



**Horsham
District
Council**

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/26/0427

Land To The Northwest of Coach House, Blackhouse Road, Colgate, Horsham, West Sussex, RH13 6HS

DESCRIPTION:

Erection of a single storey (self-build) dwellinghouse.

RELEVANT PLANNING HISTORY:

No relevant planning history

DESCRIPTION OF THE SITE

The application site is a parcel of land north of Blackhouse Road, located to the west of the dwellings Coach House and Colgate Lodge. The site is to the southeast of Colgate, an unclassified settlement and is therefore located outside the built-up area boundary and within the countryside for planning policy purposes. The site is also within the High Weald Area of Outstanding Natural Beauty, but is not subject to any heritage designations, with no locally or statutory listed buildings in the vicinity.

The site is served by an existing vehicular access from Blackhouse Road, which provides access to The Coach House, with this access being utilised to serve the proposed dwelling. The site's boundary treatment consists of mature hedgerows and trees, and Black Hill Wood is located to the north of the site, with a further woodland to the south. The application site is located within the Green Impact Zone for Great Crested Newts.

DESCRIPTION OF THE APPLICATION

This application seeks full planning consent for the erection of a three-bedroom dwellinghouse. The proposed dwelling would be located centrally within the site and would be oriented to face east. The proposal comprises a single-storey dwelling of a contemporary design, with a central front-facing gable feature with lower projecting wings to either side. The dwelling would incorporate extensive glazing to all elevations and would be finished in vertical timber cladding with a brick plinth, roof tiles and darkened framed windows and doors.

RELEVANT PLANNING POLICIES

The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (2015):

Policy 1 - Strategic Policy: Sustainable Development

Policy 2 - Strategic Policy: Strategic Development

Policy 3 - Strategic Policy: Development Hierarchy

Policy 4 - Strategic Policy: Settlement Expansion

Policy 15 - Strategic Policy: Housing Provision

Policy 16 - Strategic Policy: Meeting Local Housing Needs

Policy 24 - Strategic Policy: Environmental Protection

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

Policy 26 - Strategic Policy: Countryside Protection

Policy 27 - Settlement Coalescence
Policy 30 - Protected Landscapes
Policy 31 - Green Infrastructure and Biodiversity
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
Policy 35 - Strategic Policy: Climate Change
Policy 36 - Strategic Policy: Appropriate Energy Use
Policy 37 - Sustainable Construction
Policy 38 - Strategic Policy: Flooding
Policy 39 - Strategic Policy: Infrastructure Provision
Policy 40 - Sustainable Transport
Policy 41 - Parking

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

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

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

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

Strategic Policy 1: Sustainable Development
Strategic Policy 2: Development Hierarchy
Strategic Policy 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 10: Flooding
Strategic Policy 11: Environmental Protection
Strategic Policy 12: Air Quality
Strategic Policy 13: The Natural Environment and Landscape Character
Strategic Policy 14: Countryside Protection
Strategic Policy 15: Settlement Coalescence
Strategic Policy 16: Protected Landscapes
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

Planning Advice Notes:

Shaping Development in Horsham District
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:

INTERNAL CONSULTATIONS

HDC Arboricultural: (*Initial Comments*) The site is within the High Weald AONB which is characterised by the sylvan landscape character. The field is bounded along the roadside by a mature indigenous hedgerow and by mature trees and woodland to N and W. The site is bounded by mature trees and hedging. No tree survey or Arboricultural Impact Assessment/scheme of tree protection has been submitted. Further information is recommended to make a fair assessment of potential direct/indirect impacts on trees of landscape merit in/adjacent to the proposed development site and to secure their retention by condition.

(*Further Comments*) The submitted tree report has been reviewed, and it is a fair assessment of the species and positions of trees around the edges of the proposed development site. Raise no concerns in terms of direct Arboricultural impacts subject to compliance with the submitted AMS and TPP. The use of the standard compliance conditions 3.8 Tree Protection and 6.8 AMS is recommended, if minded approving in respect of other AONB planning matters.

OUTSIDE AGENCIES

Ecology Consultant: No Objection, subject to conditions.

