

Appeal against refusal of application DC/25/1371

Use of land for the stationing of 2 static caravans for residential purposes and associated day rooms. Erection of stable building and formation of hardstanding (retrospective). Associated landscape works including planting of native hedges and removal of hardstanding and American barn

Land West of Parsons Field Stables, Pickhurst Lane, Pulborough, West Sussex, RH20 1DA

July 2026

Introduction

The appeal is made against refusal to grant planning permission under application DC/25/1371 for the use of land for the stationing of 2 static caravans for residential purposes and associated day rooms. Erection of stable building and formation of hardstanding (retrospective). Associated landscape works including planting of native hedges and removal of hardstanding and American barn

An application was submitted on 26th August 2025.

The application was recommended for approval (subject to conditions) but was determined by planning committee on the 19th May 2026 and was refused against Officer advice.

The reason for refusal was

The proposed development has a significant adverse impact, and the proposed mitigation will not address the significant harm to the landscape in this location that is contiguous to the South Downs National Park, contrary to policies 23, 25, 30 and 33 of the Horsham District Planning Framework (2015).

The decision notice was issued on 29th June 2026

Location and context of neighbouring land

The site amounts to approximately 0.6 hectares and is located to the south of Pickhurst Lane.

The site to the immediate east benefits from planning permission for the change of use of land for stationing of up to 3 caravans for occupation by Gypsy and Traveller family with associated development (timber utility shed, utility trailer, septic tank, hard standing and additional landscaping)

This was granted at appeal under reference APP/Z3825/W/20/3246486

This appeal was following refusal of application DC/19/2105, dated 15 October 2019, which was refused by notice dated 31 January 2020.

The application sought to extend a planning permission Ref DC/16/2388 (the original permission), dated 18 January 2017 which granted consent by way of condition for a limited period up to 31 December 2019.

A further 2 pitches on this adjacent site were recently permitted under application DC/24/0256

The appeal site, which is located to the west of the above approved development, is enclosed by established hedging to its western and southern boundaries as well as an established hedgerow to the northern boundary with Pickhurst Lane albeit part of this was removed to allow access for construction works which have taken place. This hedgerow has now been reestablished.

Public Right of Way 1983/2 runs along the western boundary of the site and is separated from the appeal site by woodland. To the west of the Public Right of Way is the boundary of the South Downs National Park.

The surrounding area is characterised by sporadic development, comprising residential, agricultural, commercial and equestrian developments.

The site is well screened from the road and neighbouring fields by mature hedgerows and trees.

The Proposal

The proposal, which is in part retrospective, is for the use of the land for the stationing of 2 static caravans for residential purposes for a gypsy traveller family, together with the formation of hardstanding and associated landscaping.

The plans include space for the stationing of a touring caravan for each pitch. The plans also include parking for 2 cars for each pitch and a bike and bin store, a day room / utility building.

The application also includes the erection of a small three bay stable building.

Associated landscape works are also proposed including the planting of native hedges and removal of hardstanding which has not yet been carried out but are proposed to be undertaken.

The application also proposes the removal of a large American Barn on the western side of the site.

An application for a similar development was refused under application DC/25/0317.

The reasons for refusal stated were:

1. *Insufficient information has been provided to demonstrate with a sufficient degree of certainty that the development would not contribute to an existing adverse effect upon the integrity of the internationally designated Arun Valley Special Area of Conservation, Special Protection Area and Ramsar sites by way of increased water abstraction, contrary to Policy 31 of the Horsham District Planning Framework (2015) and the National Planning Policy Framework (2024), thus the Local Planning Authority is unable to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority Habitats & Species).*
2. *It has not been demonstrated to the satisfaction of the Local Planning Authority that the proposal would not result in an adverse visual and/or landscape impact, or cause harm to the semi-rural character and setting of the site, with particular reference to the laying of hardstanding and removal of hedgerow and impact on adjacent woodland. The development is therefore contrary to Policies 23, 25 and 33 of the Horsham District Planning Framework (2015).*
3. *Insufficient information has been submitted to establish the protection of the ecological and biodiversity interests of the site and whether suitable mitigations or enhancements are necessary and achievable, contrary to Policy 31 of the Horsham District Planning Framework (2015).*

The resubmitted application, now the subject of the appeal, sought to address the previous reasons for refusal through a number of amendments to the scheme as well as through the provision of further supporting information.

