



Appeal Decision

Site visit made on 16 April 2026

by C Housden BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 May 2026

Appeal Ref: 6003266

Dunnocks, Emms Lane, Brooks Green, Horsham RH13 0TR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant permission in principle.
 - The appeal is made by Mr Neil Osbourne against the decision of Horsham District Council.
 - The application ref is DC/25/1520.
 - The development proposed is permission in principle for 1no. self build dwelling on previously developed land at Dunnocks.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The proposal is for permission in principle. Planning Practice Guidance (PPG) advises that this is an alternative way of obtaining planning permission for housing led development. The permission in principle consent route has two stages: the first stage (or permission in principle stage) establishes whether a site is suitable in principle and the second ('technical details consent') stage is when the detailed development proposals are assessed. This appeal relates to the first of these two stages.
3. The scope of the considerations for permission in principle is limited to location, land use and the amount of development permitted. All other matters are considered as part of a subsequent Technical Details Consent application if permission in principle is granted. I have determined the appeal accordingly.
4. The description of the proposal as set out in the application form contains superfluous text and elements which do not specifically relate to acts of development. In these circumstances, in the interests of accuracy and precision, I have taken the description of development from the Council's decision notice which adequately describes the proposal.
5. Whilst detailed elevation plans have been submitted, I have treated these as illustrative and are not determinative in my decision.

Main Issues

6. The main issues are whether the location, land use and amount of the proposed development is acceptable, having regard to the:
 - siting of the proposal outside of a defined settlement boundary; and
 - accessibility to services and facilities for future occupants.

Reasons

Siting outside of a defined settlement boundary

7. Policy 2 of the Horsham District Planning Framework (2015) (HDPF) seeks to focus development in and around the key settlement of Horsham, allowing for growth in the rest of the district in accordance with the identified settlement hierarchy. Policy 3 of the HDPF sets out the settlement hierarchy and states that development will be permitted within towns and villages which have defined built-up areas. Policy 4 supports the expansion of settlements outside of built-up area boundaries where a number of criteria apply. Policy 26 states that development outside built-up area boundaries must be essential to its countryside location and meet one of a number of further criteria. These policies define the evidence based spatial strategy and plan-led approach to development within the district.
8. The appeal site is situated within Brooks Green, a loose cluster of rural housing which has no settlement boundary as defined by the development plan or visually on the ground. The site is therefore located within the countryside. Whilst the site is set within a row of this rural housing, the site would not adjoin a defined settlement edge, nor is the proposed residential use of the land essential development for its location. The location of development would therefore not meet the criteria of HDPF Policies 4 and 26 for development situated outside of built-up area boundaries. The location of development would therefore conflict with these policies, along with Policies 2 and 3 of the HDPF.

Accessibility to services and facilities

9. Whilst the site is not isolated owing to being situated between existing houses, there are very limited facilities and services within Brooks Green. Therefore, to meet their daily needs, future occupiers would therefore be required to travel to other settlements.
10. A number of bus stops have been brought to my attention within the area. The evidence shows that the bus routes go to the settlements of Loxwood, Storrington, Plaistow, Billingshurst, Thakeham and Horsham. However, the frequency of these routes has not been provided within the evidence.
11. In any case, whilst some of these bus stops would be within walking distance, to access them would require future occupiers to navigate unlit rural roads with no pedestrian footpaths. In the early mornings or evenings, particularly within the winter when the hours of daylight are fewer, accessing the bus stops would be impractical and undesirable. It is therefore highly unlikely that future occupiers could meet their daily needs with these bus services.
12. Whilst I note the provisions of paragraph 110 of the Framework, in this case the proposal would introduce a development, where in principle, future occupiers would be heavily reliant upon the private motor car to meet their daily needs.
13. For this reason, the location of the proposal would conflict with Policy 2 which, amongst other matters, seeks to ensure that the needs of the community are met through sustainable growth and suitable access to services and local employment.

Other Matters

14. The appeal site is situated within the Sussex North Water Supply Zone, which the evidence shows that without mitigation measures the proposal would have an adverse effect on the Arun Valley SAC, SPA and Ramsar sites. As part of the planning application, the Council conducted an Appropriate Assessment where it concluded that the proposal would not result in an adverse impact on the integrity of the Arun Valley sites. As I am dismissing the appeal for other reasons, I do not need to discuss this matter further as it does not affect the outcome of the appeal.

Planning Balance

15. The proposed development is not in accordance with the aforementioned policies of the HDPF, by virtue of the location of development outside of a defined settlement boundary and lack of access to facilities and services.
16. However, the evidence shows the Council only has a 1.0 year housing land supply. The provisions of paragraph 11(d) of the Framework are therefore engaged. Footnote 8 confirms in these circumstances, the policies which are most important for determining the application are deemed to be out-of-date. Paragraph 232 of the Framework confirms due weight should be given to policies, according to their consistency with the Framework.
17. In relation to the siting of the proposal outside of a defined settlement boundary the proposal would conflict with Policies 2, 3, 4 and 26 which sets out the Council's strategy for accommodating housing within the District. However, the adopted strategy is not meeting the local housing needs of the area. The development plan is failing to meet paragraph 61 of the Framework which sets out the Government's objective of significantly boosting the supply of homes and ensuring a sufficient amount of land can come forward. As such, conflict with these policies, in relation to the siting outside of a settlement boundary, only carries very limited weight against the proposal.
18. However, the appeal proposal would create a car-dependent dwelling owing to the principle of its location. There would be no opportunity to maximise sustainable transport solutions, even accounting for the flexibility for rural areas recognised by paragraph 110 of the Framework. Paragraph 115 of the Framework sets out it should be ensured that sustainable transport modes are prioritised accounting for the vision for the site, type of development and location. Paragraph 117 seeks to ensure development facilitates access to high quality public transport. Therefore, Policy 2 of the HDPF is consistent with the Framework. On this basis, the conflict with Policy 2 in this regard carries significant weight against the proposal.
19. The proposal would therefore conflict with the development plan as a whole, and the abovementioned paragraphs of the Framework.
20. The Government's objective is to significantly boost the supply of housing, including through small and medium schemes. The proposal would contribute one self-build dwelling which would count towards both the Council's supplies of housing land and self-build plots on a site which falls within the definition of previously developed land. It would also lead to a small and time limited economic benefit during the construction phase, as well as some limited economic benefits resulting from the spend of future occupiers within the wider district. However,