It is noted from the Preliminary Ecological Appraisal (Arun Ecology Ltd., February 2026), that there are no structures within the red line boundary and no trees are scheduled for removal. Therefore, it is agreed that no further surveys for bats are required.

The recommendation for a non-licensed Precautionary Method Statement for Hazel Dormouse is supported, ensuring the native hedgerow is protected and retained, secured by condition. The recommendation for a Precautionary Method Statement for reptiles and mobile protected and Priority species, should be secured by condition of any consent. There is sufficient ecological information available for determination of this application and there are no objections on ecological matters excluding Great Crested Newt. The mitigation measures identified in the Preliminary Ecological Appraisal (Arun Ecology Ltd., February 2026) should be secured by a condition of any consent and implemented in full. The recommendation that a Wildlife Friendly Lighting Strategy is implemented for this application (Preliminary Ecological Appraisal (Arun Ecology Ltd., February 2026)) to avoid impacts from light disturbance is supported and should be secured by condition. A connected pre-occupation condition is therefore recommended.

The proposed reasonable biodiversity enhancements for protected, Priority and threatened species, which have been recommended in the Preliminary Ecological Appraisal (Arun Ecology Ltd., February 2026), to secure net gains for biodiversity, are supported. The reasonable biodiversity enhancement measures should be outlined within a separate Biodiversity Enhancement Layout and should be secured by a condition of any consent.

Impacts will be minimised such that the proposal is acceptable subject to the outlined conditions, based on BS42020:2013.

Southern Water: Comment. Pre-commencement conditions requested relating to the proposed means of foul and surface water drainage disposal and landscaping proposals, connected to tree planting adjacent to South Water sewers, rising mains or water mains. A Section 106 connection application would be requirement relating to new connections to the public sewage system.

WSCC Highways: The Local Highway Authority does not consider that the 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 (paragraph 115),

and that there are no transport grounds to resist the proposal. Conditions requested relating to visibility splays and cycle parking provision.

High Weald AONB Unit: No response received

Representations:

1 representation has been received, objecting to the application on the following grounds:

- Similar planning applications made by the objector have been refused twice and dismissed at appeal
- The application site is sited outside the built-up area boundary
- Council policy has not changed unless special consideration is being given to the owner of the land

Parish Comments:

Object: -

- The application is outside the village boundary and built-up area.
- It is in the AONB and is not an existing building, essential or sustainable.
- No information is provided about utilities and services

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:

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

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

As the site is located outside of any defined built-up area boundary, Policies 3 and 4 of the HDPF are of significant weight in the determination of the application. As stated within Policy 3 of the HDPF, development will be permitted within towns and villages that have defined built-up areas; with

development in the countryside more strictly controlled through the provisions of Policy 4. This policy states that development outside of built up areas will only be supported where the site is allocated in the Local Plan or in a Neighbourhood Plan and adjoins a settlement edge.

The application site lies outside of the defined Built-Up Area Boundary on a site not allocated for development, and therefore in planning policy terms forms part of the countryside where new development is strictly controlled. In this countryside location, Policy 26 is also applicable. Policy 26 seeks to protect the countryside against inappropriate development unless it is essential to its countryside location and meets one of the following criteria: supporting agriculture or forestry; enabling mineral extraction or waste disposal; providing for quiet informal recreation; or enabling the sustainable development of rural areas.

Paragraph 83 of the NPPF states that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby.

Nationally, Paragraph 84 of the NPPF states that "planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:

- *there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside;*
- *the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets;*
- *the development would re-use redundant or disused buildings and enhance its immediate setting;*
- *the development would involve the subdivision of an existing residential dwelling; or*
- *the design is of exceptional quality, in that it:*
 - (i) is truly outstanding or innovative, reflecting the highest standards in architecture, and*
 - (ii) would help to raise standards of design more generally in rural areas; and would significantly enhance its immediate setting and be sensitive to the defining characteristics of the local area."*

The term "isolated" is not defined within the National Planning Policy Framework, but case law has confirmed that it should be given its ordinary objective meaning of remote and far away from other places, buildings and people, and separate or remote from a settlement, services, and facilities. There are other residential dwellings with the locality and so given this spatial context, it is not considered to be "isolated" in its truest sense and does not therefore engage the considerations of paragraph 84.

