



Mr Oguzhan Denizer
MME Planning Services
3 Bowness Close
Ifield
Crawley
West Sussex
RH11 0SN

Butlers, Tower Hill, Horsham, West Sussex

Permission in Principle for the erection of 3no. dwellings.

Your application DC/26/0735 has now been determined and I enclose the decision notice. The decision notice contains important information. Please take a moment to read it as further action may be required.

Biodiversity Net Gain Condition

Please note the requirement within the Environment Act 2021 for development to deliver a minimum of 10% net gain in biodiversity may be applicable to your development. In the event your development is required to achieve a minimum 10% net gain in biodiversity then a Biodiversity Net Gain Condition (separate to the main list of conditions) will appear on your decision notice requiring the submission of a Biodiversity Gain Plan for approval prior to development commencing.

Failure to discharge conditions before commencing development could result in the development being unlawful or enforcement action being taken. You can notify us of your intention to initiate development by completing a pre-commencement notification which will help us to monitor your development. There is no fee to use this service. To do this, or for further information about discharging planning conditions, visit us online at horsham.gov.uk/planning/discharging-a-planning-condition

Community Infrastructure Levy (CIL)

If this development is CIL liable, the requirements of CIL must be met before you start work. Failure to do so could result in additional financial penalties. For further information relating to CIL visit horsham.gov.uk/planning/planning-policy/community-infrastructure-levy/cil-charges-and-how-to-pay

If you have any questions about the decision notice, you can call us and speak to a member of the team on 01403 215187 between 9AM - 5PM, Monday to Friday.

If you are acting as the planning agent for this application, please ensure that the applicant is given a copy of the decision notice and this letter.

Yours Sincerely,
Development Management



**Horsham
District
Council**

Mr Oguzhan Denizer
MME Planning Services
3 Bowness Close
Ifield
Crawley
West Sussex
RH11 0SN

Application Number: DC/26/0735

TOWN AND COUNTRY PLANNING ACT, 1990 (as amended)
TOWN AND COUNTRY PLANNING (Development Management Procedure) (England) Order 2015

On behalf of: Mr Danny McGee

In pursuance of their powers under the above-mentioned Act and Order, the Council hereby notify you that they PERMIT the following development, that is to say:

Permission in Principle for the erection of 3no. dwellings.

Butlers, Tower Hill, Horsham, West Sussex

to be carried out in accordance with Application No. DC/26/0735 submitted to the Council on 08/05/2026 and subject to compliance with the submitted location plan and the informatives/notes to applicant specified hereunder.

Emma Parkes
Head of Development and Building Control

Date: 23/07/2026

Notes to Applicant

1. Technical Details Consent (TDC) Requirements

This Permission in Principle establishes only the location, land use and amount of development. All detailed matters, including access, layout, design, drainage, ecology, landscaping, affordable housing and infrastructure requirements, must be addressed through a subsequent Technical Details Consent (TDC) application in accordance with the Town and Country Planning (Permission in Principle) Order 2017.

2. Water Efficiency

In accordance with Natural England's standing advice (10 November 2025), the applicant will be required at the Technical Details Consent stage to demonstrate that the development achieves a water consumption rate of no more than 110 litres per person per day per dwelling (Building Regulations Part G) and incorporates appropriate water-efficiency measures.

3. Biodiversity Net Gain

Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 requires that planning permission is deemed to be granted subject to the "Biodiversity Gain Condition", which would prevent development from commencing until a Biodiversity Gain Plan has been submitted to and approved by the Local Planning Authority.

However, under Regulations 4, 5, 7 and 8 of the Biodiversity Gain Requirements (Exemptions) Regulations 2024, the statutory biodiversity gain condition does not apply to certain categories of development, including development which:

- a) does not impact any onsite priority habitat (as defined under section 41 of the Natural Environment and Rural Communities Act 2006); and impacts less than 25sqm of onsite habitat with a biodiversity value above zero, and less than 5 metres of onsite linear habitat;
- b) is the subject of a householder application;
- c) is undertaken solely or mainly for the purpose of fulfilling a biodiversity gain planning condition attached to another development;
- d) consists of no more than 9 dwellings on a site no larger than 0.5ha and consists exclusively of self-build or custom-build dwellings.

Transitional arrangements also apply, under which the biodiversity gain condition does not attach to major development submitted before 12 February 2024 or to non-major development submitted before 2 April 2024.

Applicants are advised that statutory exemptions and transitional arrangements are set out at Paragraph 003 (Reference ID: 74-003-20240214) of the Planning Practice Guidance:
<https://www.gov.uk/guidance/biodiversity-net-gain> .

Where onsite habitat includes irreplaceable habitat, as defined in the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024, additional requirements apply to the content and approval of any Biodiversity Gain Plan.

4. Highways and Access

The Local Highway Authority has raised no in-principal objection. However, full access details, parking layouts, and internal circulation arrangements will be required at the Technical Details Consent stage, supported by appropriate highway safety information.

In addition, information will be required as to how the PRoW will be accommodated, protected, and maintained following the proposed development and how access will be managed so the public is not endangered or inconvenienced.

5. Drainage Strategy

A detailed surface water drainage strategy and foul drainage arrangements will be required at the TDC stage in accordance with the requirements of the LLFA and Southern Water.

6. Amenity and Design Quality

The TDC submission must demonstrate that the proposed layout and design achieve high standards of residential amenity, including appropriate separation distances, garden sizes, outlook, daylight and privacy, and that the development meets the expectations of Policies 32 and 33 of the Horsham District Planning Framework.

7. Trees

The applicant is advised that the site contains a number of trees. Any subsequent Technical Details Consent application should be supported by detailed arboricultural information prepared in accordance with BS 5837:2012 Trees in Relation to Design, Demolition and Construction - Recommendations.

This should include, as a minimum, an Arboricultural Impact Assessment (AIA), an Arboricultural Method Statement (AMS), and a Tree Protection Plan clearly demonstrating how the proposed development has been designed to avoid unacceptable impacts on retained trees and their Root Protection Areas (RPAs), and how trees will be protected during construction.

The methodology set out within BS 5837:2012 should be followed to ensure that existing trees are appropriately integrated into the design and layout of the development and that suitable tree protection measures are implemented throughout the construction process.

8. Construction Management

The applicant is advised that any subsequent Technical Details Consent application should include details of a Construction and Environmental Management Plan (CEMP). This should include site logistics, hours of construction, delivery arrangements, and measures to control noise, dust and disturbance, in order to safeguard the amenities of neighbouring occupiers. Planning conditions are likely to be imposed to secure these details.

Note to Applicant

Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received, in order to be able to, where possible, grant permission.

ADDITIONAL INFORMATION

Planning Permission – Important Provisos

If planning permission has been granted, please note that your Notice of Decision refers only to consideration of your proposal under the Town and Country Planning Acts. It is not a building regulations approval and does not mean that you can disregard other Acts of Regulations or avoid any other legal obligations. Some of these obligations, of particular relevance to your proposal are referred to elsewhere in this note. Before you proceed with your proposal you should ensure that a Building Control application is not required or has been submitted. The Building Control Department can be contacted on 01403 215151.

If this permission relates to new dwellings, commercial premises or other buildings which will require a new postal address you should contact the Council's Street Naming & Numbering Department as soon as possible or before work commences on site. Further details are available on the Street Naming page on the Council's website or alternatively e-mail streetnaming@horsham.gov.uk or telephone 01403 215139.

It is the responsibility of the developer to provide bins for the development. If you are a developer and need to purchase bins, please email hop.oast.admin@horsham.gov.uk.

