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4 June 2026

Planning Inspectorate (PINS)
Temple Quay House
2 The Square
Temple Quay
Bristol, BS1 6PN

RH/Let/P2176i

Dear Planning Inspectorate,

Appeal Number 6007707. Land adjoining No. 2 and No. 3 Townhouse Cottages, Townhouse Farm, Coolham Road, Thakeham, RH20 3EW.

Introduction

These final comments are submitted on behalf of the Appellant, Fowlers Land and New Homes, ahead of the deadline (8 June 2026) and in response to:

- the Local Planning Authority's Statement dated 18 March 2026;
- the list of suggested conditions as included in the LPA's Statement; and
- the comments submitted by Thakeham Parish Council dated 14 May 2026.

These comments do not repeat the full case already set out in the Appellant's Statement of Case (dated April 2026) but address the new or expanded matters raised by the Council and Parish Council.

Response to the Local Planning Authority's Statement

The Council's appeal statement does not identify any new technical harm arising from the proposal. Importantly, there remains no refusal reason relating to design, character and appearance, neighbour amenity, highways safety, drainage, arboriculture, ecology or any other technical matter.

The Council's case remains one of pure principle, namely that the site lies outside the defined built-up area boundary and is said to be an unsuitable location for housing.

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The LPA statement also seeks to introduce broader concerns regarding character and appearance through reliance on other appeal decisions. However, no such reason for refusal was issued by the Council and no substantive technical objection on design grounds was maintained on the application. The Inspector is therefore respectfully invited to treat this late expansion of the Council's case with caution.

Site context and relationship to the countryside

The Council continues to characterise the appeal site as unacceptable countryside development. As set out in the Appellant's Statement of Case, it is not disputed that the site lies outside the defined Built-Up Area Boundary, however, that fact alone cannot be determinative in circumstances where the Council accepts that it can demonstrate only a 1-year housing land supply and when considering this specific site's location. As set out in the Appellant's Statement of Case, the site is:

- enclosed by existing residential development to the north, south and west;
- physically part of the established Townhouse Farm cluster;
- visually contained;
- read on the ground as infill within an existing group of dwellings; and
- not an encroachment into open agricultural land.

The proposal would replace an existing utilitarian storage structure on underused land. It is therefore not comparable with proposals extending built form into open and undeveloped countryside when it is entirely contained.

While the site is outside the built-up area boundary in policy terms, the actual decision under paragraph 11(d) is not whether there is technical conflict with the spatial strategy, but whether the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits. The Council's statement continues to treat policy conflict itself as if it were conclusive harm and does not correctly undertake the titled balance exercise.

Sustainability and accessibility

The Council's statement repeats the position that the site is remote from facilities and that future occupiers would be heavily reliant on the private car. The Appellant disagrees.

As explained in the Statement of Case, the site benefits from access to the public rights of way network, including a direct pedestrian link toward Thakeham and connections onward to village facilities. The proposal must be assessed in the realistic context of a rural settlement. The Framework expressly recognises at paragraph 110 that opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making.

The Council's statement acknowledges bus access, and Appendix A to its statement confirms the presence of services connecting Thakeham with Horsham and Storrington. The Appellant accepts that public transport provision is not urban in character, but that is not the test. The relevant question is whether the site is so unsustainable that the modest benefits of two dwellings are significantly and demonstrably outweighed. In the Appellant's submission, they are not. As set out, the site benefits from safe and viable pedestrian links to the village, access to public transport, and proximity to services and facilities. In addition, the proposals include cycle storage for bikes. The evidence demonstrates that future occupiers would have realistic opportunities to travel by means other than the private car.

The Council also places weight on the fact that some walking routes are unlit. That is a common feature of rural settlements and does not, in itself, render development unacceptable. If applied rigidly, that approach would severely constrain nearly all forms of modest rural housing delivery. There are many precedents of dwellings being permitted in villages and are served by unlit footpaths. For example, Appendix A of the Appellant's Statement of Case sets out the Officers Report for a recently approved application in Storrington, after an Inspector found the location to be acceptable. This precedent in Storrington is located outside of the built up area and is not served by a lit access in to the nearest settlement. The application has since been approved at local level (by Horsham District Council).