The proposed development would therefore be in conflict with Policies 2, 3, 4 of the HDPF, and does not meet any of the exceptions as identified within Policy 26. As such, the proposal is therefore unacceptable in principle. Whether there are any material considerations that would outweigh the conflict as identified, will be discussed in the Planning Balance and Conclusions section below.

Design and Appearance:

Policies 25, 32, and 33 of the HDPF promote development that protects, conserves and enhances the landscape and townscape character from inappropriate development. 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 proposed dwelling, covering a footprint of 135m², would be located centrally within the site and would be oriented to face east. The proposal comprises a single-storey dwelling of a contemporary

design, with a central front-facing gable projection with lower projecting wings to either side. The dwelling would incorporate extensive glazing to all elevations and would be finished in vertical timber cladding with a brick plinth, roof tiles and darkened framed windows and doors.

There is no set prevailing characteristics of the sporadic dwellings along this section of Blackhouse Road, with a range of ages, materials and build form. As such, whilst contemporary in nature, the proposal would be of a design that would respect the build characteristics and form of other dwellings within the locality, with the proposed materials considered to relate sympathetically to the built form within the wider surroundings.

Overall, the proposed development is considered to relate sympathetically to the built characteristics and character of the locality, and is considered to be of a scale, proportion, and finish that would sit comfortably within the context. The proposal is therefore considered to accord with the above policies.

Trees and Landscaping:

Policy 25 of the HDPF states that the natural environment and landscape character of the District, including landscape, landform and development pattern, together with protected landscapes, will be protected against inappropriate development. Proposals should protect, conserve and enhance the landscape character, taking into account areas identified as being of landscape importance. Policy 26 continues that outside built-up area boundaries, development should protect, and/or conserve, and/or enhance the key features and characteristics of the landscape character area in which it is located, including the development pattern of the area, its historic and ecological qualities, tranquillity and sensitivity to change; the pattern of woodlands, fields, hedgerows, trees and other features; and the landform of the area. Policy 31 promotes development that protects and enhances green infrastructure and biodiversity. It supports projects that maintain ecological networks, create new habitats, and improve existing biodiversity. Loss of green infrastructure must be mitigated or compensated, and protected trees must be replaced if felled.

The application site lies within the High Weald Area of Outstanding Natural Beauty (AONB). Section 84(4) of the Countryside and Rights of Way Act 2000 states that "A local planning authority whose area consists of or includes the whole or any part of an area of outstanding natural beauty has power, subject to subsections (5) and (6), to take all such action as appears to them expedient for the accomplishment of the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty or so much of it as is included in their area". Section 85(1) continues that "In exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty, a relevant authority shall have regard to the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty."

The primary purpose of AONB designation is to conserve and enhance natural beauty, and account should be taken of the needs of agriculture, forestry, and other rural industries, and of the economic and social needs of local communities. Particular regard should be paid to promoting sustainable forms of social and economic development that in themselves conserve and enhance the environment.

Policy 30 of the HDPF states that the natural beauty and public enjoyment of the High Weald AONB will be conserved and enhanced and opportunities for the understanding and enjoyment of their special qualities will be promoted. Development proposals will be supported in or close to protected landscapes where it can be demonstrated that there will be no adverse impacts to the natural beauty and public enjoyment of these landscapes as well as any relevant cross boundary linkages. Proposals should have regard to any management plans for these areas and must demonstrate: how the key landscape features or components of natural beauty will be conserved and enhanced. This includes maintaining local distinctiveness, sense of place and setting of the protected landscapes, and if necessary providing mitigation or compensation measures; how the public enjoyment of these landscapes will be retained; and how the proposal supports the economy of the protected landscape and will contribute to the social wellbeing of the population who live and work in these areas.

