

Dear Planning Inspectorate

I submit my appeal statement below on my planning application ref: **DC/26/0253**.

**Demolish of the existing residential building and erection of 5no. terraced houses (2no. 2 bed dwellings and 3 no. 3 bed dwellings).**

**I write to each of the refusal points in turn. I also attest my attempt to engage with Horsham District Council, to overcome any challenges for the refusal, which has failed.**

**Refusal point 1.**

*The development would be located beyond a defined built-up area on a site not allocated within the Development Plan and would not be essential to this countryside location. The development would therefore be contrary to the overarching spatial strategy and hierarchy approach of concentrating development within defined settlements and advocating a planned approach to settlement expansion, contrary to policies 1, 2, 3 and 26 of the Horsham District Planning Framework (2015).*

*Notwithstanding the absence of a five-year land housing supply, and the provisions of the National Planning Policy Framework (2024) at paragraph 11(d), it is not considered that there are any material considerations which would outweigh harm arising from conflict with the above policies.*

The policies mentioned are below for ease of reference:

## **Policy 1**

### **Strategic Policy: Sustainable Development**

**When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will always work pro-actively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.**

**Planning applications that accord with the policies in this Local Plan (and, where relevant, with policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise.**

**Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission, unless material considerations indicate otherwise – taking into account whether:**

- **Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or**
- **Specific policies in that Framework indicate that development should be restricted.**

## Policy 2

### Strategic Policy: Strategic Development

To maintain the district's unique rural character whilst ensuring that the needs of the community are met through sustainable growth and suitable access to services and local employment, the spatial strategy to 2031 is to:

1. Focus development in and around the key settlement of Horsham, and allow for growth in the rest of the district in accordance with the identified settlement hierarchy.
2. Recognise and develop Horsham town's role as the primary town for the District, promoting its historic function as a market town and safeguarding its compact and attractive character, and complemented by rationalisation and redevelopment at Broadbridge Heath Quadrant.
3. Bring forward three strategic development areas of at least 2,500 dwellings immediately to the north of Horsham Town, around 600 dwellings West of Southwater, and around 150 dwellings South of Billingshurst to meet the strategic requirement for new homes, and to provide access to new employment, health, educational and recreational opportunities.
4. Bring forward a strategic mixed used opportunity at the former Novartis site in Horsham for employments, education and specialist housing at the equivalent of around 200 units.
5. Continue to support in principle the sustainable development of settlements through an appropriate scale of development which retains the existing settlement pattern over the plan period.
6. Manage development around the edges of existing settlements in order to prevent the merging of settlements and to protect the rural character and landscape.
7. Guide development form and provide access to strategic green space and recreational opportunities in and around the built-up urban areas.
8. Encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value.
9. Identify existing sites of important employment use, and to safeguard their function through flexible policies and designation of Key Employment Areas, together with supporting the rural economy, to allow people the opportunity to work close to where they live.
10. Provide for the varied housing needs of the community in terms of tenure, affordability, care and other support needs and the specific temporary

and permanent needs of the Gypsy and Travellers and Travelling Showpeople.

11. Support the provision of rural housing which contributes towards the provision of affordable housing where there is a demonstrable need.
12. Retain and enhance natural environmental resources, including landscapes and landscape character, biodiversity, and retaining and enhancing environmental quality including air, minimises energy and resource use and provides flood mitigation.
13. Support development which protects, conserves and enhances the District's built heritage whilst ensuring that new development is safe, well designed, adapts to climate change and helps to reduce the District's carbon emissions.
14. Monitor delivery of the Strategy and associated infrastructure in conjunction with partner organisations, developers and landowners.

