Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/26/1207
Cherrytree Cottage, Pickhurst Lane, Pulborough, West Sussex, RH20 1DA

DESCRIPTION:
Erection of a self-build dwelling and detached garage with new vehicle access from Black Gate Lane and associated driveway/car parking.

RELEVANT PLANNING HISTORY:
None identified.

DESCRIPTION OF THE SITE
The application site lies to the north and within the setting of Cherry Tree Cottage, a Grade II listed dwelling.

The application site is approximately 1km walking distance from the Built up area boundary of Pulborough and is therefore within the countryside in policy terms.

The site is bounded by mature trees and hedges and has a verdant and rural character. To the north west of the site is Ancient Woodland.

The area is characterised largely by open countryside, although it is noted that there is some sporadic residential development along Pickhurst Lane.

DESCRIPTION OF THE APPLICATION
The application seeks permission for the erection of a three bedroom detached dwellinghouse with accommodation within the roofspace. In addition to the dwelling the application would include a new detached garage, access and drive.

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 7 - Strategic Policy: Economic Growth
Policy 9 - Employment Development
Policy 10 - Rural Economic Development
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 31 - Green Infrastructure and Biodiversity

Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
Policy 34 - Cultural and Heritage Assets
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

Pulborough Neighbourhood Plan
Policy 1: A spatial plan for the Parish
Policy 15: Design
Policy 16: Water Neutrality

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 11: Environmental Protection
Strategic Policy 13: The Natural Environment and Landscape Character
Strategic Policy 14: Countryside Protection
Strategic Policy 15: Settlement Coalescence
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

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

Planning Advice Notes:
Facilitating Appropriate Development
Biodiversity and Green Infrastructure

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:
HDC Arboricultural officer: Objection, raises concerns regarding the proposed extension of the residential curtilage and associated development. The existing hedgerows and mature trees, which reflect the historic field pattern, are identified as important landscape features that make a significant contribution to the character and visual amenity of the rural area. It is considered that the proposed layout does not comply with the recommendations of BS5837:2012 in relation to development in proximity to trees of landscape merit and fails to adequately safeguard their long-term retention.

Whilst the removal of the young oak (T2) is not objected to due to its poor condition and limited long-term prospects, the mature oaks adjacent to the proposed access (T1 and T3) are considered worthy of retention. The construction of the proposed access bridge, culverting works and associated engineering operations would encroach into the trees' root protection areas and are likely to adversely affect their health. The officer considers that the proposed "no-dig" construction methodology would not be feasible given the extent of engineering works required.

Further concerns are raised regarding the absence of details relating to service runs and utilities, which prevents a full assessment of additional root disturbance. In addition, the submitted Tree Protection Plan is considered inadequate, with the proposed detached garage partially encroaching into the root protection area of a further mature oak tree (T7).

Particular concern is also expressed regarding the relationship between the proposed dwelling and the mature oak tree (T13), which is the most significant tree within the historic field boundary. Due to its size, prominence and proximity to the dwelling, it is considered likely that future occupiers would seek works to reduce or remove the tree to improve light levels and outlook, placing pressure on its long-term retention.

Whilst the removal of a group of younger oaks within the centre of the site is not considered significantly harmful due to their limited landscape value, the overall layout is considered to give rise to unacceptable arboricultural impacts. Consequently, the Arboricultural Officer recommends that the scheme be redesigned to address these shortcomings should the Local Planning Authority otherwise be minded to support the development.

NatureSpace Officer: No objection, subject to conditions.

HDC Conservation: Comment. Cherrytree Cottage is located in a rural location close to the junction of Blackgate and Pickhurst Lanes. The application site would be within the wider setting of Cherrytree Cottage with its undeveloped nature enhancing the landscape setting of the listed building. The addition of development although not resulting in harm to the immediate appreciation of the building has the potential to formalise and urbanise its landscape setting, through noise, lighting and greater activity. This wider harm should be balanced against the public benefits of the proposal.

Ecology Consultant: Objection. There is insufficient ecological information available to determine the application at this stage. Further details are required on survey findings, mitigation measures, and habitat/species enhancements before a decision can be made. In particular, the ecology report does not appear to include the western access route within its assessment, despite this area forming part of the application red line boundary shown on the Council's planning portal. An updated ecology report or addendum is therefore recommended to assess the access area and any associated ecological impacts.