The High Weald AONB Management Plan is focused on delivering the statutory purpose of conserving and enhancing the natural beauty, with considerations relating to wider environmental issues, the rural economy, and communities, dealt with in the context of delivering this purpose. The Plan takes a

character-led approach with the main body of the plan setting out the long term policy objectives and short term targets for conserving and enhancing natural beauty. The Objectives, together with Indicators of Success and Five-Year Targets are effectively the plan's policies, and provide the strategic direction for AONB management. As a statutory document, Local Planning Authorities must take the AONB Management Plan into account when formulating their development plans, and in the assessment of planning applications.

The application building is considered to be of an appropriate scale and footprint which sits comfortably within the context of the site. The building's design is considered to relate sympathetically to the rural character of the countryside location and the characteristics of the High Weald AONB. Whilst mature trees, hedgerows and woodlands surround the site, given the building's central location within the plot, the dwelling will be sited outside the RPAs of the trees on the site. No trees would be removed as part of the development, ensuring that there is no harmful impact to the High Weald AONB and the site remains suitably screened and enclosed. The council's Arboricultural Team have confirmed they raise no objections, subject to the imposition of compliance conditions.

The development is therefore considered to relate sympathetically to the landscape character and visual amenity of the site and surroundings, in accordance with the above policies.

Residential Amenity:

Policy 33 of the HDPF states that permission will be granted for development that does not cause unacceptable harm to the amenity of the occupiers/users of nearby properties and land.

The proposed dwelling would be sited to the west of the nearest residential property known as the Coach House, at a distance of approximately 45metres. The proposal has been designed to limit overlooking, with the separation distance considered sufficient to ensure there would be no loss of privacy or overlooking.

Taking into account the single storey nature of the proposed dwelling, the separation distance is considered acceptable to limit harm to the amenities of nearby residential properties. The proposal is therefore considered to accord with policy 33 of the HDPF.

Highways Impacts:

Policy 40 of the HDPF deals with sustainable transport and seeks new developments to provide safe and suitable access for all vehicles, pedestrians, cyclists, horses riders, public transport, and the delivery of goods. Policy 41 which relates to parking requires adequate parking and facilities to be provided within developments to meet the needs of anticipated users.

The proposed dwelling would utilise the existing access off Blackhouse Road, a D classified public highway, in which the access is sited in the southeastern corner of the site. Following consultation with the Local Highways Authority, an inspection of WSCC mapping confirms there is no evidence to suggest the access is operating unsafely, or that the proposed development would exacerbate an existing safety concern, with no recorded injury accidents recorded. It is considered that an increase of one dwelling utilising this access, would not result in severe material intensification of use over the existing arrangement.

WSCC consider there to be no issue with visibility in the eastern (trailing direction). However, in the western (leading) direction, visibility could be improved by trimming back vegetation in both publicly maintained highway and applicant owned land and thus the LHA advise that maximum achievable visibility splays be demonstrated along with extent of cutting back required. If the application was to receive consent, WSCC have requested a suitable visibility splays condition to be imposed.

Under WSCC Guidance on Parking at New Developments, a 3-bedroom dwelling in this area could require 2.2 parking spaces. The submitted site plan indicates sufficient parking to accommodate a minimum of two vehicles, with further hardstanding available for a further vehicle. There is sufficient space on site for cars to turn to exit in a forward gear.

It is therefore considered that the proposal would not result in any adverse impacts on highway safety or the operation of the local highway network, in accordance with Policy 40 and 41 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 application has been supported by a Preliminary Ecological Appraisal by Arun Ecology Ltd., dated February 2026. This appraisal concludes that no further bat surveys are required and identifies appropriate precautionary mitigation and biodiversity enhancement measures. The Council's Ecological Consultant has reviewed the report and raises no objection to the proposal, subject to conditions securing the recommended mitigation, enhancement and lighting measures.

Water Neutrality:

A 2021 Position Statement from Natural England identified that it could not be concluded with the required degree of certainty that new development in the Sussex North Water Supply Zone would not have an adverse effect on the integrity of the Arun Valley SAC, SPA and Ramsar sites. As a consequence, and to comply with the legal duties set out in the Conservation of Habitats and Species Regulations 2017 (known as the Habitat Regulations), all new development since has been required to demonstrate water neutrality.