In addition the issue of water neutrality was no longer a live issue at the time of the resubmission and so this issue fell away.

Rebuttal

The reason for refusal solely relates to the effect on the rural character of the countryside location

The following addresses the issue directly with reference to the Officer Report.

This should be read in conjunction with the documents submitted with the original planning submission.

Firstly, it should be noted that this application follows a previous refusal which was deemed unacceptable for a number of reasons, those reasons were suitably addressed in the resubmission leaving only the landscape impact which required further consideration.

The applicant worked extensively with the LPA to agree changes to the scheme to make it acceptable.

The resubmitted application, now the subject of the appeal, sought to address the previous reasons for refusal through a number of amendments to the scheme as well as through the provision of further supporting information.

This included:

- Removal of the hardstanding to the west of the site
- Removal of the American barn to the west of the site
- Changes to the fencing along the western boundary
- Further native planting to the west and north of the site
- Further ecology information and mitigation measures

The substantial changes are illustrated in drawing 2507PI_R1_001 submitted with the application. An excerpt of which is below



The landscape Architect in their formal consultation response stated:

Welcome the removal of hardstanding and built structures along the western boundary is welcomed and the scheme is now considered to be more appropriate and overall sensitive to the location.

On the issue of landscape impact, the Case Officer concluded in their report that

The previous application (which reflects the current position on site) was considered to be contrary to policies 23(e), 25 and 33 of the HDPF, by virtue of the inappropriate close-boarded fencing, the amount of hardstanding, the number of buildings and the lack of/ loss of native species hedging.

It is considered that the proposed amendments on site, to be implemented within 6 months of a planning decision, would be sufficient to overcome these concerns such that, on balance, officers recommend that it has been demonstrated that the proposal would not result in an unacceptably adverse visual and/or landscape impact, or cause harm to the semi-rural character and setting of the site.

In the absence of any other identified negative impacts the Case Officer overall concluded that:

The Council cannot currently demonstrate a five-year land supply for gypsy sites, and at present there remains an identified undersupply of available sites within the District.

Paragraph 11(d) of the NPPF states that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, planning permission should be granted unless the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or 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. In this context it is recognised that the proposal would go some way to addressing the identified need. This is a material consideration of significant weight in the overall planning balance.

Officers have considered the previous reasons for refusal and advise that the submitted plans would, on balance, result in a scheme that is acceptable in landscape, amenity and ecological terms. The current layout of the site is considered to be overdeveloped by hardstanding and buildings, creating a suburban site inappropriate in landscape terms for this location, however subject to appropriately worded conditions that ensure the removal of harmful hardstanding, suburban fencing and the large American barn, as well as the replacement of the remaining hardstanding with permeable materials and the planting of native hedgerow to the southern and western boundaries and adjacent to the entrance, the proposal is considered acceptable. The application is recommended for approval accordingly.

The application was determined at Planning Committee and despite the positive recommendation for approval Members chose to refuse the application. The reason stated as:

The proposed development has a significant adverse impact, and the proposed mitigation will not address the significant harm to the landscape in this location that is contiguous to the South Downs National Park, contrary to policies 23, 25, 30 and 33 of the Horsham District Planning Framework (2015).

Landscape impacts

The starting point must be that the likely location of any new Gypsy Traveller site in Horsham will be in the Countryside. The PPTS accepts that gypsy sites will be in the countryside.

Simply because a site is within the countryside is not an automatic assumption that it will be harmful to the character of the area. Each site must be assessed for landscape sensitivity and the impact of the proposal must be considered.

The appeal site has no statutory or local landscape designation, it is not within the Green Belt and is not a National Landscape or National Park. The appeal site is therefore exactly the type of area in which Gypsy Traveller sites are likely to be found.