It must be stressed that the information included on this Notice of Decision may not include all your legal obligations, and it does not grant you rights to carry out works on or over lands, or to access land that is not within your control or ownership.

Amendments

Should alterations or amendments be required to the approved plans, it will be necessary to apply either under Section 96A of the Town and Country Planning Act 1990 for non-material alterations, or under Section 73 of the Act for minor material alterations. An application must be made using the

standard application form and you should consult with us, to establish the correct type of application to be made.

Monitoring

Horsham District Council monitors the implementation of planning permissions. Please be aware that monitoring officers may visit the application site at various stages of the development to ensure compliance with the approved plans and conditions.

Right of Appeals

If you are aggrieved by the decision to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990.

You must appeal within 12 weeks of the date of the decision notice for a householder application or 'minor commercial' (shop front) development, and within 6 months for other types of planning applications. There are different timescale – usually 28 days – if an enforcement notice is/has been served for the same (or very similar) land and development. Please note, only the applicant possesses the right of appeal.

Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are at <https://www.gov.uk/government/collections/casework-dealt-with-by-inquiries>.



PLANNING COMMITTEE REPORT

TO: Planning Committee

BY: Head of Development and Building Control

DATE: 21st July 2026

DEVELOPMENT: Permission in Principle for the erection of 3no. dwellings.

SITE: Butlers Tower Hill Horsham West Sussex RH13 0AQ

WARD: Southwater North

APPLICATION: DC/26/0735

APPLICANT: **Name:** Mr Danny McGee **Address:** C/O Agent

REASON FOR INCLUSION ON THE AGENDA: The application represents a departure from the development plan.

RECOMMENDATION: To approve permission subject to appropriate conditions.

1. THE PURPOSE OF THIS REPORT

To consider the planning application.

DESCRIPTION OF THE APPLICATION

- 1.1. The application would consist of permission in principle for 3 dwellings which according to submitted drawing no. 2022-P-599-002 would contain 2-bedrooms each. An indicative layout has been submitted with the application which shows the dwellings arranged to form a cul-de-sac. Access is proposed to be provided via a private lane stemming from Two Mile Ash Lane, which looks to be used as access to an adjacent dwelling and is also designated as a Public Right of Way (ref. 1636).
- 1.2. This is an identical proposal to that submitted under reference DC/24/1086 (Outline application for the erection of 3No single storey dwellings with all matters reserved) which was refused by Officers on 09 September 2024 and dismissed at appeal on 12 August 2025. In their Decision Notice the Inspector stated that they considered *'the potential impact on European Protected Species, failure of enhance biodiversity, deliver BNG and the limited harm in relation to the suitability of site for housing, would significantly and demonstrably outweigh the stated benefits when assessed against the policies in the Framework when taken as a whole'*.

DESCRIPTION OF THE SITE

- 1.3. The application site is located in the existing settlement of Tower Hill, which falls outside of a defined built-up area boundary and is therefore considered a countryside location for planning purposes. The site is part of the existing residential unit of Butlers and is in close proximity to other residential development. The site currently comprises maintained grass, a hard surfaced tennis court and is bounded to the front and side with mature vegetation and is therefore not visible from the public domain.
- 1.4. Surrounding residential development varies in scale with a mix of large, detached dwellings and smaller semi-detached dwellings and cottages. There is little uniformity in terms of design and appearance, with many dwellings exhibiting individual character. Southwater Public Right of Way (ref. 1636) sites adjacent to the proposal's southern boundary.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1. The Town and Country Planning Act 1990.

RELEVANT PLANNING POLICIES

The following Policies are considered to be relevant to the assessment of this application:

National Planning Policy Framework:

Horsham District Planning Framework (HDPF 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 - Strategic Policy: Meeting Local Housing Needs
Policy 24 - Strategic Policy: Environmental Protection
Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
Policy 26 - Strategic Policy: Countryside Protection
Policy 27 - Settlement Coalescence
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

Southwater Neighbourhood Plan (2020):

SNP9 – Home Standards
SNP10 – Residential Space Standards
SNP14 – Adequate Provision of Car Parking
SNP16 – Design
SNP19 – Parish Heritage Assets

Horsham District Local Plan (2023-40) (Regulation 19):

Strategic Policy 1: Sustainable Development
Strategic Policy 2: Development Hierarchy
Strategic Policy 3: Settlement Expansion
Strategic Policy 6: Climate Change
Strategic Policy 7: Appropriate Energy Use

Strategic Policy 8: Sustainable Design and Construction
 Strategic Policy 9: Water Neutrality
 Strategic Policy 10: Flooding
 Strategic Policy 11: Environmental Protection
 Strategic Policy 13: The Natural Environment and Landscape Character
 Strategic Policy 14: Countryside Protection
 Strategic Policy 17: Green Infrastructure and Biodiversity
 Strategic Policy 19: Development Quality
 Strategic Policy 20: Development Principles
 Strategic Policy 24: Sustainable Transport
 Policy 25: Parking
 Strategic Policy 37: Housing Provision
 Strategic Policy 38: Meeting Local Housing Needs
 Policy 40: Improving Housing Standards in the District

Supplementary Planning Guidance:

Planning Obligations and Affordable Housing SPD (2017)
 Community Infrastructure Levy (CIL) Charging Schedule (2017)

Southwater Parish Design Statement 2011

Planning Advice Notes:

Shaping Development in Horsham District (SDPAN)
 Biodiversity and Green Infrastructure

PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/24/1086	Outline application for the erection of 3No single storey dwellings with all matters reserved.	Application Refused on 09.09.2024 Dismissed on appeal 12.08.2025.
DC/24/0440	Variation of Condition 1 of previously approved application DC/21/2283 (Erection of a two-storey side extension. Removal of existing conservatory and erection of a single storey side and rear extension. Single storey side extension to pool, installation of rooflights to pool house, erection of front porch and associated works) Relating to design.	Application Permitted on 17.05.2024
DC/23/1924	Reversion of existing annexe to garage and storage and erection of a replacement detached annexe building.	Application Permitted on 09.01.2024
DC/23/1823	Demolition of Outbuildings. Erection of a barn for the mixed use of stabling of private horses and the storage of hay / plant and machinery, extension to hardstanding area and retention of access track. (Part-Retrospective)	Application Permitted on 12.04.2024
DC/22/1843	Erection of 1no detached single storey dwelling in the alternative to previously approved DC/21/0767.	Application Refused on 22.02.2023
DC/21/2283	Erection of a two-storey side extension. Removal of existing conservatory and erection of a single storey side and rear extension. Single storey side extension to pool, installation of rooflights to pool house, erection of front porch and associated works.	Application Permitted on 20.12.2021
DC/21/1635	Erection of an American style barn for the mixed use of stabling of private horses and agricultural storage of hay / plant and machinery and extension to hardstanding area	Application Refused on 17.03.2022

3. OUTCOME OF CONSULTATIONS

- 3.1. Where consultation responses and representations have been summarised, it should be noted that Officers have had consideration of the full comments received, which are available to view on the public file at horsham.gov.uk/planning/planning-applications/view-and-comment-on-planning-applications.

OUTSIDE AGENCIES

- 3.2. **Southern Water:** No Objection (In Principle) [Summary]
We are unable to comment fully until full details of the proposed means of foul/surface water drainage have been submitted for review.
- 3.3. **WSCC Highways:** Comment [Summary]
In principle, the LHA would not raise any objections to an application at this site, subject to the submission of sufficient information at Technical Details stage.
- 3.4. **WSCC Rights of Way:** Further Information Required [Summary]
It appears the vehicular access to the 3no. dwellings is via Public Footpath 1636. Further information is required to clarify how Public Footpath 1636 will be accommodated, protected and maintained during and following the proposed development.