The proposal is for only two dwellings within an existing cluster of development. In that context, any additional transport effects would be very limited. No technical highways objection has been raised.

Housing supply and the tilted balance

The Council confirms that it cannot demonstrate a five-year housing land supply and refers to a supply of only 1.7 years. This is a very substantial and severe shortfall.

In those circumstances, the most important policies for determining the appeal are out-of-date and paragraph 11(d) is engaged. The Council accepts this in principle, but in practice its statement continues to afford overriding weight to the conflict with policies 2, 3, 4 and 26.

The Appellant agrees that the proposal makes a modest quantitative contribution of two dwellings. However, in the context of such an acute supply shortfall, even modest schemes are important. This is particularly so where the site is available now, the scheme is small and deliverable, no strategic infrastructure is needed; and the proposal would be built out quickly.

Paragraph 73 of the Framework expressly recognises the important contribution of small and medium sites in meeting the housing requirement of an area. The Council's characterisation of the benefits as only "moderate" materially understates their significance in the present district-wide context. This approach is also consistent with the recent Quince Cottage appeal decision (Ref. 6004865) included at Appendix A, where the Inspector attached positive weight to the delivery of 2 dwellings as a small site capable of being developed quickly and found that, despite conflict with countryside policies, the proposal benefited from the presumption in favour of sustainable development. That decision is a further recent example within Horsham District of the tilted balance being applied in a realistic and policy-compliant manner.

Character and appearance

Although the LPA refused the application solely on locational grounds, its appeal statement now seeks to draw support from a series of appeal decisions involving separate sites where character and appearance harm was identified.

Those decisions are fact specific and do not establish a general principle that all countryside proposals, or all unallocated proposals outside settlement boundaries, are unacceptable. Many of the examples cited concern materially different circumstances, including development spreading onto open land, harmful impacts on conservation areas and/or proposals where design and density were central issues.

The present proposal is different. It is a small-scale scheme for two detached dwellings on a contained site within an existing cluster. The Council did not refuse the scheme on design or character grounds, and the Appellant's evidence demonstrated that the proposal responds to its context.

The Council's own suggested conditions also indicate that, if permission were granted, the development could be controlled satisfactorily through conditions on materials, permitted development, landscaping, drainage, ecology and tree protection. That is not a position consistent with an inherently unacceptable scheme in character terms.

Comparison with previous development at Townhouse Farm

Whilst explored in detail later in this Statement, the Parish Council refers to previous development and suggests the current proposal does not conform with earlier schemes. The Council also notes prior approvals in the area, particularly conversions of former agricultural buildings.

The Appellant accepts that previous cases turn on their own facts. However, the planning history is still relevant in showing that the Townhouse Farm cluster is not an untouched or isolated countryside location. Residential use is already well established in the immediate surroundings and no highway concerns have been raised, meaning that residential uses in this location work successfully.

The appeal proposal should therefore be assessed in the actual physical context that exists today; a contained site within a developed cluster, not a detached greenfield extension into open countryside.

Reliance on other appeal decisions

The Council cites a number of appeal decisions which we have reviewed in detail and would suggest that there are many key distinctions which exist when considered against the proposals. In summary, these key distinctions include:

- the contained nature of the site;
- its relationship to an existing cluster of dwellings;
- the absence of a refusal reason relating to character and appearance;
- the lack of technical objections; and
- the very limited scale of the proposal.

In contrast to several of the examples relied upon by the Council, this proposal does not involve the spread of substantial built development over open land, nor development in a location detached from existing built form. As set out, the site is entirely contained and represents infill development.