**Policy 3****Strategic Policy: Development Hierarchy**

Development will be permitted within towns and villages which have defined built-up areas. Any infilling and redevelopment will be required to demonstrate that it is of an appropriate nature and scale to maintain characteristics and function of the settlement in accordance with the settlement hierarchy below:

| Settlement Type                 | Settlement Characteristics and Function                                                                                                                                                                                                                                                                                                                           | Settlements                                                                                                                                                                                                                                                                       |
|---------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Main Town                       | Settlement with a large range of employment, services and facilities and leisure opportunities, including those providing a district function. Strong social networks, with good rail and bus accessibility. The settlement meets the majority of its own needs and many of those in smaller settlements.                                                         | <ul style="list-style-type: none"> <li>• Horsham</li> </ul>                                                                                                                                                                                                                       |
| Small Towns and Larger Villages | These are settlements with a good range of services and facilities, strong community networks and local employment provision, together with reasonable rail and / or bus services. The settlements act as hubs for smaller villages to meet their daily needs, but also have some reliance on larger settlements / each other to meet some of their requirements. | <ul style="list-style-type: none"> <li>• Billingshurst</li> <li>• Bramber and Upper Beeding</li> <li>• Broadbridge Heath</li> <li>• Henfield</li> <li>• Pulborough and Codmore Hill</li> <li>• Southwater</li> <li>• Steyning</li> <li>• Storrington &amp; Sullington*</li> </ul> |

| Settlement Type          | Settlement Characteristics and Function                                                                                                                                                                                                                                                                               | Settlements                                                                                                                                                                                                                                                                                                                  |
|--------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Medium Villages          | These settlements have a moderate level of services and facilities and community networks, together with some access to public transport. These settlements provide some <u>day to day</u> needs for <u>residents</u> , but rely on small market towns and larger settlements to meet a number of their requirements. | <ul style="list-style-type: none"> <li>• <del>Ashington</del></li> <li>• Barns Green</li> <li>• <del>Cowfold</del></li> <li>• Partridge Green</li> <li>• <del>Rudwick</del></li> <li>• and Bucks Green</li> <li>• <del>Slinfold</del></li> <li>• <del>Warnham</del></li> <li>• West Chiltonton Village and Common</li> </ul> |
| Smaller Villages         | Villages with limited services, facilities, social networks but with good accessibility to larger settlements (e.g. road or rail) or settlements with some employment but limited services facilities or accessibility. Residents are reliant on larger settlements to access most of their requirements.             | <ul style="list-style-type: none"> <li>• Christ's Hospital</li> <li>• Lower Beeding</li> <li>• Mannings Heath</li> <li>• <del>Rusper</del></li> <li>• Small Dole</li> <li>• <del>Thakeham</del></li> <li>• (The Street and High Bar Lane)</li> </ul>                                                                         |
| Unclassified settlements | Settlements with few or no facilities or social networks and limited accessibility, that are reliant on other villages and towns to meet the needs of residents                                                                                                                                                       | All other settlements                                                                                                                                                                                                                                                                                                        |

\*This does not include the hamlet of ~~Sullington~~ which is located entirely within the South Downs National Park

#### Policy 26

##### Strategic Policy: Countryside Protection

Outside built-up area boundaries, the rural character and undeveloped nature of the countryside will be protected against inappropriate development. Any proposal must be essential to its countryside location, and in addition meet one of the following criteria:

1. Support the needs of agriculture or forestry;
2. Enable the extraction of minerals or the disposal of waste;
3. Provide for quiet informal recreational use; or
4. Enable the sustainable development of rural areas.

In addition, proposals must be of a scale appropriate to its countryside character and location. Development will be considered acceptable where it does not lead, either individually or cumulatively, to a significant increase in the overall level of activity in the countryside, and protects, and/or conserves, and/or enhances, the key features and characteristics of the landscape character area in which it is located, including;

1. The development pattern of the area, its historical and ecological qualities, tranquillity and sensitivity to change;
2. The pattern of woodlands, fields, hedgerows, trees, waterbodies and other features; and
3. The landform of the area.

Highlighted boxes in red show where the planning application is in line with the policies.

The applications supports policy 2 specifically points: 3, 5, 8, 11, 12 and 13.

The application is in line with policy 3 with regards to redevelopment and appropriate nature and scale. The development of only 5 houses maintains functionality and characteristics in accordance with the settlement type. Horsham District Council **does not have a five-year supply of housing**, therefore, irrespective of location – this planning application to deliver five houses within the District is indeed essential.

The application is for an existing developed site – therefore, there are no material considerations as per policy 26.

The HDPF is over 5 years old, and the Council can only demonstrate a supply of deliverable housing for 1 year and not a 5-year supply.

Therefore, I point you to Paragraph 11d of the NPPF. The presumption in favour of all applications for housing development within the District must apply.

Given the above, it is suggested that Horsham District Council are currently in direct contravention to Policy 1.