PUBLIC CONSULTATIONS

- 3.5. Representations:
2 letters of Objection have been received from 2 addresses, objecting to the application on the following grounds:
- Two Mile Ash Road is overused and dangerous.
 - Access point would be in short distance of a blind bend.
 - Construction activity will block the road and cause issues with existing access arrangements.
 - Will set a precedent for further development at the site.
 - Will not be in keeping with existing character of the area.
 - Tower Hill is an unspoilt gap between Southwater and Horsham which should be maintained.
- 1 letter of Support has been received from 1 address, supporting the application on the following grounds:
- Would not be a detrimental impact on character or appearance as properties will not be visible from Tower Hill.
 - Is a sustainable location close to existing services and Horsham town centre.

- 3.6. Parish Comments:

Southwater Parish Council: Objection

The site is outside the built-up area boundary and has not been allocated in either the Local or Neighbourhood Plans.

- 3.7. Member Comments:
None received

4. HOW THE PROPOSED COURSE OF ACTION WILL PROMOTE HUMAN RIGHTS

- 4.1. The application has been considered having regard to Article 1 of the First Protocol of the Human Rights Act 1998, which sets out a person's rights to the peaceful enjoyment of property and Article 8 of the same Act, which sets out their rights in respect to private and family life and for the home. Officers consider that the proposal would not be contrary to the provisions of the above Articles.
- 4.2. The application has also been considered in accordance with Horsham District Council's public sector equality duty, which seeks to prevent unlawful discrimination, to promote equality of opportunity and to foster good relations between people in a diverse community, in accordance with Section 149 of the Equality Act 2010. In this case, the proposal is not anticipated to have any potential impact from an equality perspective.

5. HOW THE PROPOSAL WILL HELP TO REDUCE CRIME AND DISORDER

- 5.1. It is not considered that the development would be likely to have any significant impact on crime and disorder.

6. PLANNING ASSESSMENTS

- 6.1. A previous outline planning application was submitted at this site for 3no. dwellings under reference DC/24/1086 and was refused by Officers on the grounds that it was contrary to the adopted development plan, would be out of character with its immediate surroundings and insufficient information was provided relating to protected species and Biodiversity Net Gain. A subsequent appeal was dismissed, though the Inspector did not agree that the proposal would be out of character and their decision is largely based on ecological reasons.
- 6.2. The Permission in Principle consent route is an alternative way of obtaining planning permission for residential development, which separates the consideration of matters of 'principle' for the proposed development, from the 'technical details' of the development. As such, the Permission in Principle route has two stages: the first being the 'Permission in Principle' stage (subject of this current application), which establishes whether the site is suitable in-principle; and the second being the 'Technical Details consent' stage which is when the detailed development proposals are assessed.
- 6.3. The scope of the Permission in Principle application is limited to location, land use, and amount of development.

Principle of Development:

Location

- 6.4. Policy 2 of the Horsham District Planning Framework (HDPF) 2015 sets out the overarching growth strategy, specifying that development should be focused in and around the key settlement of Horsham and in line with the identified settlement hierarchy. The adopted settlement hierarchy (Policy 3) represents the most sustainable approach to accommodating growth and directs development to settlements with a good range of employment, services and facilities. According to Policy 3, Tower Hill is an unclassified settlement with few/no facilities, social networks and/or limited accessibility.
- 6.5. Policy 4 of the HDPF supports limited settlement expansion outside built-up area boundaries where:
 1. The site is allocated in the Local or Neighbourhood Plan and adjoins an existing settlement edge;
 2. The scale of growth is appropriate to the settlement;
 3. The proposal meets identified local needs, and

4. The development is contained within defensible boundaries that respect landscape character.
- 6.6. While the site is considered to meet criterion 2, 3 and 4, it is not allocated within an adopted plan and is located some 500m from the defined built-up area boundary of Horsham and therefore Policy 4 does not apply. It is acknowledged that given the housing land supply position in Horsham District, the SDPAN was released which broadened the scope of Policy 4. However, there remains a requirement for sites to adjoin an existing settlement edge (as defined by the BUAB) thus the proposal is not in line with the criteria set out in paragraph 5.12 of the SDPAN.
- 6.7. As the proposal is in a countryside location, Policy 26 of the HDPF is also engaged. This policy seeks to protect rural areas against inappropriate development unless it is essential to its location and meets one of the following:
- Supports the needs of agriculture or forestry;
 - Enables mineral extraction or waste disposal;
 - Provides for quiet informal recreation;
 - Enables the sustainable development of rural areas.
- 6.8. The proposal provides for three market dwellings with no connection to rural enterprise and is therefore not considered to meet the requirements of Policy 26. Thus, when considering the relevant HDPF policies that make up the overarching spatial strategy, the principle of development is not acceptable in this location.
- 6.9. However, in the appeal decision (DC/24/1086), the Inspector noted the HDPF policies and commented that the proposal would positively contribute to local housing needs. In the appeal decision, the Inspector attached limited weight to the conflict with HDPF policies which protect the countryside. The Inspector commented that *'the substantial housing shortfall indicates that the current boundaries are out of date but the aim for housing to be located within settlements aligns with the Framework.'*
- 6.10. The Inspector's decision to give limited weight in his decision to the principle of development within the development in the appeal scheme is a material consideration in the determination of this application for the same proposal.

Land Use

- 6.11. The application relates to the erection of 3 dwellings within the existing residential unit of Butlers. The site as defined by the red line boundary currently comprises mown grass, a tennis court and several trees while the wider site incorporates the existing dwelling and associated ancillary buildings, as well as a large expanse of land to the rear. Given the proximity of the site to the existing dwelling and the make-up of the site, it is thought that the applicant's consideration of the land as residential curtilage is fair.
- 6.12. The submitted Proposed Site Plan (REV 0) demonstrates that the 3 dwellings can be accommodated on the site by forming a cul-de-sac, with access provided via a private lane stemming from Two Mile Ash Road. The site is not particularly visible from the public realm owing to established boundary vegetation, which is currently proposed to be retained. The surrounding development along Two Mile Ash Road as well as Salisbury Road and Tower Hill is predominantly residential, thus the proposal is not introducing a unique use.
- 6.13. In the previous appeal decision at the site (DC/24/1085) the Inspector remarked that Two Mile Ash Road contained *'varied plot sizes with the proposed dwellings having a commensurate plot size to others'*. The Inspector did not raise any concerns with the layout of the proposal. The Inspector commented that *'given there are varied plot sizes along Two Mile Ash Road, and the proposed dwellings would have a commensurate plot size to others,*

the proposal would be in keeping with the existing pattern of development.' This coupled with the fact that existing trees and vegetation could be retained led the Inspector to conclude that *'the proposal would have an acceptable effect on the character and appearance of the area'.*

Amount of Development

- 6.14. Policies 25 and 33 and the Horsham District Planning Framework (2015) promote development that protects, conserves and enhances landscape character and ensures that proposals reflect the locally distinctive character of settlements. In addition, Policy 32 requires high quality design which considers landscape characteristics and contributes to a sense of place while also ensuring buildings are of a scale, massing and appearance that relate sympathetically to their surroundings.
- 6.15. Within the context of a Permission in Principle application the consideration of 'amount' is limited to whether the scale of development proposed is appropriate, having regard to the site's countryside location and position outside the defined settlement boundary. While the applicant has provided an indicative layout to aid with decision making, it is important to note that this is not fixed at this stage.
- 6.16. As mentioned, existing residential development along Two Mile Ash Road varies in scale, with a mix of large, detached dwellings, smaller semi-detached houses and cottages. Properties on the western side of the road tend to be set back within large curtilages and screened by established vegetation, while properties on the eastern side are higher in density and located in closer proximity to the road. Overall, existing residential development in Tower Hill lacks uniformity in terms of plot size.
- 6.17. While it is acknowledged that the addition of three dwellings in this location would increase the density of built development when compared with existing, it is not thought that this would result in an overly constrained or overdeveloped appearance. As demonstrated in the applicants Planning Statement, the proposed dwellings would have a commensurate plot size to others in the immediate vicinity and would be of a lower density than much of the development concentrated on the nearby corner of Salisbury Road. In addition, the presence of established vegetation along the eastern and southern boundaries of the site would likely soften the appearance of the new dwellings, though it is unclear whether the eastern portion falls within the applicant's ownership and therefore cannot be relied upon to screen the development in perpetuity.
- 6.18. Given the above considerations as well as the findings of the Inspector relating to character and appearance discussed above, it is concluded that the amount of development proposed would be acceptable in this location.