Natural England: Standing Advice issued.

Southern Water: Comment. Foul drainage information has not been provided at this stage. There are restrictions on planting trees near sewer connections. Southern Water should be consulted.

WSCC Highways: Objection: -

The applicant proposes a new vehicular access onto Black Gate Lane. The plans have not demonstrated vehicular visibility for the proposed access. As Black Gate Lane is subject to national speed limit in this location, the Design Manual for Roads and Bridges (DMRB) CD-109 is the appropriate standard. This sets out a minimum stopping sight distance (SSD) of 215m in both directions, taken from 2.4m from the back edge of the carriageway.

The applicant is requested to provide visibility splays of 2.4m x 215m for the proposed access point. These splays must intersect land only within control of the applicant and/or within the publicly maintained highway and must be drawn to the nearside edge of the carriageway in both directions. If

visibility splays of 2.4m x 215m are not achievable, the applicant is advised that they can support reduced splays with a seven-day speed survey.

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

- Insufficient detail for technical matters
- Harm to the heritage assets
- Poor standard of design
- Site is near the South Downs National Park
- Impact on trees
- Harm to amenities of residential dwellings
- Drainage concerns

Parish Comments:
Parish Council: Neutral
Abstain on the grounds that insufficient evidence had been provided in respect of highways, waste & surface water drainage matters. It was also noted that further assessment is needed on the wildlife conservation.

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

Principle of Development:

The application site is in a rural countryside location and does not fall within a defined settlement, being physically separated from the built-up area boundary of Pulborough which lies to the south. As such, the proposal conflicts with the spatial strategy of the HDPF, which through Policies 2, 3 and 4 seeks to direct the majority of new residential development towards identified settlements.

Policy 1 of the Pulborough Neighbourhood Plan outlines that *"development proposals located inside this boundary will be supported provided they accord with the other provisions of the development plan. Development proposals outside of this boundary will be required to conform to development plan policies in respect of the control of development in the countryside."* The PNP was Made in 08 October 2025 (and is therefore less than 5-years old) and makes allocations for the delivery of 258 new homes over the plan period.

Policy 26 of the HDPF seeks to protect the countryside against inappropriate development unless it is considered essential and appropriate in scale; whilst also meeting one of four criteria. These criteria include supporting the needs of agriculture or forestry; enabling the extraction of minerals or the disposal of waste; providing for quiet informal recreational use; or enabling the sustainable development of rural areas. The proposal would not meet any of the exceptions set out in policy 26 of the HDPF and is also contrary to Policy 1 of the PNP.

Notwithstanding this identified policy conflict, the Council is currently unable to demonstrate a five-year supply of deliverable housing sites, and during the course of the application an updated NPPF was published.

Policy S5 of the NPPF relates to the principle of development outside settlements, stating that only certain forms of development should be approved, as set out in a list of criteria. The application site and proposed development does not meet any criteria listed in Policy S5.

The site is not previously developed land, and the development is considered to represent infill. While S5(1)(j) supports development outside settlements, where there is an evidenced unmet need, including housing need arising from the absence of a five-year housing land supply, and where the proposal is physically well-related to an existing settlement and is of a scale capable of being accommodated having regard to infrastructure provision. The site is not however well related to an existing settlement, being approximately 1.1km from Pulborough and with extremely limited opportunity for access by walking or public transport. The development would not support sustainable patterns of movement, and this creates conflict with Policies CC2 and TR3 of the NPPF.

The application seeks the introduction of one open market dwelling outside the defined BUAB and on a site which has not been allocated for development within the adopted development plan, and without an essential need for a countryside location. The principle of development is therefore contrary Policies 2, 3, 4, and 26 of the Horsham District Planning Framework, Policy 1 of the 'made' Pulborough Neighbourhood Plan and Policies S5, S6, CC2 and TR3 of the NPPF.

In respect of Policy S6 of the NPPF, this states that for development proposals involving the provision of housing, the benefits of approving development are likely to be substantially outweighed by the adverse effects where a proposal would conflict with a neighbourhood plan, provided the neighbourhood plan became part of the development plan five years or less before the date on which the decision is made, and the neighbourhood plan contains allocations to meet its identified housing requirement. As set out above, the PNP is less than 5-years old (at the time of writing) and makes allocations to meet its housing requirement. In these circumstances Policy S6 of the NPPF is clear that the any benefits of the development are likely to be outweighed by the adverse effects of the PNP conflict. This balance is considered elsewhere in this report.