given the small scale of the proposal, these benefits would at most attract limited positive weight in favour of the development.

21. Overall, the adverse effects of granting planning permission would significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework as a whole. Therefore, the presumption in favour of sustainable development would not apply.

Conclusion

22. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. Therefore, for the reasons given above, I conclude that the appeal should be dismissed.

C Housden

INSPECTOR

Rob Gifford Von Schiller
GvS Raven Estate Ltd
5 Secretary's Lane
Gibraltar
G11 1AA

Application Number: DC/25/1520

TOWN & COUNTRY PLANNING ACT, 1990 (as amended)
TOWN & COUNTRY PLANNING (Development Management Procedure) (England) Order 2015
TOWN & COUNTRY PLANNING (Permission in Principle) (Amendment) Order 2017

On behalf of: Mr Neil Ossbourne

In pursuance of their powers under the above-mentioned Act and Order, the Council hereby REFUSE to permit the works specified hereunder, that is to say:

**Permission in Principle for 1no. self build dwelling on previously developed land at
Dunnocks.**

Dunnocks Emms Lane Brooks Green Horsham

as shown on Plan and Application Number DC/25/1520 submitted to the Council on 23/09/2025. The reasons for the Council's decision to refuse to permit the above works are specified hereunder.

- 1 The proposed development is located in the countryside, outside of any defined built-up area boundary, on a site not allocated for development within the Horsham District Planning Framework. The proposed development would be contrary to the overarching strategy and hierarchy approach of concentrating development within the main settlements of the District and would create new dwellings remote from day to day services and which are not essential to their countryside location. There are no material considerations that outweigh the conflict with the spatial strategy and the policies within the Development Plan. Consequently, the proposal represents unsustainable development contrary to policies 1, 2, 3, 4 and 26 of the Horsham District Planning Framework (2015).

Schedule of plans/documents:

Plan Type	Description	Drawing Number	Received Date
Supporting Docs	Watercube Specification	NONE	15.09.2025
Supporting Docs	Watercube Details	NONE	15.09.2025
Supporting Statement	Planning	NONE	15.09.2025
Supporting Statement	Water Neutrality	NONE	15.09.2025
Elevation & Floor plan	Proposed	25/74/1	15.09.2025
Block plan		25/74/2	15.09.2025
Location plan		25/74/3	15.09.2025

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.



Emma Parkes
Head of Development and Building Control

Date: 02/12/2025

ADDITIONAL INFORMATION**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>.



DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/25/1520

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

DESCRIPTION:

Permission in Principle for 1no. self build dwelling on previously developed land at Dunnocks.

RELEVANT PLANNING HISTORY:

DC/19/1849	Erection of 2.No three bedroom semi-detached dwellings, associated parking and garages with the creation of new access onto Coolham Road	Application Refused on 05.11.2019
------------	--	-----------------------------------

DESCRIPTION OF THE SITE

The application site is located to the west of Coolham Road and the south of Emms Lane, outside of any defined built-up area boundary. The site is surrounded by residential development comprising a mix of two storey dwellings and chalet bungalows, most of which are set back from the public highway. The neighbouring properties of Dunnocks and Little Dunnocks are positioned approximately 40m to the north of the site, with the neighbouring property of Sunnydell positioned approximately 25m to the south. The site is bound by mature trees and hedging to the south and east, and closeboarded fencing to the west, with the wider locality characterised by open countryside.

DESCRIPTION OF THE APPLICATION

The application seeks permission in principle for one dwelling which would be positioned to the south of the existing dwellinghouse known as Dunnocks within the garden. The dwellinghouse would have a chalet style bungalow with three dormers on the northern elevation and one to the rear, with a significant amount of glazing to the rear. The proposal would appear to be in red facing brick, with tiled roof to match Dunnocks. The width of the proposal would be 13 metres according to the floor plans, although this appears to be at odds with the elevations which appear as 16 metres in width. The height would be approximately 6.65 metres in height and would have four bedrooms. The block plan provides an indicative layout with courtyard and a detached garage.