Water Neutrality:

- 6.19. A 2021 Position Statement from Natural England identified that it could not be concluded with the required degree of certainty that new development in the Sussex North Water Supply Zone would not have an adverse effect on the integrity of the Arun Valley SAC, SPA and Ramsar sites. As a consequence, and to comply with the legal duties set out in the Conservation of Habitats and Species Regulations 2017 (known as the Habitat Regulations), all new development since has been required to demonstrate water neutrality.
- 6.20. On 31st October 2025 Natural England formally withdrew the 2021 Position Statement, citing a package of measures that they were satisfied would safeguard the Arun Valley sites. Principal amongst these measures is a reduction in the Southern Water abstraction licence 'by March 2026'. However, given the licence change has not yet taken place Horsham District Council, as competent authority under the Habitats Regulations, cannot yet be certain that new development will not result in adverse impacts on the Arun Valley sites.

- 6.21. To ensure development can come forward as water neutral in the meantime, the Council has agreed with Natural England to use the significant water savings made by Southern Water in 2024/25 through their programme of leakage reduction (amongst other measures). This has generated some 3,240,000 litres per day of water savings that can now be attributed to new development without increasing water abstraction in the Arun Valley beyond baseline. These savings were previously to be used to launch the Sussex North Water Certification Scheme (SNWCS), however following the withdrawal statement SNWCS will no longer be launching. Natural England standing advice dated 10 November 2025 raises no objection to using these savings to enable development to come forward. The standing advice clarifies that it functions as Natural England's formal response pursuant to Regulation 63(3) of the Conservation of Habitats and Species Regulations 2017 to all relevant planning applications which seek to achieve water neutrality using the above Southern Water savings.
- 6.22. Officers have undertaken an Appropriate Assessment which demonstrates that the anticipated increase in mains water consumption from this development, alongside all other development granted since the 31st October 2025, will not exceed 3,240,000 litres per day.
- 6.23. Accordingly, Officers consider that the proposed development will not have an Adverse Effect on the Integrity of the Arun Valley Site, either alone or in combination with other plan and projects, thereby complying with Regulations 63 and 70 of the Conservation of Habitats and Species Regulations 2017, HDPF Policy 31, and paragraph 193 of the NPPF.

Other Matters:

Climate Change

- 6.24. Policies 35, 36 and 37 of the Horsham District Planning Framework (2015) require that development mitigates the impacts of climate change through measures including improved energy efficiency, reduced flood risk, lower water consumption, enhanced biodiversity and the promotion of sustainable transport modes. These policies reflect Chapter 14 of the National Planning Policy Framework (2024) which requires that local plans and decisions support the transition to a low carbon future and minimise vulnerability to climate impacts.
- 6.25. Given the outline nature of this Permission in Principle application, limited technical detail has been provided at this stage. At the detailed design stage, it is anticipated that the following measures could be incorporated to ensure the development builds resilience to climate change and reduces carbon emissions:
- Integration of decentralised, renewable and/or low carbon energy;
 - Measures to limit water use to 110 litres/person/day;
 - Electric vehicle charging points and/or cycle storage;
 - Integration of SuDS and green infrastructure to manage flood risk;
 - Requirement to provide full fibre broadband site connectivity;
 - Refuse and recycling storage
- 6.26. Full details of these measures would be expected at the Technical Details Consent stage, where conditions can be imposed to secure their implementation. Subject to these future provisions, the proposed development could suitably reduce its impact on climate change and would accord with Policies 35, 36 and 37 of the Horsham District Planning Framework (2015) and the aims of the National Planning Policy Framework (2024).

Ecology and Biodiversity Net Gain (BNG)

- 6.27. Given the outline nature of this Permission in Principle application, detailed ecological information has not been submitted at this stage. Should the principle of development be

supported, ecological survey work and appropriate mitigation and enhancement measures would be required at the Technical Details Consent stage to ensure compliance with Policy 31 of the Horsham District Planning Framework (2015), the NPPF (2024), and the Conservation of Habitats and Species Regulations 2017 (as amended).

- 6.28. The site also falls within the scope of the mandatory Biodiversity Net Gain (BNG) regime. A minimum 10% net gain in biodiversity value will be required to be demonstrated at the Technical Details Consent stage, through submission of a habitat baseline assessment and Biodiversity Metric calculation in accordance with the Environment Act 2021 and the Biodiversity Gain (Town and Country Planning) (General) Regulations 2024.
- 6.29. At this stage, it is considered that the site provides scope to deliver BNG through appropriate landscaping and habitat creation as part of any detailed design, and that the requirements of Policy 31 and national BNG legislation could reasonably be met.

Design and Appearance

- 6.30. Though matters of scale, design and layout for the proposed development are reserved for consideration under the subsequent 'Technical Details' application, the applicant has submitted example floor plans and elevations (ref. 2022/P/599/002). These are identical to those submitted under the previous application (ref. DC/24/1086) which the Inspector deemed to have an 'acceptable impact upon the character and appearance of the area' however made clear that they 'did not weigh in favour of the proposal'.
- 6.31. The submitted floor plans and elevations (ref. 2022/P/599/002) show a single-storey dwelling with a mid-mod flat roof, large floor to ceiling windows and mixed façade of brick and wood cladding. This results in a 1950/1960s retro style which, though acceptable in terms of scale, ultimately is not in keeping with its surrounds.
- 6.32. The Southwater Parish Design Statement (2011) sets out a series of design guidelines including the incorporation of brick, tile-hanging, weatherboard and timber framing, hipped or half hipped gable roofs and roof detailing (i.e. chimneystacks) which compliments existing styles in the locality. The applicant is advised that, should this application be permitted, they will need to demonstrate how the chosen design has been informed by the existing character of Tower Hill at the Technical Details stage and will likely need to make changes to what is currently shown on the submitted plans.

Highways

- 6.33. Though highways matters for the proposed development are reserved for consideration under the subsequent 'Technical Details' application, it should be noted that no objections were raised by WSCC Highways under the previous application at the site (DC/24/1086) which proposed the same access arrangements and no issues raised by the Inspector. In addition, the submitted indicative Site Plan (ref. 01) demonstrates that parking can be sufficiently accommodated on site.

Residential Amenity

- 6.34. Though matters of residential amenity are reserved for consideration under the subsequent 'Technical Details' application, it is important to note that no amenity impacts were raised as part of the previous application at the site (DC/24/1086) where the applicant submitted the same indicative site plan and no comments made by the Inspector as part of the subsequent appeal.

