supply of deliverable housing sites. The presumption in favour of development within Paragraph 11(d) of the NPPF therefore applies in the consideration of all applications for housing development within the District, with Policies 2, 4, 15 and 26 now carrying limited weight in decision-making.
- 3.8 While considered to be out of date, the main HDPF policies relevant to this application / appeal are as follows:
- 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 - Strategic Policy: Meeting Local Housing Needs
  - Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
  - Policy 26 - Strategic Policy: Countryside Protection
  - Policy 31 - Green Infrastructure and Biodiversity
  - Policy 32 - Strategic Policy: The Quality of New Development
  - Policy 33 - Development Principles
  - Policy 35 - Strategic Policy: Climate Change
  - Policy 36 - Strategic Policy: Appropriate Energy Use
  - Policy 37 - Sustainable Construction
  - Policy 38 - Strategic Policy: Flooding
  - Policy 40 - Sustainable Transport
  - Policy 41 - Parking

Rusper Neighbourhood Plan (RNP) (2021)

3.9 While also considered to be out of date, the Neighbourhood Plan policies relevant to this application / appeal are as follows:

- Policy RUS1 – Spatial Plan
- Policy RUS3 – Design Policy
- Policy RUS10 – Dark Skies Policy
- Policy RUS11 – Promoting Sustainable Transport

Planning Advice Note(s) (PAN)

3.10 Relevant PANs to this application are as follows:

- Shaping Development in Horsham District
- Biodiversity and Green Infrastructure

**4. Planning Issues, Grounds of Appeal and Comments on the Officer's Report**

Principle of Development – Reason for Refusal 1

- 4.1 As detailed above, the Council is currently unable to demonstrate a 5-year housing land supply, with the latest Authority Monitoring Report (December 2025) detailing a supply of only 1.7 years. Therefore, the tilted balance contained in Paragraph 11(d) of the NPPF is engaged.
- 4.2 In addition, the Council has failed its most recent Housing Delivery Test, with the December 2024 test results demonstrating that the Council has only delivered 62% of its housing target in the preceding three years. This itself also triggers the presumption in favour of sustainable development under Paragraph 11(d). This is irrespective of a Council's 5-year housing land supply position.
- 4.3 It is noted that limited weight should be attached to the conflict with Policy 26 in respect of development outside of built-up area boundaries given that the deficient housing supply position dictates that these boundaries are out of date. As such, the fact that a site may lie outside of the built-up area boundary does not, in and of itself, constitute a reason to refuse the application.

- 4.4 Further to the above, Paragraph 14 of the NPPF notes that “In situations where the presumption (at paragraph 11(d)) applies to applications involving the provision of housing, the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits, provided the following apply:
- a) the neighbourhood plan became part of the development plan five years or less before the date on which the decision is made; and
  - b) the neighbourhood plan contains policies and allocations to meet its identified housing requirement”.
- 4.5 It is highlighted that the RNP does not include allocations to meet the Parish’s housing needs, therefore paragraph 14 of the NPPF as set out above, does not apply and the presumption in favour of sustainable development would not be affected in this instance.
- 4.6 Furthermore, the proposal would also be acceptable in principle as it represents development on previously developed land / brownfield land. The definition of previously developed land within the NPPF is as follows – “Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape”.
- 4.7 The use and more effective use of previously developed land attracts support in the NPPF, as well as in Policy 2 of the HDPF. Under this definition, and contrary to the view of the Council as set out within their delegated report for the refused application, residential garden land outside of built-up areas is classified as previously developed land / brownfield land. This weighs in favour of the proposed development.

- 4.8 It is highlighted that the appeal site is surrounded by development on all sides. Given this character and the context, the development is therefore considered to represent infill development, on previously developed land.
- 4.9 In addition, while it is acknowledged that future residents would likely be reliant upon private vehicles to access facilities, leading to some harm in this regard, this harm would be tempered by the short distance to Crawley and Rusper. Alternative options such as cycling and walking are available and overall, occupants of the proposed dwelling would have reasonably good access to services. Figure 2 shows the PROW network which provides direct access from the site into Crawley.
- 4.10 It is noted that there are a number of other recent decisions that have granted residential developments outside of the defined built-up areas in other parts of the District. Examples include reference numbers DC/22/0495 and DC/22/2250 which each sought permission for 1no dwelling and were granted at appeal in August 2023 and March 2024 respectively, and DC/23/2278 which sought permission for 8no dwellings and was granted by the Council's planning committee in April 2024. The site considered under reference DC/23/2278 was located a greater distance from any built-up area boundary when compared to the appeal site, however was considered to be suitable for housing.
- 4.11 A recent appeal decision issued in October 2025 under planning reference DC/24/1486 (Appendix C), granted permission for a new build dwelling approximately 2 miles away from the closest built-up area boundary. Within the appeal decision the Inspector states that:
- “27. *The proposed dwelling would be in a location that is not considered suitable when assessed against the relevant HDPF and NP policies. The site lacks close proximity to a wide range of essential services and facilities. Although there are some opportunities for travel by means other than private car, reliance on car journeys is likely to be significant. In these respects, the proposal would conflict with key development plan policies.*
28. *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 current housing pressures, even a single additional home represents a valuable and positive contribution.*