RELEVANT PLANNING POLICIES

The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (2015):

Policy 1 - Strategic Policy: Sustainable Development

Policy 2 - Strategic Policy: Strategic Development

Policy 3 - Strategic Policy: Development Hierarchy

Policy 4 - Strategic Policy: Settlement Expansion

Policy 15 - Strategic Policy: Housing Provision

Policy 16 - Strategic Policy: Meeting Local Housing Needs

Policy 17 - Exceptions Housing Schemes

Policy 24 - Strategic Policy: Environmental Protection

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 39 - Strategic Policy: Infrastructure Provision
Policy 40 - Sustainable Transport
Policy 41 – Parking

Shipley Parish council Neighbourhood plan 2019-2031

HD1: New Housing development

HD3: High quality design

Shipley Parish Design Statement

Paragraph 33 of the NPPF requires that all development plans complete their reviews no later than 5 years from their adoption. Horsham District Council is currently in the process of reviewing its development plan however at this stage the emerging policies carry only limited weight in decision making. As the HDPF is now over 5 years old, the most important policies for the determination of this application must be considered as to whether they are 'out of date' (NPPF paragraph 11d). This includes, for applications involving the provision of housing, whether the Council can demonstrate a five year supply of deliverable housing sites (NPPF footnote 8).

The Council is currently unable to demonstrate a five year supply of deliverable housing sites, with the supply currently calculated as being 1 years. The presumption in favour of development within Paragraph 11d) of the NPPF therefore applies in the consideration of all applications for housing development within the District (unless footnote 7 or Paragraph 14 applies to relevant applications), with Policies 2, 4, 15 and 26 now carrying only moderate weight in decision making.

All other policies within the HDPF as itemised above have been assessed against the NPPF and are considered to be consistent such that they continue to attract significant weight in decision making.

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

Strategic Policy 1: Sustainable Development
Strategic Policy 2: Development Hierarchy
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 23: Infrastructure Provision
Strategic Policy 24: Sustainable Transport
Policy 25: Parking
Strategic Policy 37: Housing Provision
Strategic Policy 38: Meeting Local Housing Needs
Policy 39: Affordable Housing
Policy 40: Improving Housing Standards in the District
Policy 41: Rural Exception Homes

Planning Advice Notes:

Facilitating Appropriate Development

REPRESENTATIONS AND CONSULTATIONS RESPONSES

Where consultation responses 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 www.horsham.gov.uk

Consultations:

Natural England: Standing Advice issued.

WSCC Highways: The LHA is limited in its ability to comment on an application for permission in principle. 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.

Southern water: insufficient information has been submitted in respect of the means of foul / surface water drainage.

Representations:

One representation was received, objecting to the application for the following reasons: -

- Highway Access and Parking
- Loss of General Amenity, obtrusive appearance
- Precedent set for further development
- Overdevelopment
- Privacy Light and Noise

Parish Comments:

Parish Council: Support.

Member Comments:

None received

HUMAN RIGHTS AND EQUALITY:

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.

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.

PLANNING ASSESSMENT:

Background:

The planning application, ref: DC/19/1849, was refused for the following reason: -

"The proposed development is located in the countryside, outside of any defined built-up area boundary, on a site not allocated for development within the Horsham District Planning Framework. The proposed development would be contrary to the overarching strategy and hierarchy approach of concentrating development within the main settlements of the District and would create new dwellings remote from day to day services and which are not essential to their countryside location. There are no material

considerations that outweigh the conflict with the spatial strategy and the policies within the Development Plan. Consequently, the proposal represents unsustainable development contrary to policies 1, 2, 3, 4 and 26 of the Horsham District Planning Framework (2015)."

This decision was subject to an appeal which was dismissed (ref: APP/Z3825/W/20/3247741). In dismissing the appeal, the Inspector noted: -

- Brooks Green is some distance from the nearest settlement with a defined built-up area boundary. Given its lack of facilities and the narrow, unlit rural roads between the site and the nearest villages, future residents would be highly dependent on a car to go about their day-to-day lives and access the services and facilities that they need.
- The site is in the countryside where Policy 26 of the HDPF only permits development which requires a countryside location and meets one of four specific needs. It is not suggested that the scheme would meet any of these requirements.
- The appeal site is not a suitable location for a residential development. The proposal conflicts with Policies 2, 3, 4 and 26 of the HDPF. It is therefore not a sustainable development and would also be contrary to Policy 1 of the HDPF and the Framework's approach to the location of housing.

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.

The scope of the Permission in Principle application (being the first stage) is limited to location, land use, and amount of development.

Location:

The proposal seeks permission in principle for 1 dwelling. The proposal would be within the curtilage of a dwellinghouse and would entail the creation of a new access to the south of the existing. The application site is located outside of a defined built-up area and is therefore within the countryside in policy terms. The site is not allocated for development within the Local Plan or within a made Neighbourhood Plan.

Policy 2 of the HDPF sets out the main growth strategy, focusing development in the main settlements. The HDPF outlines that the proposed settlement hierarchy is the most sustainable approach to delivering housing; where new development is focused in the larger settlements of Horsham, Southwater and Billingshurst; and limited new development is directed elsewhere, and only where it accords with an adopted Neighbourhood Plan. Specifically, Policy 3 of the HDPF seeks to retain the existing settlement pattern and ensure that development takes place in the most sustainable locations as possible.

Policy 4 of the HDPF refers to the expansion of settlements outside the built-up area, and states that such development is only supported where: the site is allocated in the Local Plan or in a Neighbourhood Plan and adjoins an existing settlement edge; the level of expansion is appropriate to the scale and function of the settlement type; the development is demonstrated to meet the identified local housing needs; the impact of development individually or cumulatively does not prejudice comprehensive long term development; and the development is contained within an existing defensible boundary and the landscape and townscape character features are maintained and enhanced.