The application improves social conditions by providing affordable housing, which is sorely missing from the area. Horsham District Council has not worked pro-actively alongside the applicant to find solutions so as to enable this application to be approved, when it is in line with the policies as stated.

The site is located only 2.5miles from West Chiltington village, 3.3miles from Billingshurst train station and Brinsbury college and 2.3miles from Thakeham village – all of which have local services and facilities that can be reached by bike or private vehicle and will be supported by this development. The distances demonstrate that the site cannot be said to be of a substantial distance from any built up area and cycling – as highlighted by WSCC Highways response is an attractive alternative to the use of private vehicles.

Therefore, it is respectfully requested that the reason point no.1 is removed from the decision to refuse the application.

#### **Refusal point 2.**

*The development would be of a poor design and visual quality, where the proposal would appear as a prominent feature within the landscape. The limited visual relief and stark elevations would exaggerate the overall massing and bulk of the built form, and the proposal would fail to reflect the built character and architectural features of the wider locality. It is therefore considered that the proposed development would be contrary to Policies 25, 32, and 33 of the Horsham District Planning Framework (2015).*

**Policy 25****Strategic Policy: The Natural Environment and Landscape Character**

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.

are considered.

**Policy 32****Strategic Policy: The Quality of New Development**

High quality and inclusive design for all development in the district will be required based on a clear understanding of the local, physical, social, economic, environmental and policy context for development. In particular, development will be expected to:

1. Provide an attractive, functional, accessible, safe and adaptable environment;
2. Complement locally distinctive characters and heritage of the district;
3. Contribute a sense of place both in the buildings and spaces themselves and in the way they integrate with their surroundings and the historic landscape in which they sit;
4. ~~Optimise~~ the potential of the site to accommodate development and contribute to the support for suitable complementary facilities and uses; and
5. Help secure a framework of high quality open spaces which meets the identified needs of the community.

### Policy 33

#### Development Principles

~~In order to~~ conserve and enhance the natural and built environment developments ~~shall~~ be required to:

1. Make efficient use of land, and ~~prioritise~~ the use of previously developed land and buildings whilst respecting any constraints that exist;
2. Ensure that it is designed to avoid unacceptable harm to the amenity of occupiers/users of nearby property and land, for example through overlooking or noise, whilst having regard to the sensitivities of surrounding development;
3. Ensure that the scale, massing and appearance of the development is of a high standard of design and layout and where relevant relates sympathetically with the built surroundings, landscape, open spaces and routes within and adjoining the site, including any impact on the skyline and important views;
4. Are locally distinctive in character, respect the character of the surrounding area (including its overall setting, townscape features, views and green corridors) and, where available and applicable, take account of the recommendations/policies of the relevant Design Statements and Character Assessments;
5. Use high standards of building materials, finishes and landscaping; and includes the provision of street furniture and public art where appropriate;
6. Presume in ~~favour~~ of the retention of existing important landscape and natural features, for example trees, hedges, banks and watercourses. Development must relate sympathetically to the local landscape and justify and mitigate against any losses that may occur through the development; and,
7. Ensure buildings and spaces are orientated to gain maximum benefit from sunlight and passive solar energy, unless this conflicts with the character of the surrounding townscape, landscape or topography where it is of good quality.

Proposals will also need to take the following into account where relevant:

8. Incorporate where appropriate convenient, safe and visually attractive areas for the parking of vehicles and cycles, and the storage of bins/recycling facilities without dominating the development or its surroundings;
9. Incorporate measures to reduce any actual or perceived opportunities for crime or antisocial behaviour on the site and in the surrounding area; and create visually attractive frontages where adjoining streets and public spaces, including appropriate windows and doors to assist in the informal surveillance of public areas by occupants of the site;
10. Contribute to the removal of physical barriers; and,
11. Make a clear distinction between the public and private spaces within the site.

This application is in no way in contravention of Policy 25. The planning application is not in a protected area – indeed, the site is already developed and has been used for residential purposes. **The application conserves and maintains the site as it has always been used and ensures no net loss of wider biodiversity** does not interfere with any of the points under the policy.

It is challenged whether Policy 32 applies at all to this application. However, this small **residential development on an already developed residential site** provides in full for point 1. This is demonstrated by comments from the Highway Authority.