The Appellant also draws attention, as set out in the Statement of Case at Appendix A, to the recent Abbots Leigh case in Storrington, where the principle of housing outside the built-up area boundary was found acceptable in the tilted balance context, with the appeal failing only on water neutrality grounds. The proposals at Abbots Leigh has since been approved following withdrawal of water naturality requirements in the District. While that case is also site-specific, it demonstrates that conflict with settlement boundary policy is not automatically decisive. We are disappointed that the Council has not specifically referenced the Abbots Leigh appeal within their Statement of Case.

The Appellant also draws the Inspector's attention to the recent appeal decision at Land adjacent Quince Cottage, Mill Lane, Partridge Green, RH13 8JU (Appeal Ref. 6004865, decision dated 2 June 2026) which is included at Appendix A. In that case, the Inspector allowed outline permission for 2 no. detached dwellings on a site which, in policy terms, was expressly found to be within the open countryside and contrary to Policies 2, 3, 4 and 26 of the HDPF. Importantly, the Inspector nevertheless concluded that the conflict with the development plan attracted only limited weight in the planning balance, having regard to the Council's housing supply shortfall and the absence of unacceptable harm in other respects.

The decision is plainly material because it confirms that, in Horsham District's current housing land supply context, conflict with settlement boundary and countryside policies is not automatically determinative, even where a site is accepted to be in the countryside in policy terms. At paragraph 22 of the decision, the Inspector expressly states that, whilst there was conflict with the development plan, "*given my conclusions on the main issues, I give this conflict limited weight.*" At paragraph 25, the Inspector concluded that "*the limited adverse impacts associated with the site's location outside a settlement boundary do not significantly and demonstrably outweigh the benefits*".

Whilst that appeal was outline and turned on its own facts, the parallels are clear. It involved a small-scale scheme for two dwellings, a site outside settlement boundaries, acknowledged conflict with the spatial strategy, and the application of paragraph 11(d) in the context of Horsham's severe housing shortfall. The decision therefore reinforces the Appellant's position in this appeal: namely that policy conflict arising from the site's position outside the Built-Up Area Boundary should not be treated as conclusive harm, and must instead be weighed in the tilted balance alongside the clear benefits of the proposal.

Comments on LPAs Suggested Conditions

If the Inspector is minded to allow the appeal, the Appellant is broadly agreeable to the imposition of the suggested planning conditions and can confirm we have no further comments to make.

Response to Thakeham Parish Council Comments

Thakeham Parish Council maintains a strong objection. However, many of the points raised either repeat matters already addressed in the application material and appeal statement, or concern issues not supported by technical evidence.

Sustainability and Public Transport

The Parish Council argues that Thakeham is unsustainable because of limited public transport, limited employment opportunities and limited village services.

As set out previously in this Statement, the Appellant accepts that Thakeham is a rural location with a lower level of accessibility than a larger settlement. That is self-evident. However, the Framework does not require rural villages to perform like towns. Paragraph 83 specifically recognises the role of housing in supporting the vitality of rural communities.

The proposal is for only two dwellings in an existing cluster, not strategic growth in a remote location. The issue is whether the site is sufficiently accessible and not reliant on the private car. As set out already in this Statement, the Appellant maintains that it is.

Highways

The Parish Council states that WSCC Highways undertook only a desk-top review and that traffic associated with nearby commercial/event storage has not been properly appreciated.

However, the statutory highway authority raised no objection to the proposal. There is no technical highways evidence before the Inspector demonstrating that the development of two dwellings would create unacceptable highway impacts or severe cumulative impacts on the network. Furthermore, this was not raised as a reason for refusal by the LPA and should therefore be given limited weight.

The current use of surrounding land and any local traffic movements do not alter the key point that the proposal is a very small-scale residential scheme, and the competent technical consultee did not object. The site is bound by residential development on a majority of its boundaries and therefore there is clearly no conflict arising.

Drainage and topography

The Parish Council raises concerns regarding surface water drainage, runoff, ridge-line effects and impacts on properties below.

