

MME PLANNING SERVICES

Erection of 2no detached single-storey self-build /
custom build dwellings with associated works.

at

Brooklands, New Hall Lane, Small Dole, Henfield, West
Sussex, BN5 9YH

Grounds of Appeal Statement

Ref: P-028

June 2026

Version 1



Figure 1: Site Location / Red Line Area

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1. Introduction

- 1.1 This appeal has been prepared and submitted following the Council's decision to refuse planning application reference DC/25/1980. The development proposes the erection of 2no detached dwellings and associated works. By a decision notice dated 03 February 2026, planning permission was refused for the following reason(s):

- 1 *The development would enable a residential use within a countryside location outside of the built-up area boundary of any settlement, on a site which has not been allocated for development within the Horsham District Planning Framework or an adopted Neighbourhood Plan. The development would be contrary to the overarching strategy and hierarchical approach of concentrating development within the main settlements and is not essential to its countryside location. There are no material considerations which outweigh this harm, and the proposal represents unsustainable development contrary to Policies 1, 2, 3, 4, and 26 of the Horsham District Planning Framework (2015), Policy 1 of the Henfield Neighbourhood Plan (2021) and the National Planning Policy Framework (2024).*
- 2 *The siting and layout of the proposed development would relate unsympathetically with the existing pattern of development and would represent overdevelopment of a backland setting. The proposal would result in a loss of the open rural character to the rear of the application site and would be in terms of scale and appearance, visually incongruous with the dwellings within the locality. Given the harm arising from the proposal, the development would be contrary to Policies 25, 32 and 33 of the Horsham District Planning Framework (2015).*

- 1.2 This statement will consider the reasons for refusal and the relevant planning policies. Having reviewed the submitted plans and considered the Council's assessment of this proposal, it is our view that planning permission should reasonably have been granted. The Appellant contends that given the Council's lack of 5-year housing supply and the relationship of the site with the defined built-up area boundary, the context of the site and surrounding area and the proposed design and scale of the dwellings, the appeal scheme is policy compliant. In the circumstances, therefore, we would respectfully request that planning permission is granted for this proposal.

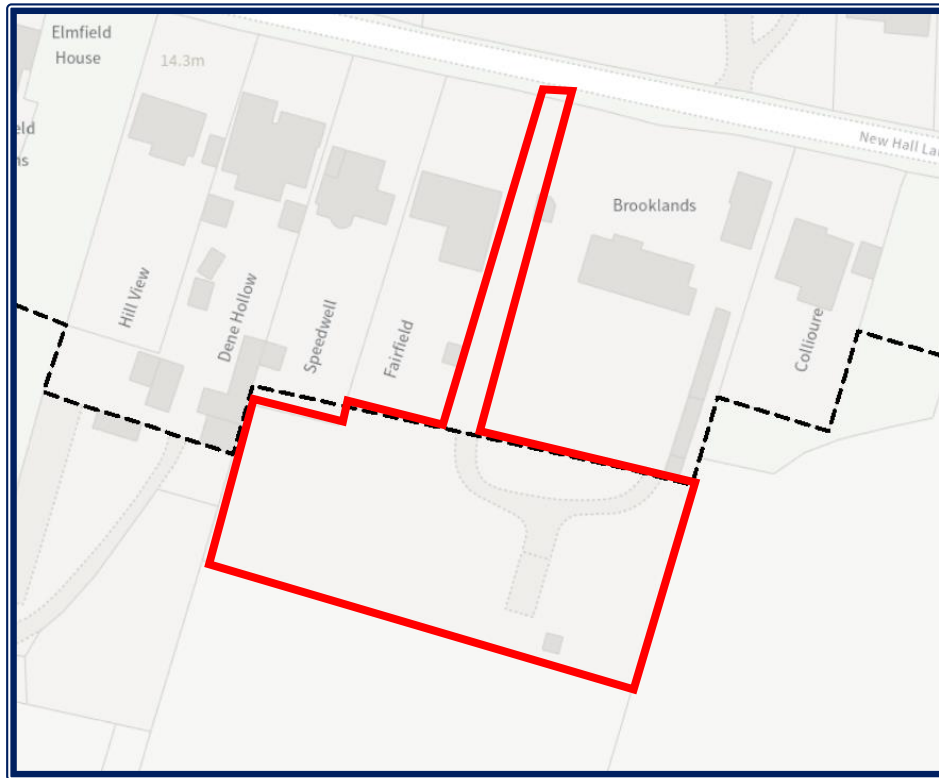


Figure 2: Plan showing relationship of the site with the Built-Up Area Boundary (dashed black line)

- 1.3 One point to reiterate is that the appeal site / the location of the site directly adjoins the defined and current built-up-area boundary of Small Dole. Given this context, the site is considered to be a sustainable location, with facilities located within Small Dole and public transport links located in close proximity to the site providing sustainable modes of transport to larger settlements located to the north and south.
- 1.4 The Appellant is of the view that the proposed design, submitted as part of this application / appeal, has addressed previous concerns raised by the Inspector under an earlier appeal in relation to a refused application, reference DC/24/1101 (Appeal Ref: APP/Z3825/W/24/3356684).