Policies Ship HD1 and Ship HD2 set out a series of criteria that all such proposals must meet. The appeal scheme would not deliver affordable housing and would therefore not comply with all the requirements of Policy Ship HD1. The provision of 1 large market homes would make a small

contribution to rebalancing the Parish's housing. However, Policy Ship HD2 only permits market housing as part of a scheme that also provides affordable housing. The proposal therefore does not accord with the SNP.

The site is remote from locally based services and future occupants would likely be reliant on car travel, such that the additional housing would be unlikely to enhance or maintain the vitality of the rural community. As the site is located outside of any defined built-up area boundary, Policies 3 and 4 of the HDPF are of significant weight in the determination of the application. As stated within Policy 3 of the HDPF, development will be permitted within towns and villages that have defined built-up areas; with development in the countryside more strictly controlled through the provisions of Policy 4. This policy states that development outside of built-up areas will only be supported where the site is allocated in the Local Plan or in a Neighbourhood Plan and adjoins a settlement edge.

The application site is located outside of the built-up area boundary and has not been allocated for development within the Ashington Neighbourhood Plan. The development would therefore fail to accord with the above policies and the approach to housing provision within the District. In addition, the proposal would not meet any of the exceptions as identified within Policy 26 of the HDPF. The proposal would not therefore provide a suitable location for housing with regard to the spatial strategy within the Development Plan.

It is recognised that the proposed development would contribute to the identified housing need. The benefit to the Council's housing land supply would though be a limited contribution given the number of dwellings proposed when considered in the planning balance and would not outweigh the conflict identified with Policies 2, 3, 4, and 26 of the Horsham District Planning Framework (2015).

As the Council has been unable to meet its housing land supply targets within the parameters of the existing development plan policies it has issued a 'Shaping development in Horsham District' document, which sets out an approach to boosting the supply of housing. In particular, unallocated sites outside but adjoining built up area boundaries can be supported, subject to meeting certain criteria, which include: -

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

The proposal would not accord with the above criteria and would therefore not be in accordance to the "Shaping development in Horsham District" document. The proposed dwelling would be remote from day-to-day services, where the provision of market housing in this location, not linked to a rural use, would be contrary to Policy 26 of the HDPF and would not be in accordance with the overarching spatial strategy for development as set out in Policies 3 and 4 of the HDPF. In addition, the constraints of the site in respect of accessibility and the reliance on private vehicles (to access surrounding settlements and services) identified as part of the preceding appeal decision remain.

It is therefore considered that the principle of the proposed development within the countryside is contrary to the overarching spatial strategy and principles of the National Planning Policy Framework and Local Development Plan. The appropriate degree of weight to be assigned to conflict with these policies as above is considered further below.

It is noted that the planning statement states that the land should be considered 'grey belt'. There is though no green belt within the Horsham District and the application site could not meet the definition of grey belt. In respect of the reference to the site being previously developed, this would not overcome the policy conflict identified above.

Land Use and amount of development:

Policies 25, 32, and 33 of the HDPF promote development that protects, conserves, and enhances the landscape character from inappropriate development. Proposal should take into account landscape characteristics, with development seeking to provide an attractive, functional and accessible environment that complements the locally distinctive character of the district. Buildings should contribute to a sense of place, and should be of a scale, massing, and appearance that is of a high standard or design and layout which relates sympathetically to the landscape and built surroundings.

The character of the area is informal, rural and has a sporadic build pattern. The proposal would result in the addition of built form that would suburbanise its plot, with the current character being unaltered and rural in appearance. The scale of the dwelling would be excessive given its proximity to the streetscene and would be excessive for the amount of land within the plot when compared to the neighbouring dwelling and those along this side of the road. The perception and visual massing of both of the dwellings when considered within this context, particularly when considering the limited spacing would therefore contrast and juxtapose the build pattern of the wider surroundings.

As outlined above, residential development within the countryside location, on a site not allocated for development within the Local Plan or Neighbourhood Plan, would be contrary to the overarching spatial strategy expressed through Policies 3 and 4 of the HDPF. Whilst the amount of development is only for one dwellinghouse, given the constrained plot when compared to those of the surrounding development would be cramped, having a detached garage and an L-shaped dwelling that would create a visually prominent form of development from the road that would be uncharacteristic for the rural locality compared to what exists there within the site now.

Water Neutrality:

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.

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.

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.

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.

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.

Biodiversity Net Gain:

Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) mandates that every development must achieve at least a 10% Biodiversity Net Gain (BNG) unless the development qualifies as exempt under the Biodiversity Gain Requirements (Exemptions) Regulations 2024.

As no biodiversity net gain plan has been provided, it has not been possible to confirm whether the proposed development is exempt from the requirement to achieve a minimum 10% BNG. If the application were to be approved, this information would be requested as BNG would be required for a positive recommendation.

Conclusions and Planning Balance:

The Council are currently unable to demonstrate a five-year housing land supply. The Authority Monitoring Report (April 2025) confirms that the District has a supply of only around one year, significantly below the requirement. In accordance with paragraph 11(d) of the National Planning Policy Framework (NPPF), the presumption in favour of sustainable development is therefore engaged. This means that permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the NPPF as a whole.

The Council's Facilitating Appropriate Development (FAD) guidance provides criteria for assessing proposals on unallocated sites outside BUABs in the context of the housing shortfall. These include that developments should adjoin the settlement edge, be proportionate to the scale and function of the settlement, address identified local housing needs, avoid prejudicing long-term comprehensive development, and be contained within a defensible boundary while maintaining and enhancing landscape character.