These matters were considered through the application process and the Council's own suggested condition 14 proposes that the development be carried out in accordance with the submitted Drainage Strategy. That indicates the matter is capable of satisfactory control by condition.

No technical drainage refusal reason was issued by the Council. In the absence of substantive evidence demonstrating actual unacceptable drainage harm, these concerns should be given limited weight.

Light, outlook and privacy

The Parish Council repeats concern about loss of light, dominance and privacy.

Again, the Council did not refuse the application on neighbour amenity grounds or on design matters. The application was assessed and found acceptable in that regard. The proposal is also limited to two dwellings and has been reduced from the earlier iteration presented at pre-application stage, specifically to address density and layout concerns.

In those circumstances, and absent any amenity refusal reason or technical evidence of material harm, these concerns do not outweigh the identified benefits of the scheme.

Design and alleged cramping

The Parish Council considers the proposal to be cramped and says it does not reflect the adjacent semi-detached cottages.

Respectfully, the street scene is not uniform and the site sits within a mixed cluster of built form. The appeal proposal was amended in direct response to pre-application concerns, including a reduction from three dwellings to two. The resulting form of development is modest and proportionate to the site.

The mere fact that the proposed dwellings are detached rather than semi-detached does not establish unacceptable character harm, particularly where no such refusal reason was issued by the LPA. The dwellings clearly sit comfortably within their plots and accommodate the necessary parking requirements, cycle storage and sufficient private gardens. As such, the proposals cannot be considered as cramped.

Subsidence and land stability

The Parish Council raises concerns about subsidence and the ability of the land to support development.

There is no technical evidence before the appeal to substantiate a land stability objection, and the Council did not refuse the application on this basis. Accordingly, this point should attract very limited weight.

Overall Conclusion

For the reasons set out within the Appellant's Statement of Case and these final comments, the appeal proposal represents a modest, logical and sustainable form of development that should be approved.

The Council's case remains founded on a single point of principle: that the site lies outside the defined Built-Up Area Boundary. However, that policy conflict must be considered in its proper context. Horsham District Council accepts that it can demonstrate only a 1.7-year housing land supply, such that the most important housing policies are out-of-date and the tilted balance in paragraph 11(d) of the Framework is engaged.

When assessed properly (titled balance), the proposal gives rise to no unacceptable technical harm. There is no reason for refusal relating to design, character, neighbour amenity, highways, drainage, ecology, arboriculture or any other technical matter. The proposal is for only two dwellings on a site that is physically contained within an established cluster of development, visually read as infill, and does not project into open agricultural countryside. It is therefore a very different proposition to the appeal decisions relied upon by the Council.

As explained in the Statement of Case, the site is not isolated and is not divorced from services or public transport in the manner suggested by the Council and Parish Council. It must be judged in the realistic context of a rural settlement, where the Framework expressly recognises that opportunities for sustainable transport will differ from urban areas. In that context, the proposal performs well.

The benefits of the scheme are clear and should carry significant weight: the delivery of two new family homes in a district with a severe housing shortfall; the efficient redevelopment of underused land; the removal of an unattractive utilitarian structure; economic benefits during construction; and ecological and landscaping enhancements. These are not theoretical benefits but are tangible, immediate and policy-compliant benefits arising from a small site capable of being delivered quickly.

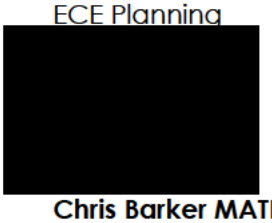
Set against this, the Council identifies no significant or demonstrable adverse impacts beyond technical conflict with settlement boundary policies that are acknowledged to be out-of-date. That conflict, in isolation, is not sufficient to outweigh the benefits of the proposal, particularly in the context of the severe housing supply position and the contained nature of the site.