Character and Appearance:

Policies 25 and 26 of the HDPF seek to protect the natural environment and landscape character of the district, including the landform and development pattern, together with protected landscapes and habitats. Development will be required to protect, conserve and enhance landscape and townscape character, taking account of areas or features identified as being of landscape importance, individual settlement characteristics and settlement separation.

Policies 32, and 33 of the HDPF outline that proposals should take into account townscape 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 application site entails an undeveloped rural field. While the proposed dwelling has been designed to reflect a rural building, the scheme would introduce domestic built form with its associated paraphernalia in a location where such impacts are currently absent. This would impact on the existing hedgerows and mature trees on the site, which reflect the historic field pattern and are considered to be important landscape features that make a significant contribution to the character and visual amenity of the rural area. The dwelling, garage and access arrangements would be sited within the RPA of significant trees within the application site, including mature Oaks, and are likely to adversely affect their health, with a 'no-dig' construction methodology not suitable for the access given the extent of engineering works required. It is considered that the proposed layout does not comply with the recommendations of BS5837:2012 in relation to development in proximity to trees of landscape merit and fails to adequately safeguard their long-term retention. Further concerns are raised regarding the

absence of details relating to service runs and utilities, which prevents a full assessment of additional root disturbance.

Overall, the development through its siting, access arrangements, and relationship with important landscape features, would appear as an unsympathetic and poorly integrated form of development within this rural location. The proposal would fail to conserve and enhance the site's distinctive landscape character, including the contribution made by its tree cover and historic field boundaries, and would result in harm to the character and appearance of the area. The development would therefore be contrary to Policies 31, 32 and 33 of the Horsham District Planning Framework (2015), Policy 15 of the Pulborough Neighbourhood Plan and Policy DP3 of the National Planning Policy Framework (2026).

Notwithstanding the above, while the application site contributes to the rural sense of place in the setting of the neighbouring listed building, its development would not harm the significance of the heritage asset.

Residential Amenity:

Policy 33 of the HDPF states that development will be required to ensure that it is designed to avoid unacceptable harm to the amenity of occupiers / users of nearby property and land.

The proposed dwelling would be an acceptable size to comply with Nationally described space standards and would have a good size garden amenity space. The dwelling would be sited away from the nearest dwellings which are to the east of the road and to the north of the application site. The proposal would not therefore result in harm to neighbouring amenities or the amenities of future occupants.

Highways Impacts:

Policy 40 of the HDPF seeks to ensure that development provides safe access for all road users and incorporates appropriate parking and turning provision in accordance with West Sussex County Council (WSCC) guidance

The Local Highway Authority has noted that Black Gate Lane is subject to national speed limit in this location, with the Design Manual for Roads and Bridges (DMRB) CD-109 the appropriate standard. This sets out a minimum stopping sight distance (SSD) of 215m in both directions, taken from 2.4m from the back edge of the carriageway. The submission does not demonstrate that this visibility can be provided over land within the control of the applicant of LHA, or that reduced spalys can be evidenced based on a seven-day speed survey. In the absence of either it has not been demonstrated that a safe access to serve the development can be provided, contrary to Policy 40 of the HDPF.

Ecology:

Policy 31 of the HDPF states that development will be supported where it demonstrates that it maintains or enhances the existing network of green infrastructure. Development proposals will be required to contribute to the enhancement of existing biodiversity, and should create and manage new habitats where appropriate.

Circular 06/2005 identifies that the presence of protected species is a material consideration when considering a development proposal that, if carried out, would be likely to result in harm to the species or its habitat. Therefore, it is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed application, is established before planning permission is granted. Information on biodiversity impacts and opportunities should inform all stages of development, and an ecological survey is usually necessary where the type and location of development are such that the impact on biodiversity may be significant and existing information is lacking or inadequate.

The Council's Ecologist has raised an objection primarily as Ecological Impact Assessment fails to assess the western access route, despite this area forming part of the application red line boundary. However, the Assessment does include an assessment of trees in this area and concludes that no adverse impact on protected species or habitats would be envisaged. These conclusions are accepted.

The applicant has been issued a License in respect of Great Crested Newts, and subject to conditions to link this License to the planning application there would be no adverse impacts in this regard.