Conclusions and Planning Balance:

- 6.35. As the site is not allocated for development within the HDPF (2015) or a made neighbourhood plan, the principle of development is contrary to Policies 1, 2, 4 and 26 of the HDPF, and paragraphs 2, 11, 12 and 47 of the NPPF owing to the site's location outside of the built-up area boundary.
- 6.36. However, Chapter 3 of the Council's most recent Authority Monitoring Report (AMR) states that the Council currently benefits from a deliverable supply of housing sites of 1.7 years. Therefore, the presumption in favour of sustainable development as dictated by paragraph 11(d) of the NPPF is engaged in this instance.
- 6.37. NPPF paragraph 11(d)(ii) states that where there are no relevant development plan policies in place or the policies that are considered most important for the determination of applications are out of date (in this case, Policies 1, 2, 4 and 26 of the HDPF, owing to the lack of a five-year housing supply) permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.
- 6.38. It should be noted that neither Footnote 7 nor paragraph 14 of the NPPF applies and therefore the tilted balance is not nullified.

Planning Balance

- 6.39. The proposal would provide for three additional dwellings. As the Council cannot currently demonstrate a five-year housing supply, the provision of three dwellings towards this supply is afforded *significant* weight. However, the Council considers this benefit to be *limited* given the small overall contribution to the supply.
- 6.40. It is noted that the applicant has highlighted the opportunity for nearby services in Horsham and Southwater to be accessed via transport methods other than the private car, with a regular bus service passing along Worthing Road (approx. 13-minute walk) and a PRoW route (ref. 1639/1) with access to central Horsham. There is however limited pedestrian access immediately from the site, with no footpaths along Tower Hill Road and no street lighting. It is therefore considered that the location is incompatible with paragraph 115 of the NPPF which requires safe and suitable access for all users.
- 6.41. It is however important to acknowledge the appeal decision for a similar application on this site (ref. DC/24/1086) within which limited harm was attributed to the suitability of the site for housing. Though the Inspector did highlight poor pedestrian access in their decision, they also considered the location of the site to be well related to the settlement of Horsham and have reasonably good access to facilities. In addition, the Inspector felt that the site constituted Previously Developed Land, which is supported for reuse by both HDPF Policy 2(8) and NPPF paragraph 125(c).
- 6.42. The appeal was ultimately dismissed on the basis that impacts to European Protected Species, failure to enhance biodiversity and deliver BNG as well as the *limited* harm in relation to the suitability of the site for housing would significantly and demonstrably outweigh the benefits of the scheme. Officers have inferred from this that the ecological impacts were the greater deciding factor and it is likely that were these not present, the Inspector would have allowed the appeal.
- 6.43. It is therefore concluded that although the proposal is contrary to the overarching spatial strategy due to its location outside of a built-up area boundary, the fact that the location has previously been judged as acceptable by the Planning Inspectorate coupled with the absence of any other adverse impacts which would significantly and demonstrably outweigh the benefits of three dwellings means that the application is recommended for approval.

7. RECOMMENDATIONS

7.1. That Permission in Principle is approved, with the following informatives attached to the decision notice:

1. Technical Details Consent (TDC) Requirements

This Permission in Principle establishes only the location, land use and amount of development. All detailed matters, including access, layout, design, drainage, ecology, landscaping, affordable housing and infrastructure requirements, must be addressed through a subsequent Technical Details Consent (TDC) application in accordance with the Town and Country Planning (Permission in Principle) Order 2017.

2. Water Efficiency

In accordance with Natural England's standing advice (10 November 2025), the applicant will be required at the Technical Details Consent stage to demonstrate that the development achieves a water consumption rate of no more than 110 litres per person per day per dwelling (Building Regulations Part G) and incorporates appropriate water-efficiency measures.

3. Biodiversity Net Gain

Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 requires that planning permission is deemed to be granted subject to the "Biodiversity Gain Condition", which would prevent development from commencing until a Biodiversity Gain Plan has been submitted to and approved by the Local Planning Authority.

However, under Regulations 4, 5, 7 and 8 of the Biodiversity Gain Requirements (Exemptions) Regulations 2024, the statutory biodiversity gain condition does not apply to certain categories of development, including development which:

- a) does not impact any onsite priority habitat (as defined under section 41 of the Natural Environment and Rural Communities Act 2006); and impacts less than 25sqm of onsite habitat with a biodiversity value above zero, and less than 5 metres of onsite linear habitat;
- b) is the subject of a householder application;
- c) is undertaken solely or mainly for the purpose of fulfilling a biodiversity gain planning condition attached to another development;
- d) consists of no more than 9 dwellings on a site no larger than 0.5ha and consists exclusively of self-build or custom-build dwellings.

Transitional arrangements also apply, under which the biodiversity gain condition does not attach to major development submitted before 12 February 2024 or to non-major development submitted before 2 April 2024.

Applicants are advised that statutory exemptions and transitional arrangements are set out at Paragraph 003 (Reference ID: 74-003-20240214) of the Planning Practice Guidance:
<https://www.gov.uk/guidance/biodiversity-net-gain> .

Where onsite habitat includes irreplaceable habitat, as defined in the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024, additional requirements apply to the content and approval of any Biodiversity Gain Plan.

4. Highways and Access

The Local Highway Authority has raised no in-principal objection. However, full access details, parking layouts, and internal circulation arrangements will be required at the Technical Details Consent stage, supported by appropriate highway safety information.

In addition, information will be required as to how the PRow will be accommodated, protected, and maintained following the proposed development and how access will be managed so the public is not endangered or inconvenienced.

5. Drainage Strategy

A detailed surface water drainage strategy and foul drainage arrangements will be required at the TDC stage in accordance with the requirements of the LLFA and Southern Water.

6. Amenity and Design Quality

The TDC submission must demonstrate that the proposed layout and design achieve high standards of residential amenity, including appropriate separation distances, garden sizes, outlook, daylight and privacy, and that the development meets the expectations of Policies 32 and 33 of the Horsham District Planning Framework.

7. Trees

The applicant is advised that the site contains a number of trees. Any subsequent Technical Details Consent application should be supported by detailed arboricultural information prepared in accordance with BS 5837:2012 Trees in Relation to Design, Demolition and Construction – Recommendations.

This should include, as a minimum, an Arboricultural Impact Assessment (AIA), an Arboricultural Method Statement (AMS), and a Tree Protection Plan clearly demonstrating how the proposed development has been designed to avoid unacceptable impacts on retained trees and their Root Protection Areas (RPAs), and how trees will be protected during construction.

The methodology set out within BS 5837:2012 should be followed to ensure that existing trees are appropriately integrated into the design and layout of the development and that suitable tree protection measures are implemented throughout the construction process.

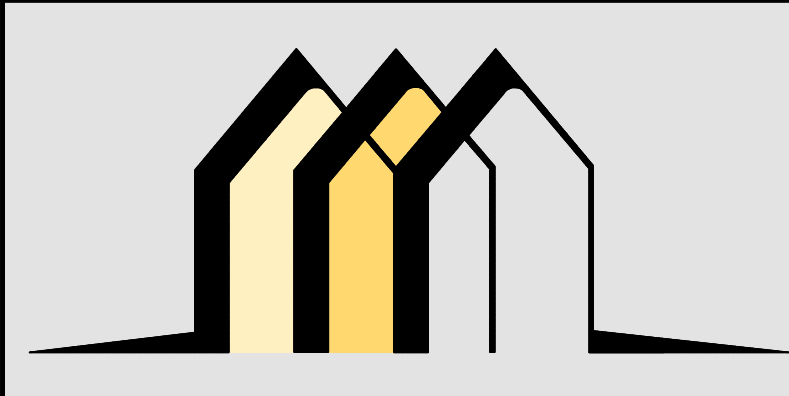
8. Construction Management

The applicant is advised that any subsequent Technical Details Consent application should include details of a Construction and Environmental Management Plan (CEMP). This should include site logistics, hours of construction, delivery arrangements, and measures to control noise, dust and disturbance, in order to safeguard the amenities of neighbouring occupiers. Planning conditions are likely to be imposed to secure these details.