In short, this is exactly the type of modest, deliverable development that the Framework seeks to support where housing supply is severely constrained. The proposal represents sustainable development when assessed against the Framework as a whole. Further support for this conclusion is provided by the recent Quince Cottage, Partridge Green appeal decision (Ref. 6004865) provided at Appendix A, in which an Inspector allowed 2 dwellings on a site found to be within the open countryside, holding that the conflict with Policies 2, 3, 4 and 26 of the HDPF attracted only limited weight and that the limited adverse impacts of the site's location did not significantly and demonstrably outweigh the benefits. While each case turns on its own facts, that recent decision underlines the key point in this appeal: conflict with settlement boundary policy is not, in itself, a sufficient basis to dismiss a modest, deliverable housing scheme in Horsham District's current housing supply circumstances.

The Appellant therefore respectfully requests that the Inspector allows the appeal and grants planning permission.

If you have any further queries or require further information, please contact me on 01903 248777.

Yours sincerely
ECE Planning



Chris Barker MATP MRTPI
Managing Director

Encs.

Appendix A – Land adjacent Quince Cottage Appeal Decision (Reference 6004865) Dated 2 June 2026

Planning Inspectorate

Appeal Decision

Site visit made on 28 April 2026

by Stewart Glassar BSc (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2 June 2026

Appeal Ref: 6004865
Land adjacent Quince Cottage, Mill Lane, Partridge Green, RH13 8JU
(Easting: 518801 Westing: 120405)

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant outline planning permission.
- The appeal is made by John Elliott (Tymaric Properties Ltd) against the decision of Horsham District Council.
- The application Ref is DC/24/1888.
- The development proposed is the erection of 2 no. detached dwellinghouses and garages.

Decision

1. The appeal is allowed and planning permission is granted for the erection of 2 no. detached dwellinghouses and garages at Land adjacent Quince Cottage, Mill Lane, Partridge Green, RH13 8JU in accordance with the terms of the application, Ref DC/24/1888, subject to the conditions in the attached schedule.

Preliminary Matters

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

Main Issues

3. The main issues are a) whether the site is a suitable location for residential development; and b) the effect of the proposal on the character and appearance of the area.

Reasons

Location

4. The appeal site comprises an undeveloped field. There are existing dwellings on either side but neither they nor the appeal site are within a settlement and in policy terms the site must be considered as open countryside.

5. Policies 2, 3 and 4 of the Horsham District Planning Framework 2015 (HDPF) seek to direct development to within settlements with defined built-up areas or as expansions of those settlements. In tandem with this approach, Policy 26 of the HDPF only permits development in the countryside where such a location is essential, and the proposal meets one of four criteria. These are that it either supports the needs of agriculture or forestry; enables the extraction of minerals or the disposal of waste; provides for quiet informal recreational use; or enables the

sustainable development of rural areas. There is nothing before me which indicates that the proposal would meet any of the exceptions set out in Policy 26.

6. Whilst these policies are in some respects more restrictive than the National Planning Policy Framework (the Framework) their overall objectives are broadly consistent with it insofar as seeking to direct development to sustainable locations, allow villages to grow and thrive whilst limiting development in the open countryside.

7. However, as the Council has been unable to meet its housing land supply targets within the parameters of the existing development plan policies, it produced a Facilitating Appropriate Development Document 2022 (FAD) which set out an approach to boosting the supply of housing, pending adoption of the emerging Local Plan. This has since been replaced by the Shaping Development in Horsham District Planning Advice Note 2025 (PAN). The PAN largely repeats the FAD in terms of the relevant criteria for housing development proposals.

8. The guidance offers a more positive stance on applications for housing outside settlement boundaries. In particular, unallocated sites outside but adjoining built up area boundaries can be supported, subject to meeting certain other criteria. The appeal site does not adjoin a settlement boundary either at present or in the emerging Local Plan, which is at examination stage. This may be the only criteria the scheme does not meet but the document requires development to meet all of the identified criteria.