The application site is well screened on all boundaries and is not readily visible from Stall House Lane or any residential properties. It would not impact the amenity of local properties, none of which are adjacent to the site.

The site lies in the South Low Weald (LW5) and Billingshurst and North Heath Farmlands (J1) local character areas identified in the Landscape Character Assessment of West Sussex (2003) and Horsham Landscape Character Assessment (2003)

Key characteristics include remote rural character, winding lanes linking scattered farmsteads, small to medium fields, hedgerow enclosure, woodland blocks and copses, mature field trees and undeveloped character. The appeal site is representative of those landscape characteristics

Policy 25 of the Horsham District Planning Framework (HDPF) seeks to ensure that the natural environment and landscape character of the District, including the landscape, landform and development pattern is protected against inappropriate development.

Policy 26 of the HDPF seeks to protect the rural character and undeveloped nature of the countryside against inappropriate development. It requires development proposals to be essential to its countryside location, enable the sustainable development of rural areas and be of a scale appropriate to its countryside character and location.

Policy 23 of the HDPF sets out the criteria to be taken into consideration when determining any planning application for Gypsy and Travellers for non-allocated sites. Criteria (e) requires the development to not have an unacceptable impact on the character and appearance of the landscape and the amenity of neighbouring properties, and to be sensitively designed to mitigate any impact on its surroundings.

Caravan sites such as this are a form of development that are often found in the rural area, and the Planning Policy for Traveller Sites, December 2024 (PPTS) makes it clear that such sites for Gypsy and travellers can be acceptable in the countryside.

Whilst any form of development will result in some change to the character of a site, the changes proposed with the revised scheme are not considered to be harmful.

This was clearly the conclusion of the professional Landscape Architect in their formal consultation response who stated:

Welcome the removal of hardstanding and built structures along the western boundary is welcomed and the scheme is now considered to be more appropriate and overall sensitive to the location.

The Case Officer clearly drew the same conclusions

It is considered that the proposed amendments on site, to be implemented within 6 months of a planning decision, would be sufficient to overcome [previous] concerns such that, on balance, officers recommend that it has been demonstrated that the proposal would not result in an unacceptably adverse visual and/or landscape impact, or cause harm to the semi-rural character and setting of the site.

It is clear therefore that the Landscape Architect and Case Officer had judged the development to be capable of being acceptable in landscape terms and that conditions would be sufficient to ensure this.

Strategic Policy 23: Gypsy and Traveller Accommodation states that any planning applications for non-allocated sites must not have an **unacceptable impact** on the character and appearance of the landscape and the amenity of neighbouring properties, and is sensitively designed to mitigate any impact on its surroundings. (our underlining added)

The proposed plans include significant mitigation to limit any impacts on the surroundings with the hardstanding and barn to the west of the site removed and the existing planting augmented with native species hedging to restrict views from the footpath and lane.

The appellant is happy to accept conditions requiring further details as set out above and to undertake further planting of trees and hedgerows should this be considered necessary.

The resulting impact is limited and certainly could not be considered to meet the threshold of '**unacceptable harm**' as set out in the policy.

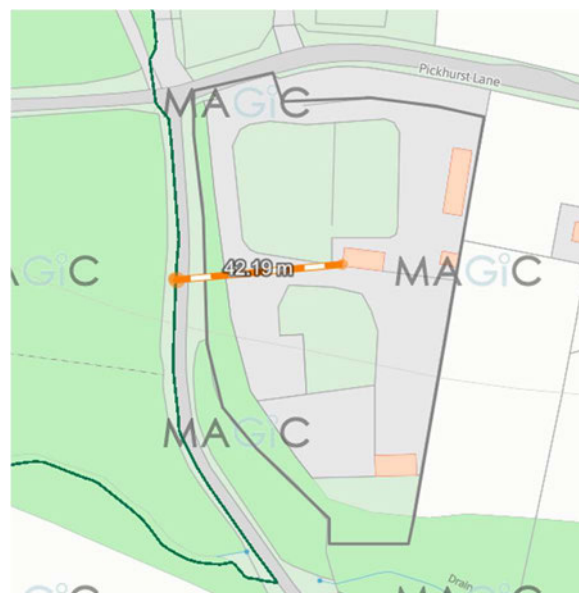
Impact on the South Downs National Park

The boundary of the South Downs National Park is located to the west of the footpath as illustrated in the image below.