The site forms part of Brooks Green, a small cluster of dwellings which do not benefit from any services or facilities with residents entirely reliant on the car to meet their day-to-day needs. As a result of this location the proposal does not meet the relevant criteria of the SDPAN.

The site lies outside of any settlement boundary and the principle of residential development in this countryside location conflicts with the adopted spatial strategy. While the delivery of an additional (self-build) dwelling would contribute to meeting identified housing need, this benefit would only be modest. While the Council cannot currently demonstrate a five-year housing land supply and the tilted balance is engaged, the proposed development would conflict with the adopted spatial strategy and result in adverse impacts, including the ensuing reliance of private vehicles, that would significantly and demonstrably outweigh the limited benefits of delivering the proposed dwelling in this location. The benefits of the development would not be considered to outweigh the identified harm and the proposal does not represent sustainable development, when assessed against the Horsham District Planning Framework and the NPPF, and is recommended for refusal.

Recommendation: Application Refused

Reason(s) for Refusal:

- 1 The proposed development is located in the countryside, outside of any defined built-up area boundary, on a site not allocated for development within the Horsham District Planning Framework. The proposed development would be contrary to the overarching strategy and hierarchy approach of concentrating development within the main settlements of the District and would create new dwellings remote from day to day services and which are not essential to their

countryside location. There are no material considerations that outweigh the conflict with the spatial strategy and the policies within the Development Plan. Consequently, the proposal represents unsustainable development contrary to policies 1, 2, 3, 4 and 26 of the Horsham District Planning Framework (2015) and the National Planning Policy Framework.

POSITIVE AND PROACTIVE STATEMENT

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.

Plans list for: DC/25/1520

(The approved plans will form Condition 1 on the Decision Notice of all Permitted applications)

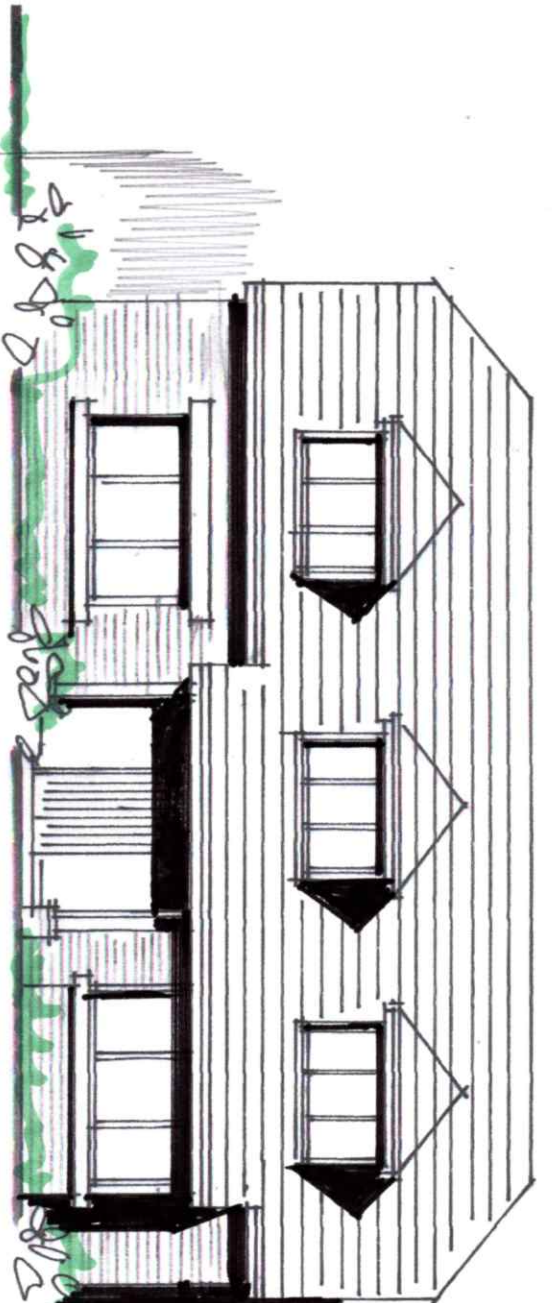
Schedule of plans/documents **not approved**:

Plan Type	Description	Drawing Number	Received Date
Supporting Docs	Watercube Specification	NONE	15.09.2025
Supporting Docs	Watercube Details	NONE	15.09.2025
Supporting Statement	Planning	NONE	15.09.2025
Supporting Statement	Water Neutrality	NONE	15.09.2025
Elevation & Floor plan	Proposed	25/74/1	15.09.2025
Block plan		25/74/2	15.09.2025
Location plan		25/74/3	15.09.2025