9. There is no dispute between the main parties that the site is not isolated and that there would be sufficient sustainable transport options available to future residents to allow them to access services and facilities in Partridge Green. Nonetheless, these factors do not overcome the site being in a location which is not supported by local policy. Thus, when the above points are taken collectively, the proposal would be contrary to the objectives of the HDPF and in particular Policy 26 which seeks to prevent development in the open countryside.

Character and Appearance

10. The appeal site is set between existing houses fronting on to Mill Lane. These form an ad hoc ribbon of development on the northern side of Mill Lane that extend out into the open countryside and away from the main focus of development to the east.

11. The development of the site would though be achieved without extending the ribbon of houses any further westwards away from the main focus of housing within Littleworth. Furthermore, the built form could be set back into the plots, all of which would reflect the linear pattern of development.

12. Although the layout shows two houses of similar footprint with car ports, this is only indicative. There is no reason why the houses could not be individually designed and the site laid out to reflect its more rural location. This would overcome the Council's concerns that the scheme would result in the emergence of a more suburban form of development that would undermine the character of the area.

13. The erection of two dwellings on the site would, by their very nature, reduce the space between some of the existing housing on this side of the road and the dispersed character of this part of Mill Lane. There would also be associated

activity, cars, lighting and paraphernalia associated with two new houses. However, the scale of the development and thus its impact is inherently limited to two dwellings. Furthermore, the size, layout and appearance of the houses (as well as any incidental outbuildings such as car ports) would be controlled through the reserved matters submissions to the Council. Overall, the site would appear to be of sufficient size to allow for two dwellings to be accommodated, without appearing excessive or unduly harmful to the prevailing environment.

14. The land is relatively flat and thus houses of a size and height commensurate with their plots and neighbouring buildings are unlikely to appear overly dominant within the landscape, especially if existing boundary hedging is appropriately retained. As such, the proposal would not prevent the surrounding landscape from remaining a dominant feature or stop it from being seen and appreciated from Mill Lane. Overall, despite there being some consolidation of built form in the area, the development would not be unduly harmful to the wider landscape setting.

15. The Council did not find harm in relation to the setting of the nearby listed buildings of Quince Cottage, St Johns and the Apple Store to the rear. However, the officer report does refer to the undeveloped nature of the site adding to the landscape setting of the listed buildings. The main setting of the listed buildings is their individual plots, but the wider landscape setting allows an appreciation of the individual aesthetic value of the buildings as well as their communal value. This wider setting therefore contributes positively to the special interest and significance of the listed building.

16. I have found that the proposed dwellings would be likely to follow a similar pattern of development to the existing houses and that the site could be developed in a way which would retain a sense of spaciousness, so as not to draw the eye and harm the prevailing environment. I am therefore satisfied that the proposed development would preserve the setting and special interest and would not harm the significance of the Grade II listed buildings. On this basis, there would be no conflict with the statutory presumption set out in section 66(1) of the Town & Country Planning Act 1990 or the provisions within the Framework which seek to conserve and enhance the historic environment.

17. Drawing the above points together, I therefore find that the proposal would not be contrary to Policies 25, 32 and 33 of the HDPF which collectively, and amongst other things, seek to ensure development is of an appropriate design and quality and that the prevailing character of the landscape and countryside is protected.

Other Matters

18. The Council cannot demonstrate a five-year supply of deliverable housing land. There is no dispute between the parties that currently there is a years' supply and that the most recent Housing Delivery Test was failed. Even with the introduction of the FAD and PAN, a policy led solution to housing need is not currently providing the level of housing growth expected by national policy. This weighs positively in favour of the proposal.

19. Access to the site is a matter to be considered at this stage. The proposal would introduce a single access point onto Mill Lane to serve both houses. Subject to the imposition of certain planning conditions the Highway Authority raises no objections to the proposal in terms of highway safety or capacity. The Council has

not raised any concerns in relation to the access arrangements, and I see no reason to disagree.