8. USE OF AI

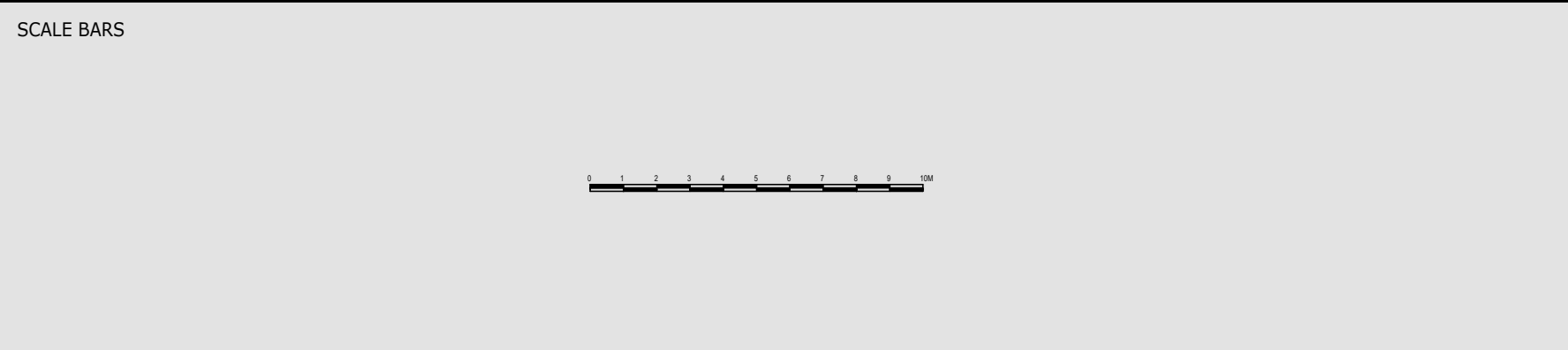
8.1 This report has not been prepared with the support of artificial intelligence tools.

GENERAL NOTES: DO NOT SCALE FROM THIS DRAWING. USE WRITTEN DIMENSIONS ONLY. DRAINAGE IS STRICTLY SHOWN INDICATIVE AND SHOULD BE CAREFULLY LOCATED ON SITE BY CONTRACTOR TO AVOID DAMAGE DURING CONSTRUCTION. BOUNDARY POSITIONS ARE ASSUMED ONLY ON THE BASIS OF AN ON SITE VISUAL INSPECTION, CLIENT TO ENSURE BOUNDARY POSITION IS CONFIRMED BEFORE COMMENCEMENT OF ANY CONSTRUCTION..



CONTACT INFO

E: Scott@EllisdonArchitecturalAssociates.co.uk
W: WWW.EllisdonArchitecturalAssociates.co.uk
M: 07828 189525



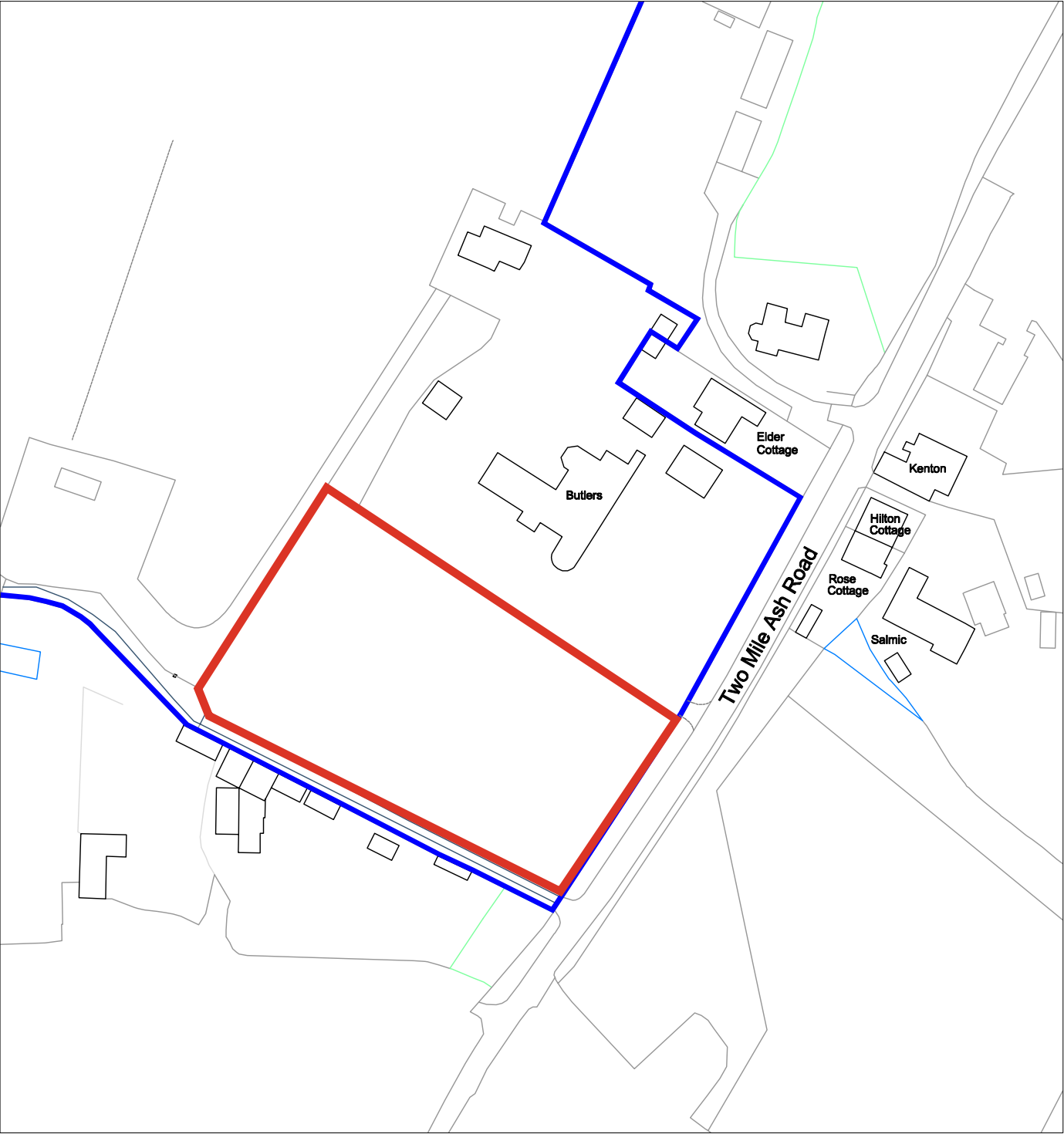
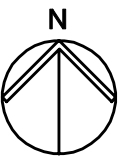
REVISION	DESCRIPTION
0	FIRST ISSUE

STATUS:

PLANNING

STRICTLY NOT FOR CONSTRUCTION

CLIENT:	CHAMBERLAIN	SITE ADDRESS: LAND @ BUTLERS TOWER HILL HORSHAM RH13 0AQ
JOB REF:	400	
DRG. NO:	01	
DRG. TITLE:	PROPOSED SITE PLAN	
DATE:	2024	
SCALE:	1:200 @ A1	



job		Butlers, Two Mile Ash Road, Horsham, West Sussex RH13 0AQ		scale(s)	1:50	☐	job no.	dwg no.	
					1:100	☐		LOC1	
dwg	3NO DWELLINGS				1:200	☐	drawing size	date	rev
					1:500	☐			
					1:1250	☒			



Appeal Decision

Site visit made on 15 July 2025

by V Goldberg BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12th August 2025

Appeal Ref: APP/Z3825/W/25/3360134

Butlers, Tower Hill, Horsham, West Sussex RH13 0AQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant outline planning permission.
 - The appeal is made by Mr Mr Danny McGee against the decision of Horsham District Council.
 - The application Ref is DC/24/1086.
 - The development proposed is outline application for the erection of 3no single storey dwellings with all matters reserved.
-

Decision

1. The appeal is dismissed.

Preliminary Matter

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

Main Issues

3. The main issues are:
 - whether the proposal would be a suitable location for housing having regard to the Council's spatial strategy;
 - the effect of the proposal on the character and appearance of the area; and
 - the effect of the proposal on protected species and biodiversity.