2. Appeal Site and Surroundings

- 2.1 The appeal application site is located on the southern side of New Hall Lane, to the west of Shoreham Road, Small Dole, Henfield. The application site currently comprises part of the residential garden space / curtilage of Brooklands, which is a two-storey detached dwelling.

- 2.2 As detailed within the supporting plans and above, the appeal site directly adjoins the defined built-up-area boundary of Small Dole, with the existing property at Brooklands located within the boundary, however, is classed as a countryside location for planning and policy purposes, as defined by the Horsham District Planning Framework (2015) (HDPF).
- 2.3 Although designated as a countryside location, the appeal site is surrounded by residential development, with existing dwellings located to the east, west and north. As such, the site is not considered to be in an isolated rural location. Small Dole is identified as a smaller village within the HDPF, with limited services, facilities, social networks but with good accessibility to larger settlements. There are bus stops located to the east of the appeal site on Shoreham Road providing links to the larger settlement of Henfield to the north, which is located in close proximity to Small Dole, and Upper Beeding to the south. Given the location of the appeal site and its setting in relation to the built-up-area, it is therefore considered that the site is in a sustainable location.
- 2.4 Neighbouring and surrounding residential dwellings are generally characterised by an eclectic mix of detached and semi-detached properties of both single and two storeys, all with differing plot sizes. It is also noted that New Hall lane is characterised by various backland developments to the north and south.
- 2.5 The proposed red line area, as indicated on the submitted plans, extends to some 0.39ha. It is noted that a number of new dwellings have been permitted along New Lane.
- 2.6 It is also noted that a large residential development for 45 dwellings, directly to the east of the appeal site, has recently been approved at planning committee (subject to the completion of a legal agreement), under planning reference DC/25/1019. Full details will be discussed below within this statement, however it is highlighted that this site has not been allocated for housing development and the development would have a greater impact on landscape character and visual appearance when compared to this appeal scheme.

3. Relevant Planning Policy Considerations

National Planning Policy Framework (NPPF) (2024)

- 3.1 The NPPF sets out the Government's planning policies for England and how these should be applied. It provides a framework for the preparation of local plans for housing and other development. The NPPF should be read as a whole.
- 3.2 Running throughout the NPPF is a presumption in favour of sustainable development. Sustainable development is achieved through three main objectives which are – economic, social and environmental.
- 3.3 Paragraph 11 of the NPPF states that for decision-taking, this means approving development proposals that accord with an up-to-date development plan without delay. Where there are no relevant development plan policies, or the policies which are most important for determining the application / appeal are out of date, planning permission should be granted unless the policies of the Framework that protect areas or assets of particular importance provide a clear reason for refusing the development proposed, or, any adverse impact of doing so would 'significantly and demonstrably outweigh the benefits' when assessed against the policies of the NPPF when taken as a whole (NPPF paragraph 11(d)).

Horsham District Planning Framework (HDPF) (2015)

- 3.4 Paragraph 34 of the NPPF requires that all development plans complete their reviews no later than 5 years from their adoption. Horsham District Council has submitted its new local plan for examination, however at this stage, the emerging policies carry little to no weight in decision-making.
- 3.5 A Local Development Scheme (LDS) was published in February 2025 by the Council. The LDS sets out the production timetable for the New Local Plan anticipated to be adopted in April 2026. Notwithstanding the above, as the HDPF is now over 5 years old, the most important policies for determining this application / appeal are now considered to be 'out-of-date'. This position is further highlighted given that the Horsham District Local Plan examination hearing meetings scheduled for January 2025 were cancelled by the appointed Inspector, and in April 2025 advised that the Plan is withdrawn due to concerns about its legal compliance. Proceedings for the new Local Plan re-opened in April 2026, however the new local plan carries limited weight in decision-making at this stage.

3.6 The Council is currently unable to demonstrate a 5-year supply of deliverable housing sites. The presumption in favour of development within Paragraph 11(d) of the NPPF therefore applies in the consideration of all applications for housing development within the District, with Policies 2, 4, 15 and 26 now carrying limited weight in decision-making.

3.7 While considered to be out of date, the main HDPF policies relevant to this application / appeal are as follows:

- 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 25 - Strategic Policy: The Natural Environment and Landscape Character
- Policy 26 - Strategic Policy: Countryside Protection
- Policy 31 - Green Infrastructure and Biodiversity
- Policy 32 - Strategic Policy: The Quality of New Development
- Policy 33 - Development Principles
- Policy 35 - Strategic Policy: Climate Change
- Policy 36 - Strategic Policy: Appropriate Energy Use
- Policy 37 - Sustainable Construction
- Policy 38 - Strategic Policy: Flooding
- Policy 40 - Sustainable Transport
- Policy 41 - Parking

Henfield Neighbourhood Plan (HNP) (2021)