20. The appellant indicates that they intend to purchase off-site biodiversity units from a private habitat bank. On this basis the scheme would be capable of meeting the mandatory requirements for a minimum of 10% Biodiversity Net Gain (BNG). The statutory BNG condition would apply to any permission and is a matter the appellant would need to address directly with the Council. In such circumstances there would be no need for a separate legal agreement. The provision of BNG weighs in favour of the scheme.

21. Interested parties have raised concerns regarding the presence of Great Crested Newts. The Officer Report considered this issue, and I note that the matter would be addressed through the District Licencing scheme. I have no substantive information which would lead me to conclude that the District Licence would not be an appropriate mechanism to deal with the matter.

Planning Balance

22. The proposal would be outside the built up boundaries of a settlement and thus within the open countryside, contrary to Policy 26. Nevertheless, I am mindful of the housing supply position and that local policy and guidance is not providing a sufficient supply of housing land to meet future requirements. There is no dispute between the parties that the site is not in an isolated location nor has it been found to be lacking sustainable transport options. In terms of the character and appearance of the area, I have concluded that the proposal would not conflict with the requirements of Policies 25, 32 and 33. Whilst there is conflict with the development plan, given my conclusions on the main issues, I give this conflict limited weight.

23. Given the shortfall in housing supply, paragraph 11d) of the Framework is engaged. Permission should therefore only be withheld where any adverse impacts of the proposal would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

24. The proposal would support the government's objectives to significantly boost the supply of land for homes. As a small site it could be developed quickly. There would be some economic benefits both during construction and upon occupation. These would each be limited by the scale of the development, but collectively they represent important, if modest, benefits of the proposal.

25. However, overall, the limited adverse impacts associated with the site's location outside a settlement boundary do not significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. The proposal therefore benefits from the presumption in favour of sustainable development, and this indicates that permission should be granted.

Conditions

26. I have had regard to the conditions set out in the Council's submissions and relevant guidance on the imposition of conditions. Both parties have had the

opportunity to comment on the conditions, and I have obtained the appellant's written agreement where it is necessary for the requirements to be pre-commencement.

27. In addition to the standard time limits for outline permission, a condition listing the approved plans is necessary to provide certainty.

28. Given the character of Mill Lane and adjoining properties, a condition requiring a construction management plan is reasonable, setting out the approach to site logistics and management.

29. In order to ensure that the site functions as intended a condition requiring a drainage strategy is necessary. For similar reasons, a condition ensuring the access and visibility details are implemented will be necessary. As on-site parking and turning are related to site layout it would not be appropriate to restrict those details at this stage.

30. Retaining existing planting around the site is an important element in ensuring the site reflects and protects the character of the area. The submission of an Arboricultural Method Statement is therefore an important component in ensuring the development will be successfully integrated into the environment. To ensure this aspect does not fall outside the remit of the landscaping reserved matter, a condition is necessary.

31. A condition is also necessary that reflects the recommendations of the Ecological Assessment (EA) that a Biodiversity Enhancement Strategy is submitted. A further condition is necessary requiring the implementation of the mitigation works set out in the EA.

32. In order to avoid harm to protected species it is necessary for there to be a condition that requires the development to comply with the terms of the District Licence.

33. To accord with the HDPF and assist with amongst other things, social well-being and economic growth, water usage should be controlled and superfast broadband enabled.

34. Given the revised position of Natural England on the issue of water neutrality, a condition requiring a water offsetting scheme is not required.

Conclusion

35. The proposal would not accord with the development plan but material considerations, especially the presumption in the Framework, outweigh this conflict. Therefore, for the reasons given, the appeal is allowed subject to the conditions in the attached schedule.

Stewart Glassar

INSPECTOR

Schedule of Conditions:

1) Details of the appearance, landscaping, layout, and scale, ("the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved.

2) Application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.

3) The development hereby permitted shall take place not later than two years from the date of approval of the last of the reserved matters to be approved.