It is not, as the reason for refusal suggests, contiguous to the South Downs National Park.



Whilst the South Downs National Park is located some 9m from the boundary of the site, the development is focused to the eastern part of the site and as a result the nearest building would be just over 42m from the boundary of the Park as illustrated below.



The proposed development would not be seen from the National Park due to the intervening distances and the dense hedge and tree line along the western boundary of the site.

Furthermore, there are no Public Rights of Way within the area of National Park to the west of the site and so there are no public views from the National Park in to the site.

Two policies within the adopted Horsham District Planning Framework (2015) refer to the National Park.

Strategic Policy 25 of the Horsham District Planning Framework (2015) states that:

The Natural Environment and landscape character of the District, including the landscape, landform and development pattern, together with protected landscapes and habitats will be protected against inappropriate development.

The Council will support development proposals which:

- 1. Protects, conserves and enhances the landscape and townscape character, taking into account areas identified as being of landscape importance, the individual settlement characteristics, and maintains settlement separation.*
- 2. Maintain and enhances the Green Infrastructure Network and addresses any identified deficiencies in the District.*
- 3. Maintains and enhances the existing network of geological sites and biodiversity, including safeguarding existing designated sites and species, and ensures no net loss of wider biodiversity and provides net gains in biodiversity where possible.*
- 4. Conserve and where possible enhance the setting of the South Downs National Park*

Policy 30 goes on to state:

- 1. The natural beauty and public enjoyment of the High Weald AONB and the adjoining South Downs National Park will be conserved and enhanced and opportunities for the understanding and enjoyment of their special qualities will be promoted. Development proposals will be supported in or close to protected landscapes where it can be demonstrated that there will be no adverse impacts to the natural beauty and public enjoyment of these landscapes as well as any relevant cross boundary linkages.*
- 2. Proposals should have regard to any management plans for these areas and must demonstrate:*
 - a. How the key landscape features or components of natural beauty will be conserved and enhanced. This includes maintaining local distinctiveness, sense of place and setting of the protected landscapes, and if necessary providing mitigation or compensation measures.*
 - b. How the public enjoyment of these landscapes will be retained.*
 - c. How the proposal supports the economy of the protected landscape and will contribute to the social wellbeing of the population who live and work in these areas.*
- 3. In the case of major development proposals in or adjoining protected areas, applicants will also be required to demonstrate why the proposal is in the public interest and what alternatives to the scheme have been considered*

The South Downs National Park Landscape Character Assessment identifies the area of the Park to the west of the site as Landscape Character Type P: Low Weald and describes it as:

The Low Weald comprises a gently undulating lowland vale landscape found on the dense Weald clays that are located in the north of the South Downs. This landscape type forms only a small part of the area known as the Low Weald that extends north and east well beyond the boundary of the South Downs.

The South Downs National Park Landscape Character Assessment identifies the Landscape Area to be P2: Northchapel Basin Low Weald and identifies the key characteristics to be:

- Lowland clay vale enclosed by the rising slopes of the Greensand Hills to the south and west.
- Lighter soils derived from sandstone on the higher ground supports arable farming.
- Intricate mosaic of arable/pasture farmland and deciduous woodland plus areas of parkland and common land.
- Rich in ponds and small streams (although often hidden in the landscape by vegetation) which have carved narrow valleys into the landform, including hammerponds associated with the former Wealden iron industry.
- A heavily wooded landscape with an abundance of ancient woodland and linear strips of remnant woodland along the narrow valley streams.
- Large wooded commons at The Mens and Ebernoe Common supporting important ecological assemblages including ancient semi-natural woodland.
- Medieval deer parks at Lurgashall Park, River Park, and Stag Park, and 19th century parkland landscapes at Petworth and Shillinglee, add to the historic time depth of the landscape.
- High density of dispersed settlement typically comprising isolated farmsteads of medieval origin.
- Villages, for example Lurgashall and Hampers Green, represent modern infill around an original dispersed medieval core.
- Restricted views due to woodland cover but, where woodland permits, the Greensand Hills form a strong backdrop.