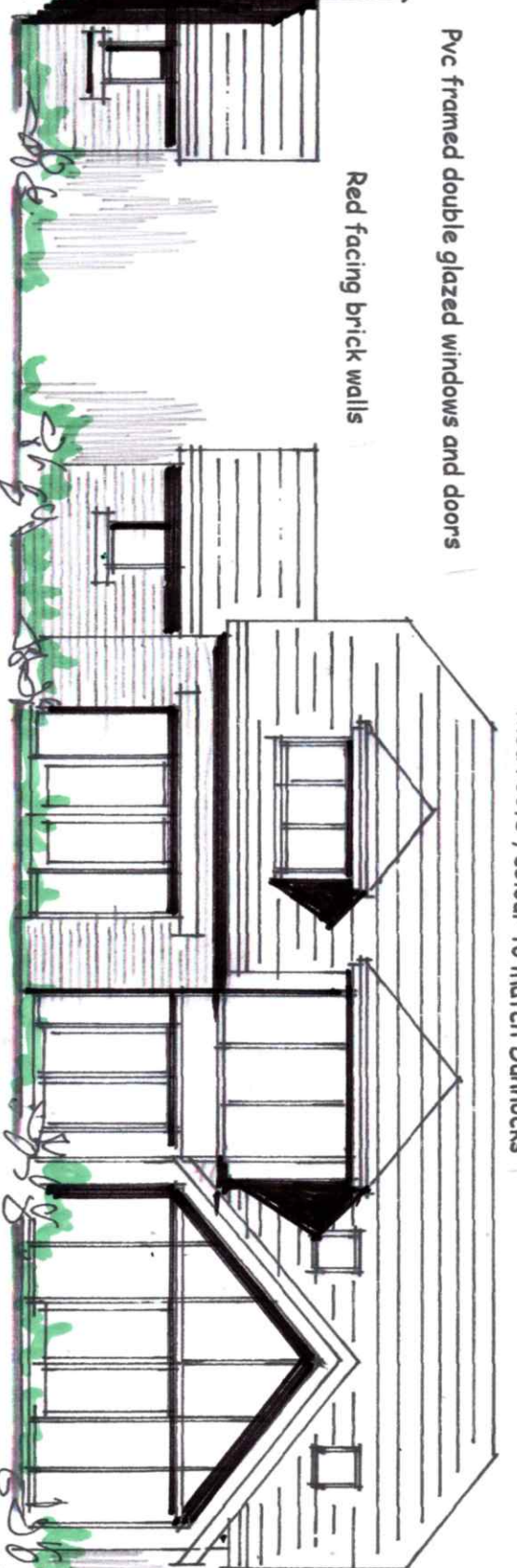
DELEGATED

Authorising Officer sign/initial Guy Everest

Date: 02.12.2025



Front Elevation - north



Rear Elevation - south

Pvc framed double glazed windows and doors

Red facing brick walls

tilled roofs, colour to match Durnocks

details for illustrative purposes

Planning Drawing

David Liversidge design

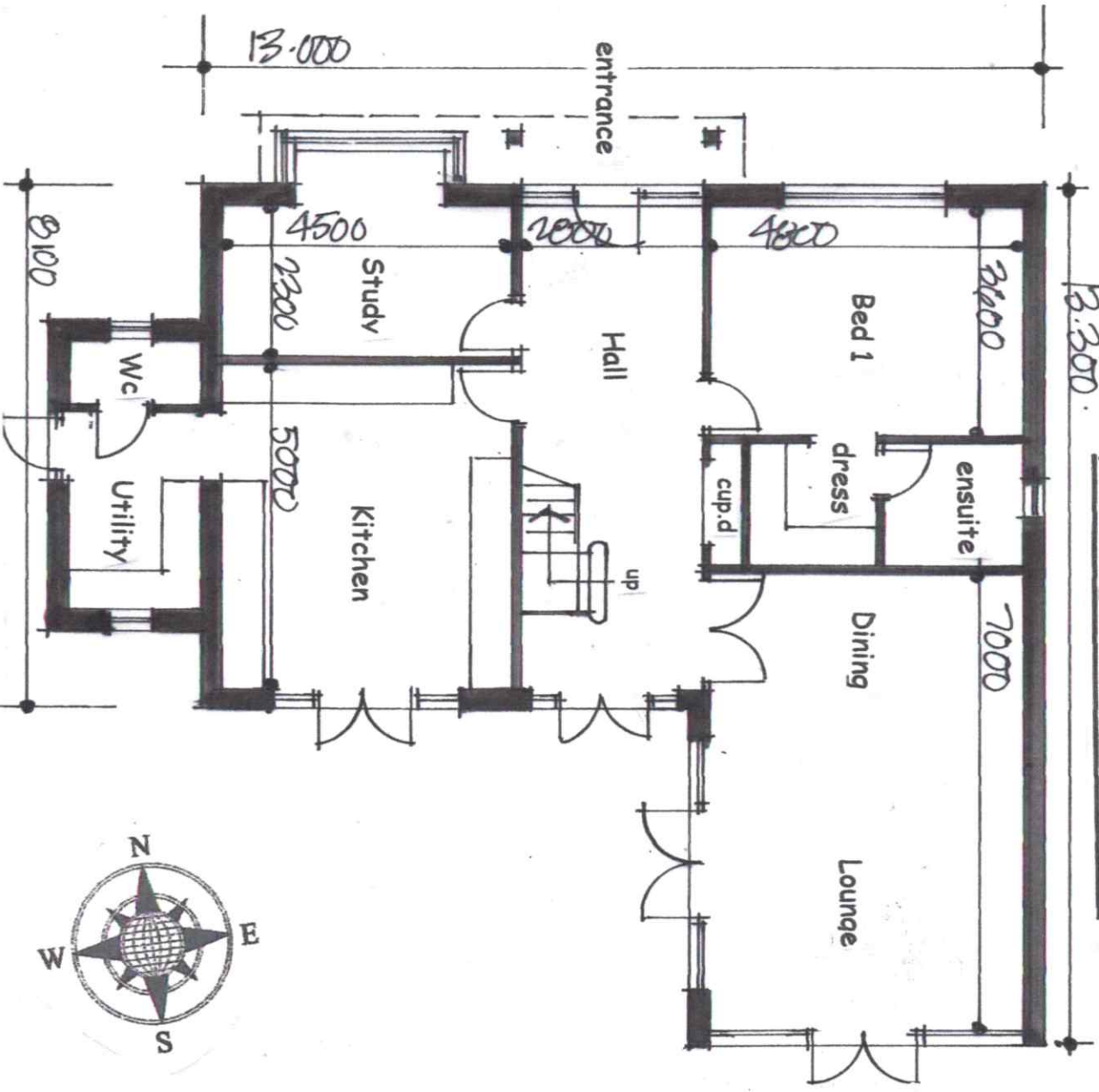
Architecture and Planning
259 Rossendale Road, Burnley, Lancs. BB11 5BZ
and at Haywards Heath, West Sussex, RH16 4DZ
07977 463 496
davidliversidge01@gmail.com