Reasons

Location

4. The appeal site is located outside of the settlement boundary of Horsham and is therefore in the countryside as defined in the Horsham District Planning Framework (HDPF)¹. The site is accessed from Two Mile Ash Road which has a rural appearance with no footpath, hedgerows and grass verges lining either side of the road with a small number of modest properties facing and adjoining the road.
5. Policy 4 of the HDPF supports settlement expansion outside of built up areas provided the site is allocated in the Local Plan or in a Neighbourhood Plan and adjoins an existing settlement edge. The appeal site does not adjoin a settlement

¹ Adopted in November 2015

boundary, nor is it an allocated site. As such the proposal would conflict with Policy 4.

6. Policy 26 of the HDPF is a strategic policy which seeks to protect the countryside. It details that outside built up area boundaries, the rural character and undeveloped nature of the countryside will be protected, and proposals must be essential to their countryside location and meet at least one of four criteria. Whilst the appellant considers that the scheme would be compliant with criterion four, i.e. the sustainable development of a rural area, it has not been demonstrated that it is essential to its countryside location. Accordingly, the proposal would be contrary to this policy.
7. Reference is made to the appeal site being in a sustainable location due to its proximity to Horsham and there being a bus service to the town. Given that the appeal site is 350m from the settlement boundary and there is a nearby bus stop providing a service to Horsham, future occupants of the proposed dwellings would have reasonably good access to facilities. However, poor pedestrian access would weigh against the proposal. This is because the facilities in Horsham are towards the centre of the settlement and some distance from the appeal site, and the walk to Worthing Road that leads to Horsham, would be partly along Tower Hill, a narrow unlit lane with steep sides and no footpath. This route would therefore be dangerous for pedestrians and cyclists given that vehicles would be travelling up to 40mph close to vehicles.
8. Policy 2 of the HDPF encourages the effective use of land by reusing Previously Developed Land (PDL) provided that suitable access to services and local employment is provided. Given the appeal site constitutes PDL and the dwellings would have reasonably good access to facilities, I consider the location of the appeal site to be well related to the settlement of Horsham and would therefore comply with the aims of this policy.
9. My attention has been drawn to planning application DC/22/2250 which refers to development of a dwelling on PDL. In this case the proposal was deemed to be an unsuitable location for a dwelling, despite being 0.2km from the built up area. However, the planning balance deemed that the benefits of the scheme weighed in favour of allowing the development. Given that the main issues in this example differ to the appeal scheme, the example is not wholly comparable to the development before me and would therefore not justify a planning permission.
10. Reference is made to recent decisions which have granted residential development outside of defined built up areas². These examples illustrate that given the lack of a five year housing supply, the presumption in favour of sustainable development applies. This is acknowledged and is addressed in the planning balance.
11. In advance of the production of a new Local Plan, the Council has produced a Facilitating Appropriate Development³ (FAD) document relevant to the provision of new homes. The document sets out that given that the Council is unable to demonstrate a five year housing supply, the Council recognises that it is likely to receive applications outside of defined settlement boundaries. Given this position, the FAD details that it will positively consider applications that meet five criteria.

² DC//22/0495, DC22/2250 and DC/23/2278

³ Adopted 19th October 2022

Notwithstanding that the appellant accepts that the proposal fails to adhere to the first criteria, i.e. that the site adjoins the existing settlement edge; reference is made to the Southwater Housing Needs Assessment. This document identifies a need for homes that would be suitable for young families and the elderly. Given that the proposal would provide three family homes, the scheme would positively contribute to local housing needs.

12. For the above reasons, whilst the proposal would positively contribute to local housing needs and provide reasonably good access to facilities in compliance with Policy 2 of the HDPF, it would be contrary to Policies 3, 4 and 26 of the HDPF. Collectively, these policies seek to support growth in existing settlements and restrict development in the countryside, to protect its rural character and undeveloped nature.

Character and Appearance

13. The appeal site is located on Two Mile Ash Road which is characterised by large, detached dwellings in spacious plots, modest detached properties within moderate plots and pairs of semi-detached cottages in smaller plots. Dwellings tend to be positioned behind established hedgerows or small gardens. This results in the road having a rural verdant character, which positively contributes to the character and appearance of the area.
14. Given there are varied plot sizes along Two Mile Ash Road, and the proposed dwellings would have a commensurate plot size to others, the proposal would be in keeping with the existing pattern of development. In addition, the indicative plans illustrate that trees and vegetation could be retained to maintain the verdant rural appearance of the road.
15. For the reasons above, the proposal would have an acceptable effect on the character and appearance of the area. The development is therefore compliant with Policies 25, 32 and 33 of the HDPF. Amongst other things these policies require high quality design and development to protect, conserve and enhance landscape and townscape character.

Protected species and biodiversity

Protected Species

16. The appeal site is part of the extended garden serving the main dwelling and comprises a significant area of grassland, tennis court, coniferous plantations, mature and semi mature trees and a non-native hedge.
17. The submitted Preliminary Ecological Assessment (PEA) identifies that five ponds are located within 500m of the site, there are 30 records of Great Crested Newt (GCN) within 2.0km of the appeal site, and four mitigation licences relating to GCNs have been granted within the same area. As a result, the PEA recommends that an initial Habitat Suitability Assessment and then, if deemed necessary, an Environmental DNA survey of the pond within 35m of the site is carried out.
18. The PEA also identifies the potential presence of roosting bats within four of the trees on site, and details that three mitigation licenses have been granted relating to different species of bats within 2.0km of the appeal site. As a result, it suggests that if the trees are likely to be impacted by the proposed development, further

assessment of these trees for the potential presence of roosting bats should be conducted.

19. The Conservation of Habitats and Species Regulations 2017 (as amended) (Habitats Regulations) identifies GCN and bats as European Protected Species (EPS). Regulation 9(3) of the Habitats regulations requires a competent authority to have regard to the requirements of the associated Directive so far as it may be affected by the exercise of its functions. This includes any proposal that might lead to the deterioration or destruction of the breeding sites and resting places of EPS under Article 12(1)116. This includes bats and the places that they roost, irrespective of whether or not they are present at the time the development is carried out.
20. Given the evidence of licensable activities in the area, the request for additional surveys and assessments appears to be reasonable and necessary. Moreover, the presence or absence of protected species and the extent to which they could be affected by the proposed development should be established before planning permission is granted. Accordingly, it would not be appropriate to require further surveys via planning condition.