The document also identifies the key sensitivities in this area to be:

1. The former hammer ponds, associated with the former Wealden iron industry, and wetlands including Shillinglee Lake SSSI.
2. The occasional areas of marshy grassland and semi improved grassland which are high biodiversity interest, for example at Old Orchard Meadows LWS and Furnace Meadow LWS.
3. The areas of wooded common land and ancient wood pasture at The Mens and Ebernoe Common which are of significant ecological value.
4. The former medieval deer parks - Petworth Park, Lurgashall Park, River Park, and Stag Park.
5. The 18th century designed landscapes at Petworth and Shillinglee
6. The sense of rural tranquillity that is already affected by the A283 and electricity pylons.
7. Views of the area from viewpoints in the adjacent Blackdown to Petworth Greensand Hills.

None of these characteristics or sensitivities are impact by the development.

Policy 25 requires that development conserve and where possible enhance the setting of the South Downs National Park.

Policy 30 similarly requires that the natural beauty and public enjoyment of the adjoining South Downs National Park will be conserved and enhanced.

It goes on to state that development proposals will be supported in or close to protected landscapes where it can be demonstrated that there will be no adverse impacts to the natural beauty and public enjoyment of these landscapes as well as any relevant cross boundary linkages.

The key characteristics of the Park are not impacted by the development. There is no impact on the Park itself.

Whilst the Park is in relatively close proximity to the site, the development is well contained within clear established boundaries and as a result has no adverse impact on the setting of the South Downs National Park.

The proposed development therefore has no impact on the landscape character of the South Downs National Park or its setting and is compliant with policies 25 and 30 of the Horsham District Planning Framework (2015)

Identified need for Gypsy Traveller Accommodation

The following sets out the current position on need taken directly from the previous officer report.

The Council has progressed work on an updated Gypsy and Traveller Accommodation Needs Assessment (GTAA) in order to understand the latest position, and to develop an appropriate Gypsy and Traveller Policy as part of the Local Plan Review. In January 2020, the 'Gypsy and Traveller Accommodation Assessment (GTAA) – Final Report' was published. This Report was part of the background evidence base that accompanied the Local Plan Review (Regulation 18) Consultation which ran from February to March 2020. The GTAA Report provides an evidence base for the provision new Gypsy and Traveller pitches and Travelling Showpeople plots for the period 2019 to 2036. The GTAA identifies that there is a need for 93 pitches for Gypsy and Traveller households over the plan period (2019-2036).

The need of 93 pitches for Gypsy Traveller Households stated in the GTAA dated January 2020 has since been updated by Opinion Research Services for Horsham Council and published in December 2023. The update indicates a need between 2023-2040 (the plan period) for 128 pitches. This follows the result of the Lisa Smith Judgement where the Planning Policy for Traveller Sites (PPTS) was updated in December 2023 to revert back to the 2012 PPTS planning definition of a Traveller by reintroducing those who have ceased to travel permanently due to education, ill health, or old age into the definition (now referred to as the 2023 PPTS). This needs assessment provides the most up to date evidence base.

The Council provided an addendum to the Committee report on need stating

To inform the development of Strategic Policy 43 of the submitted Local Plan the Council undertook a Gypsy and Traveller Accommodation Assessment (GTAA, November 2023) and a Targeted Update (September 2024) was also produced in response to changes regarding the PPTS's definition of who is a member of the G&T community for the purposes of planning policy.

Collectively, 50 pitches are identified as being needed for the first five years of the submitted Local Plan (2023-2028) for those who meet the definition and also suggested a further need of 11 pitches for members of the community who it could not be determined whether they met the definition or not.