The ecological impacts of the development are therefore acceptable, and if necessary could be secured through condition(s).

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 the NPPF.

Climate Change:

Policies 35, 36 and 37 require that development mitigates to the impacts of climate change through measures including improved energy efficiency, reducing flood risk, reducing water consumption, improving biodiversity and promoting sustainable transport modes. These policies reflect the requirements of NPPF that local plans and decisions seek to reduce the impact of development on climate change. The proposed development would include the following measures:

- Water consumption limited to 110litres per person per day
- Requirement to provide full fibre broadband site connectivity

- Refuse and recycling storage
- Biodiversity mitigation and enhancement
- Cycle parking facilities
- Electric vehicle charging points

These measures could be secured through condition where necessary in the event of planning permission being granted, and this approach would ensure compliance with the above policies.

Biodiversity Net Gain (BNG):

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. The Application Form sets out that the dwelling would be self-build and would be exempt from BNG requirements on this basis.

Conclusions:

The application site lies outside any defined settlement boundary and is not allocated for development within either the Horsham District Planning Framework (2015) or the Pulborough Neighbourhood Development Plan (2015-2031). The site is poorly related to existing settlements, and future occupants would be reliant on private vehicles to access day to day services, with limited scope for walking or public transport.

Significant weight is afforded to the identified conflict with the development plan, including the Pulborough Neighbourhood Development Plan, which was made on 8 October 2025 and is therefore less than five years old and contains housing allocations to meet its identified housing requirement. Consequently, Policy S6 of the NPPF is engaged and indicates that the benefits of approving housing development are likely to be substantially outweighed by the adverse effects where conflict with the neighbourhood plan arises.

In addition, the proposal would result in harm to trees within the application site that contribute to the landscape character of the site and locality, contrary to policy 31 of the HDPF, and it has not been demonstrated that a safe access can be provided, contrary to Policy 40 of the HDPF.

It is acknowledged that there would be limited economic benefits arising from construction activity and future occupation, these benefits would though be limited in scale and would not outweigh the harm identified above. The application is therefore recommended for refusal.

Recommendation: Application Refused

Reason(s) for Refusal:

1 The development would be sited within an unsustainable location in the countryside, outside of a defined built-up area boundary, and on a site not allocated for housing development within the Horsham District Planning Framework or Pulborough Neighbourhood Plan. It is not considered that there are any material considerations which would outweigh this harm, with the development contrary to Policies 1, 2, 3, 4, and 26 of the Horsham District Planning Framework (2015), Policy 1 of the Pulborough Neighbourhood Plan, and Policies S5, S6, CC2 and TR3 of the National Planning Policy Framework (2026).

2 The development through its siting, access arrangements, and relationship with important landscape features, would appear as an unsympathetic and poorly integrated form of development within this rural location. The proposal would fail to conserve and enhance the site's distinctive landscape character, including the contribution made by its tree cover and

historic field boundaries, and would result in harm to the character and appearance of the area. The development would therefore be contrary to Policies 31, 32 and 33 of the Horsham District Planning Framework (2015), Policy 15 of the Pulborough Neighbourhood Plan and Policy DP3 of the National Planning Policy Framework (2026).

3 Insufficient information has been submitted to demonstrate that adequate visibility can be achieved at the proposed access onto Black Gate Lane. As such, it has not been demonstrated that the development would provide a safe and suitable access for all users, and the proposal is therefore contrary to Policy 40 of the Horsham District Planning Framework (2015).

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/26/1207

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

Plan Type	Description	Drawing Number	Received Date
Elevation plan	Proposed	04a A	17.08.2026
Floor plan	Proposed and Roof	X01a A	17.08.2026
Elevation plan	Front in colour	04B	29.07.2026
Section plan	Proposed outline A-A	05	29.07.2026
Elevation & Floor plan	Proposed garage	G01A	29.07.2026
Location plan		L01 REV A	29.07.2026
Site plan	Existing	SP01	29.07.2026
Site plan	Proposed	SP02A REV F	29.07.2026
Section plan	Site	SS01	29.07.2026
Tree plan	Protection	SHT-2	29.07.2026
Tree plan	Survey	SHT-1	29.07.2026

DELEGATED

Case Officer sign/initial Hannah Darley Date: 12th October 2026

Authorising Officer sign/initial Guy Everest Date: 12.10.2026