29. *Taking all matters into account, the adverse impacts of granting 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.”*

- 4.12 Other recent examples of permitted dwellings outside of a defined built-up area can be seen under planning reference DC/24/1887, which granted outline planning consent for 2no detached dwellings in December 2025; reference DC/25/1831, which granted outline planning consent for 1no dwelling in March 2026, and reference DC/25/0895, which granted full planning consent for 1no dwelling at appeal in March 2026 (Appeal Reference APP/Z3825/W/25/3375774). These decisions are attached at Appendices E, F and G respectively.
- 4.13 In addition to the above, a recent appeal decision under planning reference DC/24/1086 (Appeal Reference APP/Z3825/W/25/3360134) which sought outline planning consent for 3no dwellings outside of a defined settlement boundary, is also highlighted. While this appeal was dismissed on ecology and biodiversity grounds, the Inspector did not consider that the appeal site was an inappropriate location for housing and gave limited weight to policies 3, 4 and 26 of the HDPF. This appeal decision is attached at Appendix D.
- 4.14 In any event, given the housing position of the Council, it is contended that even if some harm is identified, the adverse impacts of granting permission would not significantly and demonstrably outweigh the benefits when assessed against the Framework as a whole. It is contended that any issues or harm that are identified would need to surmount a high hurdle to prevail in this balance.
- 4.15 While it is acknowledged that every application / appeal site context should be considered on its own merits, taking into account the current situation of the Council in terms of its 5-year housing supply and the above examples, there is an expectation that a consistent approach is applied to decision-making.

- 4.16 It is highlighted that these permitted dwellings were located a significant distance away from any defined built-up areas. The above examples clearly show that notwithstanding the distances to the respective settlement boundaries, given the lack of 5-year housing supply, the tilted balance is engaged and the principle of residential development in this location is acceptable.
- 4.17 This position is confirmed by the Inspector within the appeal decision in relation to application reference DC/22/0495 at Appendix A, which states “I have attached limited weight to the conflict with HDPF Policy 26 in respect of development outside of BUAB. The housing shortfall dictates that those boundaries are out of date. I consider that some weight can still be given to the strategy set out within HDPF Policy 2, in terms of the general locations of new development, but the fact that a site may lie outside of the BUAB does not, in and of itself, constitute a reason to refuse planning permission”.
- 4.18 Within the delegated report for the refused application, which is the subject of this appeal, the Council continue to give weight to Policies 2, 3, 4 and 26 of the HDPF, where these are clearly out of date. Notwithstanding this, the Appellant contends that the proposal would accord with criterion 4 of Policy 26 of the HDPF, as it would enable the sustainable development of a rural area.
- 4.19 The delegated report, under the ‘Principle of Development’ and ‘Conclusions’ headings, appears to take a blanket approach when considering the location of the appeal site, given its setting outside of a defined built-up area boundary. However, it fails to look at the specific context: a site that is classed as previously developed land, existing public footpaths located in close proximity to the site leading directly into the built-up area, and the surroundings consisting of existing built form and that the proposals represent infill development.
- 4.20 The delegated report states that: “The application site remains remote from day to day services, located at a distance from the nearest amenities and facilities, where the site has limited accessibility other than by private vehicle. It is therefore considered that the application site is an inappropriate location for housing when considering the spatial strategy, and would be in conflict with the above policies”.
- 4.21 Notwithstanding the above, it must be noted that the development of rural areas is fundamentally different to the development of built-up areas. It is highlighted that people live and work differently in rural areas than they do in towns and cities, and that there is a need and a want for individuals to live in rural areas.