Proposed Dwelling
PIP APPLICATION

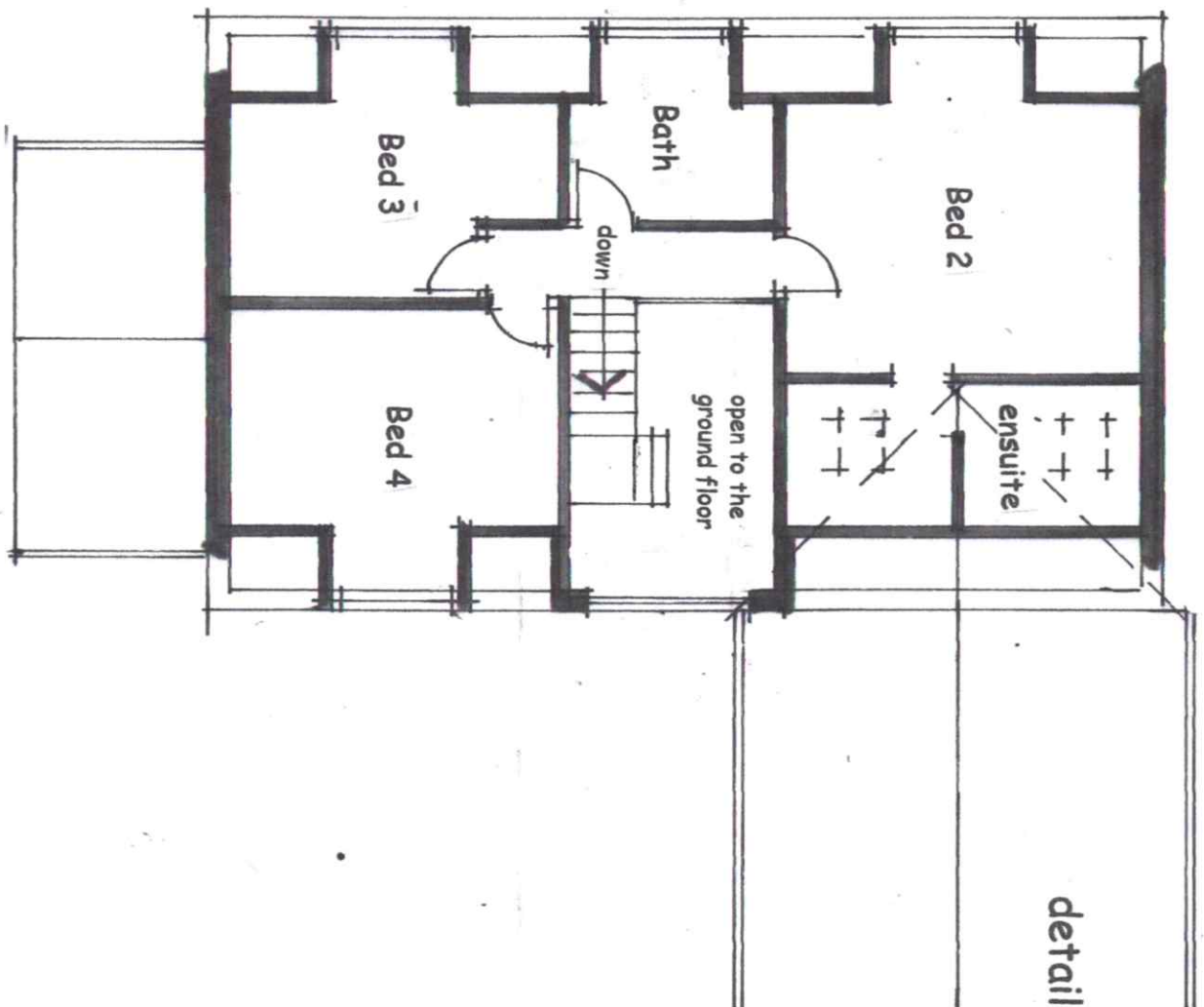
Durnocks, Emms Lane Brooks Green,
Horsham, West Sussex, RH13 0TR
for Mr. and Mrs. Osbourne