On 31st October 2025 Natural England formally withdrew the 2021 Position Statement, citing a package of measures that they were satisfied would safeguard the Arun Valley sites. Principal amongst these measures is a reduction in the Southern Water abstraction licence 'by March 2026'. However, given the licence change has not yet taken place Horsham District Council, as competent authority under the Habitats Regulations, cannot yet be certain that new development will not result in adverse impacts on the Arun Valley sites.

To ensure development can come forward as water neutral in the meantime, the Council has agreed with Natural England to use the significant water savings made by Southern Water in 2024/25 through their programme of leakage reduction (amongst other measures). This has generated some 3,240,000 litres per day of water savings that can now be attributed to new development without increasing water abstraction in the Arun Valley beyond baseline. These savings were previously to be used to launch the Sussex North Water Certification Scheme (SNWCS), however following the withdrawal statement SNWCS will no longer be launching. Natural England standing advice dated 10 November 2025 raises no objection to using these savings to enable development to come forward. The standing advice clarifies that it functions as Natural England's formal response pursuant to Regulation 63(3) of the Conservation of Habitats and Species Regulations 2017 to all relevant planning applications which seek to achieve water neutrality using the above Southern Water savings.

Officers have undertaken an Appropriate Assessment which demonstrates that the anticipated increase in mains water consumption from this development, alongside all other development granted since the 31st October 2025, will not exceed 3,240,000 litres per day.

Accordingly, Officers consider that the proposed development will not have an Adverse Effect on the Integrity of the Arun Valley Site, either alone or in combination with other plan and projects, thereby

complying with Regulations 63 and 70 of the Conservation of Habitats and Species Regulations 2017, HDPF Policy 31, and paragraph 193 of the NPPF.

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 Chapter 14 of the NPPF that local plans and decisions seek to reduce the impact of development on climate change. If consent was to be granted, conditions requiring the following would be imposed:

- o Water consumption limited to 110litres per person per day
- o Requirement to provide full fibre broadband site connectivity
- o Refuse and recycling storage
- o Cycle parking facilities
- o An electric vehicle charging points

Subject to these conditions the application will suitably reduce the impact of the development on climate change in accordance with local and national policy.

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) and that every planning permission granted for the development of land in England shall be deemed to have been granted subject to the condition that development must not be begun unless a Biodiversity Gain Plan has been submitted to the planning authority and the planning authority has approved the Plan.

The Biodiversity Gain Plan must show how the development will achieve the required minimum 10% BNG using the statutory biodiversity metric tool and must demonstrate how the habitats will be managed and maintained for 30 years, starting from the date the development is completed. Off-site gains (on unregistered sites) and significant on-site enhancements will be secured over this period by way of a Legal Agreement.

The Applicant has demonstrated that the development is exempt from the requirement to achieve a minimum 10% BNG by reason of:

- The development qualifies as 'self-build or custom housing' under Regulation 8 of the Biodiversity Gain Requirements (Exemptions) Regulations 2024

Conclusion and Planning Balance:

As the site is not allocated for development within the HDPF or a made neighbourhood plan, owing to the site's location outside of the built-up area boundary, the principle of the development is contrary to Policies 1, 2, 3, 4 and 26 of the Horsham District Planning Framework.

The Council cannot currently demonstrate a 5-year housing land supply and the presumption in favour of sustainable development at paragraph 11(d) of the NPPF is engaged in this instance. NPPF paragraph 11(d)(ii) states that where there are no relevant development plan policies in place, the policies that are considered most important for the determination of applications (in this case, Policies 1, 2, 3, 4 and 26 of the HDPF, owing to the lack of a five-year housing land supply) permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

In circumstances where Paragraph 11(d) is engaged, NPPF Paragraph 225 (Annex 1) sets out that due weight can be given to the most important policies for determining an application according to their

degree of consistency with policies in the Framework. However, the Framework does not prescribe the weight to be given to conflict with development plan policies. This is affected by the purpose of the policy and the circumstances of the case.