- 4.22 The Mount consists of a cluster of existing dwellings, as set out above, as well as agricultural and equestrian uses. There is also a kennelling business located in close proximity to the site to the south-east. The Council have failed to recognise that future residents may wish to live in this location as they work close by and that the proposals would generate local employment or potentially allow for younger residents already living and working in this location to stay rather than move away. The fact that the site may not be in close proximity to public transport links, for example, should not mean that the development would not result in the sustainable development of this rural location.
- 4.23 It appears that the Council have simply looked at the geographical context of the site, rather than looking at what sustainability means within a rural context. Supporting the rural economy is itself a sustainable aim, with the construction of this dwelling creating local jobs and helping to maintain the viability and vibrancy of the rural location, potentially reducing rural decline. These factors are in line with Policies 4 and 26 of the HDPF.
- 4.24 The housing supply position of the Council is clearly deficient. 1no additional dwelling would contribute towards the much-needed supply of houses. Small sites can often be built out relatively quickly. There would be economic benefits arising from construction and spend in the local rural economy. In the context of the current circumstances, the additional dwelling would be valuable. Recent decisions that have been made by the Council and the Inspectorate confirm small scale developments such as this make a valuable contribution to the Council's housing shortage.
- 4.25 In summary, given the lack of a 5-year housing supply, the location of the appeal site close to PROW, the surrounding residential context, as well as existing equestrian and business uses in close proximity, the previously developed nature of the appeal site, and relevant recent examples of housing developments permitted outside of settlement boundaries, and the fact that the proposal would result in the sustainable development of a rural location, the principle of residential development is therefore acceptable. Any perceived harm within this setting is not considered to outweigh the provision of an additional dwelling, given the deficient housing supply of the Council.

## Noise Impact on Future Occupiers – Reason for Refusal 2

- 4.26 In order to address the second reason for refusal and to ensure that the development would not have a detrimental impact on future occupiers, this appeal is supported by an updated Noise Impact Assessment. The Inspector is respectfully requested to consider this document as part of this appeal.
- 4.27 The Council considered that the initially submitted Noise Impact Assessment did not consider the impacts of the increased aircraft activity and aviation noise following the approval of the Development Consent Order for the Northern Runway Project at Gatwick Airport, with the site falling within the outer noise insulation zone from 2032.
- 4.28 The updated Noise Impact Assessment has addressed this matter and concludes that, with appropriate mitigation and attenuation measures, future residents “should not experience any significant adverse impacts on health and quality of life”. Full details are set out within the accompanying report and the Appellant would be happy to accept any suitable conditions in this regard.

## **5. Summary and Conclusion**

- 5.1 Overall, the Appellant contends that the appeal scheme represents an appropriate form of development within a sustainable location. As the Inspector will no doubt be aware, case law confirms that it is not necessary for developments to accord with every policy of the relevant development plan and that the primary consideration is whether the proposal accords with the plan as a whole.
- 5.2 The NPPF at Paragraph 3 confirms that the Framework should be read as one. In addition, 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.
- 5.3 As set out above, the Council cannot currently demonstrate a 5-year supply of housing and the HDPF is now over 5 years old, with the most relevant policies in relation to the appeal proposals considered to be out-of-date and carrying limited weight. Given the circumstances, paragraph 11(d) of the NPPF sets out that planning permission should be granted unless:

- “Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole”.

- 5.4 As detailed within this statement, there are not considered to be any adverse impacts which would outweigh the benefits of the appeal proposal. The tilted balance at paragraph 11(d) is therefore engaged.
- 5.5 Taking into account the clear need for new dwellings within the District, as well as the context, the appeal proposal is arguably essential to the countryside location and will help to enable the sustainable development of the rural area, as well as contribute to the shortfall of housing.
- 5.6 Paragraph 39 of the NPPF states that decision makers at every level should seek to approve applications for sustainable development wherever possible. In light of the above, we would contend that there is no conflict with the objectives set out in National and Local policies, and we respectfully request that this appeal be allowed. The Appellant is happy to accept any suitable planning conditions which the Inspector may deem necessary.
- 5.7 In summary, therefore, we would urge the Inspector to allow this appeal and grant planning permission accordingly.

## **6. Appendices**

- 6.1 The following Appendices are attached to this statement –

- Appendix A – Appeal Decision - DC-22-0495 - 1no Dwelling in Countryside
- Appendix B – Appeal Decision - DC-22-2250 - 1no Dwelling in Countryside
- Appendix C – Appeal Decision - DC-24-1486 - 1no Dwelling in Countryside
- Appendix D – Appeal Decision - DC-24-1086 - 3no Dwellings in Countryside
- Appendix E – Committee Report - DC-24-1887 - 2no Dwellings in Countryside
- Appendix F – Committee Report - DC-25-1831 - 1no Dwelling in Countryside
- Appendix G – Appeal Decision - DC-25-0895 - 1no Dwelling in Countryside