scale: 1/100th @ A3 drawing no
date: Sept. 2025 25/74/1

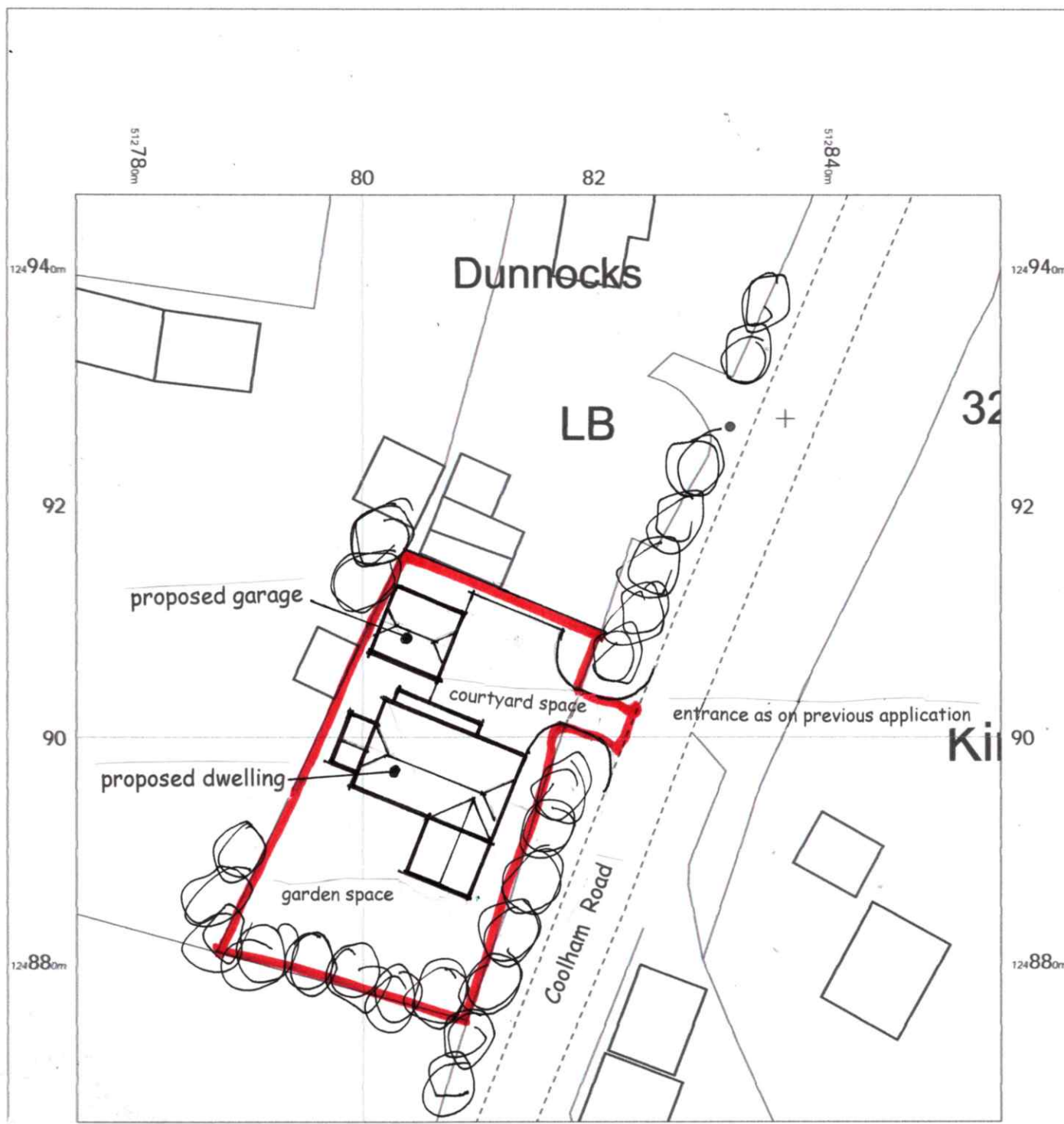
Rural Regeneration
planning and development consultants
Robert Schiller BA (Land Eon) FRIAC
07639 687 790
rtb.avs@gmail.com



Ground Floor Plan



First Floor Plan



Application site area of some 0.13 ha



SCALE 1:500



OS MasterMap 1250/2500/10000 scale
Friday, September 5, 2025, ID: MPMBW-01240155
www.blackwellmapping.co.uk

1:500 scale print at A4, Centre: 512815 E, 124907 N

©Crown Copyright Ordnance Survey. Licence no.
100041041

David Liversidge design

● ● ● ● ● ● ● ● ● ●
Architecture and Planning
259 Rossendale Road, Burnley, Lancs. BB11 5BZ
and at Haywards Heath, West Sussex, RH16 4DZ

☎ **07977 463 496**
✉ davidliversidge01@gmail.com

Proposed Dwelling
PIP APPLICATION
BLOCK PLAN/SITE PLAN

Dunnocks, Emms Lane, Brooks Green,
Horsham, West Sussex, RH13 0TR
for Mr. and Mrs. Osbourne

scale: 1/500th @A4

date: Sept. 2025

drawing no

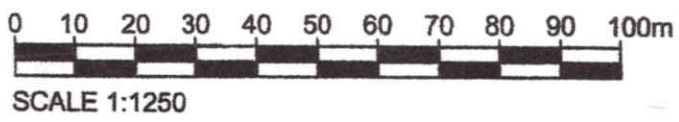
25/74/2



Promap
LANDMARK INFORMATION

© Crown Copyright and database rights 2025. OS AC0000813445
Plotted Scale - 1:1250. Paper Size - A4

Application site area of some 0.075 ha



Proposed Dwelling
PIP APPLICATION
LOCATION PLAN

Dunnocks, Emms Lane, Brooks Green,
Horsham, West Sussex, RH13 0TR
for Mr. and Mrs. Osbourne

scale: 1/1250th @A4

date: Sept. 2025

drawing no

25/74/3