Biodiversity

21. Paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 (as amended) requires grants of planning permission in England to be subject to a condition to secure that the biodiversity gain objective is met. The condition is deemed to apply to every planning permission granted for the development of land in England, unless exemptions or transitional provisions apply.
22. One of these exemptions refers to self-build and custom build development comprising of no more than nine dwellings. Whilst the appellant sets out the proposed dwellings would be self-build properties on the application form and appeal statement, the description of development does not refer to self-build, a self-build exemption claim form has not been submitted, and the appellant has not demonstrated that they are on the self-build register. Additionally, there is no mechanism to ensure that the proposal would be constructed or used in this manner. A s106 obligation is the most appropriate method of ensuring that the development is self or custom build housing rather than market housing.
23. Considering the above and because the application has not been accompanied by the minimum information set out in Article 7(1A) of the Town and Country Planning (Development Management Procedure) (England) Order, it has not been demonstrated that the proposal would provide self-build properties or the required Biodiversity Net Gain (BNG). In addition, it has not been demonstrated that the proposal would result in the enhancement of existing biodiversity required by Policy 31 of the HDPF.
24. For the reasons above, I am not satisfied that the extent to which protected species may be affected by the proposed development has been satisfactorily addressed. In addition, it has not been demonstrated that the development proposes self-build properties, that it enhances biodiversity or results in the required BNG. Accordingly, notwithstanding that Natural England has not been consulted, it has not been demonstrated that the proposed development would not have a harmful effect on protected species and biodiversity. On this basis, there would be conflict with the nature conservation aims and requirement to contribute

to the enhancement of existing biodiversity detailed in Policy 31 of HDPF. The proposal would also be contrary to paragraph 193a of the Framework.

Planning Balance

25. The extent to which protected species may be affected by the proposal have not been satisfactorily addressed and the proposal would not contribute to the enhancement of existing biodiversity. Substantial weight is afforded to this conflict with the development plan.
26. The Council concedes that it is unable to demonstrate a five-year supply of deliverable housing sites. The Annual Monitoring Report for the period 1st April 2023- 31st March 2024 details a supply of one year, which represents a severe shortfall. Paragraph 11 d) of the Framework states that in these circumstances, the policies which are most important for determining the application should be deemed out-of-date. Permission should therefore be granted unless i. the application of policies in the Framework that protect areas or assets of particular importance provides a clear 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 in the Framework taken as a whole.
27. In addition to the harm identified above, I attach limited weight to the conflict with Policies 3, 4 and 26 which seek to protect the countryside and restrict development outside of built up area boundaries. This is because the substantial housing shortfall indicates that the current boundaries are out of date but the aim for housing to be located within settlements aligns with the Framework.
28. Whilst the proposal would have an acceptable impact on the character and appearance of the area, the absence of harm is a neutral factor and does not weigh in favour of the proposal.
29. The proposal would provide three dwellings in the district and positively contribute to local housing needs. This would make an important contribution to meeting the housing requirement for the area as indicated by paragraph 73 of the Framework, particularly given that the Council concedes it is unable to demonstrate a five-year supply of deliverable housing sites, and the shortfall is substantial.
30. Taking the above into account, I consider that the potential impact on EPS, failure to enhance biodiversity, deliver BNG and the limited harm in relation to the suitability of the site for housing, would significantly and demonstrably outweigh the stated benefits when assessed against the policies in the Framework when taken as a whole.

Conclusion

31. The proposal conflicts with the development plan and material considerations do not indicate that the appeal should be decided other than in accordance with it. For the reasons given above the appeal is dismissed.

V Goldberg

INSPECTOR

Application for Permission in Principle

Town and Country Planning Act 1990

Town and Country Planning (Permission in Principle) (Amendment) Order 2017

Permission in principle may be granted for minor housing-led development only. Article 5B of the Permission in Principle (Amendment) Order 2017 sets out development that is specifically excluded from a grant of permission in principle and this includes habitats and EIA development.

Privacy Notice

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Please be aware that once you have downloaded this form, Planning Portal will have no access to the form or the data you enter into it. Any subsequent use of this form is solely at your discretion, including the choice to complete and submit it to a Local Planning Authority in agreement with the declaration section.

Upon receipt of this form and any supporting information, it is the responsibility of the Local Planning Authority to inform you of its obligations in regards to the processing of your application. Please refer to its website for further information on any legal, regulatory and commercial requirements relating to information security and data protection of the information you have provided.

Publication on Local Planning Authority websites

Information provided on this form and in supporting documents may be published on the authority's planning register and website. Please ensure that the information you submit is accurate and correct and does not include personal or sensitive information.

If you require any further clarification, please contact the Local Planning Authority directly.

Find contact details for Local Planning Authorities: <https://www.planningportal.co.uk/lpasearch>

If printed, please complete using block capitals and black ink.

1. Applicant Name and Address

Title:	Mr	First name:	Danny
Last name:	McGee		
Company (optional):			
Unit:		Number:	
Suffix:			
Building name:			
Address 1:	c/o Agent		
Address 2:			
Address 3:			
Town:			
County:			
Country:			
Postcode:			

2. Agent Name and Address

Title:	Mr	First name:	Oguzhan
Last name:	Denizer		
Company (optional):	MME Planning Services		
Unit:		Number:	
Suffix:			
Building name:			
Address 1:	3 Bowness Close		
Address 2:	Ifield		
Address 3:			
Town:	Crawley		
County:	West Sussex		
Country:	United Kingdom		
Postcode:	RH11 0SN		

3. Description of the proposed development including any non-residential development

Permission in Principle (PIP) application for the erection of 3no dwellings.

Net number
of dwellings:

Min: 3

Max: 3

Amount of non-residential
use(s) (e.g. floorspace or area):

0

(Can be expressed as a range, a maximum or a fixed amount)

4. Site information

Description and amount of existing use(s) of site:

Residential Garden

Site Area (hectares): 0.45

If you propose to attach any supporting information relating to known or likely constraints on the site please briefly describe what information you intend to provide.

Indicative Plans and supporting Planning Statement

5. Site Address Details

Please provide the full postal address of the application site.

Unit:

House

number:

House

suffix:

House
name:

Butlers

Address 1:

Tower Hill

Address 2:

Address 3:

Town:

Horsham

County:

West Sussex

Postcode (optional): RH13 0AQ

Description of location or a grid reference - must be completed if postcode is not known:

Easting:

Northing:

Description:

6. Authority Employee / Member

It is an important principle of decision-making that the process is open and transparent. For the purposes of this question, "related to" means related, by birth or otherwise, closely enough that a fair-minded and informed observer, having considered the facts, would conclude that there was bias on the part of the decision-maker in the local planning authority.

Do any of the following statements apply to you and/or agent?

☐

Yes

☒

No

With respect to the authority, I am:

(a) a member of staff

(b) an elected member

(c) related to a member of staff

(d) related to an elected member

If Yes, please provide details of their name, role and how you are related to them

7. Declaration

I/We hereby apply for permission in principle as described in this form. I/We confirm that to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them.

Signed - Applicant	
Or signed - Agent	Mr Oguzhan Denizer
Date (DD/MM/YYYY): (date cannot be pre-application)	29/04/2026

8. Checklist

Please read the following checklist to make sure you have sent all the information in support of your proposal. Failure to submit all information required will result in your application being deemed invalid. It will not be considered valid until all information required by the Local Planning Authority has been submitted.

The original and 3 copies of a completed and dated application form:	☐	The original and 3 copies of the plan which identifies the land to which the application relates:	☐
The correct fee:	☒	Any supporting information:	☒

9. Applicant Contact Details

Telephone numbers

Country code:	National number:	Extension:
Country code:	Mobile number (optional):	
Country code:	Fax number (optional):	

Email address:

--

10. Agent Contact Details

Telephone numbers

Country code:	National number:	Extension:
Country code:	Mobile number (optional):	
Country code:	Fax number (optional):	

Email address:

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