For the period 01.04.2023 to the present day (as of 06.05.2026), 35 pitches have been permitted / allowed on appeal since the GTAA was undertaken.

It is understood that subsequent to this a further 2 pitches were allowed at appeal and a further 4 pitches have been granted permission at Planning Committee.

Added to the 35 pitches previously permitted this gives a total of 41 pitches granted since 01.04.2023

Against the 50 pitches identified as being needed for the first five years of the submitted Local Plan (2023-2028) that leaves an unmet need of 9 pitches.

If the 11 pitches for members of the community who it could not be determined whether they met the definition are added this unmet need increases to 20 pitches.

Either way, the supply of gypsy and traveller pitches, is demonstrably less than the assessed need and thus the tilted balance would be in effect

Despite the above, the unmet need numbers are disputed and are considered to be greater than stated.

The Gypsy and Traveller Accommodation Assessment 2023 (GTAA), does not reflect the most current national policy definitions of “Traveller” as revised in December 2024.

These changes significantly broaden the scope of who qualifies as a traveller for planning purposes and, as such, materially affect the validity of the GTAA’s conclusions regarding accommodation need.

These updates further expanded the definition to include:

“All other persons with a cultural tradition of nomadism or of living in a caravan...”

This evolution reflects a shift from a mobility-based definition to one that recognises cultural identity and lifestyle, aligning with the principles of the Equality Act 2010 and the findings of Lisa Smith v SSLUHC [2022].

As such, households with a cultural tradition of nomadism or caravan living, but not currently travelling, were likely excluded from the needs calculation, and will result in an underestimation of the true level of need, further exacerbating the on-going failure of the LPA.

The GTAA’s pitch and plot requirements are based on a narrower pool of qualifying households.

As such the stated need is likely an underestimate and the true number is very likely higher.

There is clearly a significant unmet need, and this is reflected in the lack of suitable available land for such sites.

In any case, the Council cannot currently demonstrate a five-year land supply for gypsy sites, and at present there remains an identified undersupply of available sites within the District.

Paragraph 11(d) of the NPPF states that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, planning permission should be granted unless the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or 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.

In this context it is recognised that the proposal would go some way to addressing the identified need.

This is a material consideration of significant weight in the overall planning balance.

Personal Circumstances

The application was accompanied by details of personal circumstances of the occupants.

Whilst this information was requested to be treated in confidence as it included sensitive information there was no mention of the personal circumstances within the Officer Report and Members were therefore not made aware of the personal circumstances.

An updated personal circumstances is included with the appeal, again this includes sensitive information which should be treated in confidence.

The following summarises this and can be made public.

The application for 2 x Gypsy plots and associated development is intended for the Bath and Burrows families.

The families are both Romani Gypsy family with strong local connections to the area having lived locally in the area and in Chichester district.

Both families have young children, the ages of which are stated below:

Plot 1

Son 1 - [REDACTED]

Daughter 1 - [REDACTED]

Daughter 1 - [REDACTED]

Plot 2

Daughter 1 - [REDACTED]

Daughter 2 - [REDACTED]

Son 1 - [REDACTED]

All children are registered [REDACTED], a stable address allows them to do so.

One of the children attends [REDACTED] One is awaiting acceptance to [REDACTED]

The remaining children are at present home schooled.

The adults on the site have their own medical issues [REDACTED]
[REDACTED]

The appellant also has his [REDACTED] living with him on site in the northern most unit [REDACTED]
[REDACTED]

The families came from a lawful site in [REDACTED] District which is now overcrowded with some 70 pitches across the site plus a number of other unlawful pitches.

A number of the adjacent pitches to theirs on this site had been sold in to new ownership with new owners from different communities. As a result, the families were subject to aggressive behaviour and so were forced to move from the site to ensure the safety of their young families and in the interests of their children who they felt were unsafe in this environment.

There are no alternative public sites.

Having regard to the personal circumstances of the families the only reasonable alternative to the application site would be to resort to a life living in touring caravans on the side of the road with all of the difficulties and bleakness that entails.