4) The development hereby permitted shall be carried out in accordance with the following drawings:

Existing & Proposed Site Plan & Block Plan	- (10)100 B
Proposed Site Layout	- (11)100 B

5) No development shall take place until a drainage strategy detailing the proposed means of foul and surface water disposal has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.

6) No development shall take place until the following construction details have been submitted to and approved in writing by the Local Planning Authority. The details shall include the following measures:

   i. Details of site management contact details and responsibilities:

      A plan detailing the site logistics arrangements on a phase-by-phase basis (as applicable), including:

      a. location of site compound;

      b. location for the loading, unloading and storage of plant and materials (including any stripped topsoil);

      c. site offices (including location, height, size and appearance);

      d. location of site access points for construction vehicles;

      e. location of on-site parking; and

      f. locations and details for the provision of wheel washing facilities and dust suppression facilities

   ii. The arrangements for public consultation and liaison prior to and during any demolition and construction works - newsletters, fliers etc, to include site management contact details for residents;

   iii. Details of any floodlighting, including location, height, type and direction of light sources, hours of operation and intensity of illumination.

   The construction shall thereafter be carried out in accordance with the details and measures approved.

7) No development shall take place, including any demolition, ground clearance, or bringing equipment, machinery or materials onto the site, until an Arboricultural Method Statement detailing all trees/hedgerows on site and adjacent to the site to be retained during construction works, and measures to provide for their protection throughout all construction works, has been submitted to and

approved in writing by the Local Planning Authority. The development shall be implemented and thereafter carried out at all times in full accordance with the agreed details.

Any trees or hedges on the site which die or become damaged during the construction process shall be replaced with trees or hedging plants of a type, size and in positions agreed by the Local Planning Authority.

8) Prior to any works above slab level, a Biodiversity Enhancement Strategy for protected, Priority and threatened species, prepared by a suitably qualified ecologist in line with the recommendations of the Ecological Assessment Rev B (Greenspace Ecological Solutions, February 2025), shall be submitted to and approved in writing by the local planning authority.

The content of the Biodiversity Enhancement Strategy shall include the following:

a. Purpose and conservation objectives for the proposed enhancement measures;

b. detailed designs or product descriptions to achieve stated objectives;

c. locations of proposed enhancement measures by appropriate maps and plans (where relevant);

d. persons responsible for implementing the enhancement measures; and details of initial aftercare and long-term maintenance (where relevant).

The works shall be implemented in accordance with the approved details shall be retained in that manner thereafter.

9) No dwelling hereby permitted shall be occupied until superfast broadband (with speeds of at least 30 megabits per second) has been installed within that respective dwelling.

10) No dwelling hereby permitted shall be occupied until the parking, turning and access facilities necessary to serve that dwelling have been implemented in accordance with the approved details as shown on plan (11)100, REV B and shall thereafter be retained as such.

11) No dwelling hereby permitted shall be occupied until visibility splays of 2.4 metres by 60 metres to the west and 2.4 metres by 62 metres to the east have been provided at the proposed site vehicular access onto Mill Lane in accordance with the approved drawings. Once provided the splays shall thereafter be maintained and kept free of all obstructions over a height of 0.6 metre above adjoining carriageway level.

12) All the recommendations and ecological enhancement works contained in Ecological Assessment Rev B (Greenspace Ecological Solutions, February 2025) shall be carried out in accordance with the specified details and timetables.

13) No development hereby permitted shall take place except in accordance with the terms and conditions of the Council's Organisational Licence (WML-OR136, or a 'Further Licence') and with the proposals detailed on plan "Land Adjacent Quince Cottage: Impact plan for great crested newt District Licensing (Version 1)" dated 13th May 2025.

14) The dwellings hereby permitted shall meet the optional requirement of building regulation G2 to limit the water usage of each dwelling to no more than 110 litres

per person per day. The subsequently installed water limiting measures shall thereafter be retained.

****** END OF SCHEDULE ******