In this case the most important policies include those relating to the spatial development strategy as set out at HDPF Policies 1, 2, 3 and 4. Policy 1 reflects the Framework presumption in favour of sustainable development and is thus fully consistent with the NPPF. Policies 2, 3 and 4 set out how sustainable growth will be achieved, though as they seek to focus development within settlements and only allow expansion on allocated sites, they have a restrictive element. Nonetheless, they generally reflect the Framework preference for development to be well located in relation to services and facilities. Therefore, moderate weight is applied to these policies.

HDPF Policy 26 refers specifically to countryside protection outside built up area boundaries, requiring development to be essential to this location. Whilst again this reflects the Frameworks preference for development to be well located in relation to services and facilities, as the definition of built-up areas is based on out-of-date housing numbers, this policy is afforded moderate weight.

As per the preceding sections of this report, the granting of this permission would conflict with Policies 1, 2, 3, 4 and 26 of the HDPF. Whilst the proposal would not support the spatial strategy for the District, these policies are not fully framework compliant. Furthermore, the issues associated with the Council's current five-year housing land supply situation result in moderate weight being applied to these policies in the overall planning balance.

The proposal would provide a single market dwelling. In light of the Council being unable to demonstrate a five year housing land supply (with a 1.7 year supply only), the Council has approved the Shaping Development in Horsham District Planning Advice Note (SDPAN). The SDPAN provides guidance on how to positively assess residential development proposals coming forward outside of settlement boundaries, with Paragraph 5.12 of the SDPAN stating that the Council '*will consider positively applications that meet all of the criteria below:*

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

The current housing shortfall is a material consideration of significant weight. Whilst the site would be within a defensible boundary, and the contribution of a market dwelling would provide socio-economic benefits in the form of housing delivery, the site is not adjoining an existing settlement edge. The nearest settlement edge, Horsham, being approximately 3.5km to the west. The proposal in this regard does not comply with the SDPAN.

It is noted that the Regulation 19 Horsham District Local Plan (HDLP) proposes the designation of Secondary Settlements within draft Policy 2, where some degree of infill to otherwise unclassified settlements could contribute to the sustainable development of rural areas. Colgate has been reviewed as part of this process, where it is recognised that Colgate provides some limited local employment and provision of sustainable transport with a restricted bus service. There is a good level of services and facilities including a primary school, village hall, public house and a church which clearly indicates the presence of an established community. With a number of residential properties and community facilities fronting the highway on both Forest Road and Blackhouse Road, these contribute to a sense of place. there is a clear sense of arriving and leaving the settlement creating a sense of place. For this reason, it has been recommended that Colgate be designated as a secondary settlement.

The proposed Secondary Settlement boundary would include residential dwellings along Blackhouse Road, however, does not extend as far east as the application site, approximately 0.5km away. This boundary would exclude the application site, which would similarly not adjoin any proposed (secondary settlement) boundary to the south and east of the site.

Whilst compliance with the SDPAN is not determinative, given it is guidance only, the document does seek to identify sustainable development. In this case the application site is on Blackhouse Road, which is an unlit rural lane and does not benefit from a dedicated pedestrian footway. The lane itself is subject to a 60mph speed limit and even if traffic levels are low, it is unlikely that this would be an attractive walking or cycling option for future occupiers, particularly in the dark or in poor weather. There are no interconnecting Public Right of Ways and as a result, future occupiers would be reliant on private vehicles to access everyday services, amenities and facilities. The location of this site is not therefore considered sustainably located to be able to offer non-car transport options for future residents and is contrary to the Councils spatial strategy for housing.

The cumulative benefits from the provision of a single dwellings and the socio-economic benefits are considered to be outweighed from the identified adverse impacts of the development, namely the conflict with the development plan and the site’s unsustainable location. This harm would demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole. Therefore, the proposal is recommended for refusal.

Recommendation: Application Refused

Reason(s) for Refusal:

- 1. The proposed development would be located within an unsustainable location in the countryside, 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, 4 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.

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/26/0427

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

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

Plan Type	Description	Drawing Number	Received Date
Supporting Statement	Energy Statement	NONE	09.03.2026
Supporting Docs	Preliminary Ecological Appraisal	C-NJA-091-001-001 REV 001	09.03.2026