**WSCC Highways: Comment: -**

There are no changes proposed to the existing access arrangements from B2133 Harbolets Road, which is subject to 30mph. From inspection of the plans and local mapping, there appears to be no apparent visibility issue at the point of access onto B2133 Harbolets Road. An inspection of collision data provided to WSCC by Sussex Police from a period of the last 5 years reveals no recorded injury accidents within the vicinity of both accesses. Therefore, there is no evidence to suggest the existing access is operating unsafely or that the proposal would exacerbate an existing safety concern.

The site does not benefit from any footways along B2133 Harbolets Road which is not unusual in rural areas. There are limited public transport facilities; hence, proposed users would largely rely on private vehicular use.

A car park at the existing location accommodating 8 nos. vehicle parking spaces will be provided. The LHA advise the provision of safe and secure cycle parking provision to encourage sustainable travel. Delivery and servicing will be carried out as per the existing arrangements.

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No detailed trip generation exercise has been demonstrated within the supporting document. However, given that there are existing trips associated with the existing dwelling, trips from the additional 4 nos. dwellings are not anticipated to cause a material impact on the operation of the local highway network.

The Highway Authority do not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network; therefore, is not contrary to the National Planning Policy Framework (NPPF), paragraphs 114 -117, as revised December 2024. Therefore, there are no transport grounds to resist this proposal.

Point 2 and 3 will be dealt with holistically.

Horsham District Council acknowledge that the site is bound by hedging to the northern boundary, with mature trees located along the southern boundary. The wider surroundings are characterised by sporadic residential development and enclosed agricultural fields, alongside interspersed with tree belts and woodland.

**It is pointed out, that none of these boundaries, trees, fields or woodlands would be changed or suffer any harm or modifications as a result of this development.**

In addition, the council acknowledge that **the dwelling is located centrally within the plot and set back from the public highway.**

It is not visible to other residential plots nor to the public or any passers-by, as there are no pavements or public footpaths/rights of way along the highway or alongside any of the boundaries.

Immediately adjacent to the development are two plots of lawful travelling sites characterised by several caravans and outhouses. The nearest residential properties are located immediate to the north of the site over the road and is neither overlooked or is overlooking the site.

The entire road of Harbolets road, **has distinct residential buildings within their own plots of land and several travelling sites. There are no two buildings the same.** There can be no question of the building interfering with the landscape or character of the area.

Point 4 **the application meets in full.** The application must be permitted for a similar residential house. **However, the application is to provide homes for 5 families and not just one. This is clearly optimisation of the site to accommodate development.**

Point 5 simply does not apply.

The planning application does not contravene any of the points in Policy 33, **meets all of the points.**

It is worth pointing out that, affordable housing **needs to be just that – Affordable.** This begins from the concept and design in order to ensure that the end product – is affordable to buy. The housing units are easily replicable and therefore, keeps construction costs affordable and the design **which is not visible from neighbouring properties, or the public highway cannot be a prominent feature within the landscape with the similar footprint as the original building.** The area has **extremely variable buildings in design and construction**, including travelling sites with multiple caravans. Therefore, this **design does not fail to reflect** a uniform built character and architectural features as suggested by Horsham District council.

It is respectfully requested that the above point is removed from the decision as it is clear from the above that the application satisfies and does not contravene any of the three policies.

### **Refusal point 3.**

*Insufficient information has been provided to demonstrate that the development would have no adverse impact on protected species and its habitat, and to establish how the*

*development will contribute to measurable Biodiversity Net Gain, contrary to Policy 31 of the Horsham District Planning Framework (2015) and Paragraph 193 of the NPPF.*

Contrary to Policy 1 of Horsham District Planning Framework, the Council have not worked proactively with this applicant to overcome any obstacles to allow planning. If insufficient information was provided – a proactive approach, would simply have been to ask the applicant for more information **before a decision** of refusal was made.

Although it is noted that the application has been demonstrated to be exempt from Biodiversity Net Gain. It should also be noted that whilst the development falls within the location of the countryside – the site is an already built-up site and the **Council acknowledges that this is a Redevelopment not a new development. Therefore, an ecological appraisal report is not deemed required in the first instance.**

**However, the applicant is happy to provide a report if asked to.**

Thank you



Miss White