A roadside existence would be highly detrimental to the education, healthcare and welfare outcomes for the family. Should the application be refused, there is really only one practical accommodation option for the families, that is the roadside.

Alternative sites must be available, affordable, acceptable and suitable (see *Angela Smith v Doncaster MBC*). That means they must be available now, not be unlawful and be suitable in the context of the family.

Doubling up, roadside encampments and the like are not to be considered lawful alternative sites.

Article 8 of the European Convention on Human Rights (ECHR) is incorporated into UK law through the Human Rights Act 1998 and provides that everyone has the right to respect for their private and family life, home, and correspondence.

The duty to facilitate the gypsy way of life is part of that, and Article 8 must also be considered in the context of Article 3(1) of the United Nations Convention on the Rights of the Child which states that the best interests of the child shall be a primary consideration, and no other factor can be given greater weight by virtue of its inherent characteristics.

What is in the best interests of the children, is for them to have a safe, secure and stable home environment, from which to grow, develop and flourish. The ability to thrive as a child requires a stable and secure home, not an uncertain roadside or other precarious existence.

The best interests of the children to have a settled base from which they can not only have some continuity of education and access to health care, but also a safe environment within which to live is a primary consideration, this means that no other issue is intrinsically more important.

The lack of alternative accommodation and best interests of the children should attract significant weight.

Factors weighing in favour of the appeal.

The following factors weigh in favour of the application:

- i) The proposal complies with Policy 23 and the presumption in favour of the plan applies.
- ii) The identified need for Gypsy Traveller pitches is not being met. Therefore, where a suitable site comes forward that meets the requirements of Policy 23 and can demonstrate water neutrality they should be granted.
- iii) No suitable available alternative sites are available, as recognised by the LPA
- iv) The LPA cannot demonstrate a five-year supply.
- v) Public Sector Equality duty is relevant to the proposal. The effect of the discrimination is set out in the Lisa Smith judgement and the change of definition led to a reduction on need by some 2/3. The Council have been working on the wrong figures since at least 2020 and this engages the Public Sector Equality duty. There has been a clear breach and this is factor that must be taken into account.
- vi) The likely location of any new Gypsy Traveller site in Horsham will be in the Countryside. The PPTS accepts that gypsy sites will be in the countryside. Simply because a site is within the countryside is not an automatic assumption that it will be harmful to the character of the area. The application site has no statutory or local landscape designation, it is not within the Green Belt and is not a National landscape or National Park. The site is therefore exactly the type of area in which sites are likely to be found.
- vii) Personal circumstances should weigh heavily in the planning balance, and these are set out in detail in the submitted personal circumstances document. It is clear that:
 - a. There is a personal need for accommodation for these local families.
 - b. The Article 8 and Article 10 rights of the families must be considered.
 - c. The welfare of the children and the medical issues of the proposed occupants are clearly set out and the provision of a permanent site will allow them to register locally with doctors' surgeries to receive the care required.
 - d. The best interests of the children must be considered

Conclusion and Planning balance

The resulting impact from the development on the character of the landscape is limited and can be further reduced by way of planning conditions.

The resulting impact certainly could not be considered to meet the threshold of 'unacceptable harm' as set out in policy.

Any resulting harm is of such limited magnitude that it carries limited weight in the planning balance.

The Council cannot currently demonstrate a five-year land supply for gypsy / traveller sites, and at present there remains a significant identified undersupply of available sites within the district.

Personal circumstances weight heavily in the planning balance.

- There is a personal need for accommodation for these local families.
- The Article 8 and Article 10 rights of the families must be considered.
- The welfare of the children and the medical issues of the proposed occupants are clearly set out and the provision of a permanent site will allow them to register locally with doctors' surgeries to receive the care required.
- The best interests of the children must be considered..

The benefits of the proposed development would significantly and demonstrably outweigh the adverse impacts of doing so, when assessed against the policies in the Framework taken as a whole.

The proposal would therefore be in accordance with Policies 23, 25, 26, 33 and 34 of the Horsham District Planning Framework (2015) and Paragraph 215 of the National Planning Policy Framework.