3.8 While also considered to be out of date, the Neighbourhood Plan policies relevant to this application / appeal are as follows:

- Policy 1: A spatial plan for the parish
- Policy 4: Transport, Access & Car Parking
- Policy 10: Green Infrastructure & Biodiversity
- Policy 12: Design Standards for Development

Planning Advice Note(s) (PAN)

3.9 Relevant PANs to this application are as follows:

- Shaping Development in Horsham District
- Biodiversity and Green Infrastructure

4. Planning Issues, Grounds of Appeal and Comments on the Officer's Report

Principle of Development – Reason for Refusal 1

- 4.1 As detailed above, the Council is currently unable to demonstrate a 5-year housing land supply, with the latest Authority Monitoring Report (December 2025) identifying a supply of only 1.7 years. Therefore, the tilted balance contained in Paragraph 11(d) of the NPPF is engaged.
- 4.2 In addition, the Council has failed its most recent Housing Delivery Test, with the December 2024 test results demonstrating that the Council has only delivered 62% of its housing target in the preceding three years. This itself also triggers the presumption in favour of sustainable development under Paragraph 11(d). This is irrespective of a Council's five-year housing land supply position.
- 4.3 It is noted that limited weight should be attached to the conflict with Policy 26 in respect of development outside of built-up area boundaries given that the deficient housing supply position dictates that these boundaries are out of date. As such, the fact that a site may lie outside of the built-up area boundary does not, in itself, constitute a reason to refuse the application.
- 4.4 Further to the above, Paragraph 14 of the NPPF notes that "In situations where the presumption (at paragraph 11(d)) applies to applications involving the provision of housing, the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits, provided the following apply:
- a) the neighbourhood plan became part of the development plan five years or less before the date on which the decision is made; and

b) the neighbourhood plan contains policies and allocations to meet its identified housing requirement”.

- 4.5 The Henfield Neighbourhood Plan is now more than five years old. Therefore, Paragraph 14 of the NPPF does not apply and the presumption in favour of sustainable development would not be affected in this instance.
- 4.6 Moreover, and as detailed above, the site adjoins the BUAB of Small Dole which benefits from a number of facilities including a shop, post office and pub, as well as being located close to public transport links, with buses available to the east of the site on Shoreham Road to Henfield to the north and Upper Beeding to the south.
- 4.7 It is therefore considered that there is opportunity for future residents of the properties to utilise the facilities in the village and surrounding areas by alternative methods of transport and would not be unduly reliant on private vehicles for day-to-day needs. In terms of its location, the site is therefore considered to be sustainable. It is noted that no concerns were raised by the Inspector in the previous appeal decision in this regard, and the Council have also not raised this as a concern.
- 4.8 In addition, since the adoption of the HDPF and the HNP, and given the housing land supply position which the Council is currently in, the Council has issued a Shaping Development in Horsham District (2015) document, (previously the Facilitating Appropriate Development (FAD) Supplementary Planning Document). The document sets out the Council's aspirations and the weight that can be given to current and emerging policy within the context of current legislation, national policy, and guidance.
- 4.9 Section 5 of the Shaping Development in Horsham District document provides advice as to how the Council will continue to facilitate appropriate development. Specifically, Paragraph 5.12 states that:

The Council recognises that it is likely to receive applications outside of defined Built Up Area Boundaries (BUAB)s and on unallocated sites as it is unable to demonstrate a five-year housing land supply. Given this position and the principles behind HDPF Policy 4, it will consider positively applications that meet all of the criteria below:

- *The site adjoins the existing settlement edge as defined by the BUAB;*

The appeal site adjoins the defined BUAB of Small Dole, and therefore complies with this point of the criteria.

- *The level of expansion is appropriate to the scale and function of the settlement the proposal relates to;*

As per the HNP and the Housing Needs Assessment carried out to inform this, the majority of properties within the Parish consist of detached properties. The proposal would create 2no appropriately sized dwellings within a comparable plot size to neighbouring development, where there are existing dwellings located further beyond the defined BUAB boundary, particularly to the west. The level of expansion is therefore considered to be appropriate and would comply with the above criteria.

- *The proposal demonstrates that it meets local housing needs or will assist the retention and enhancement of community facilities and services;*

While the HNP states that the indicative total number of houses specifically provided within the Plan period is appropriate, striking the right balance between meeting local housing need and contributing to the HDPF Housing Supply Strategy on the one hand and reflecting the scale of housing developments recently built and consented in Henfield on the other, the policy allows for sustainable development proposals.

The proposals would represent windfall development which would adjoin the BUAB boundary and given that the Shaping Development in Horsham District document post-dates the Neighbourhood Plan, the proposal would deliver sustainable and appropriate housing development, which takes into account 'established character', as required by paragraph 5.18 of the Shaping Development in Horsham District guidance.

- *The impact of the development individually or cumulatively does not prejudice comprehensive long-term development;*

The proposal is for 2no dwellings of an appropriate scale, which would make a contribution to the Council's housing numbers. Given the scale and nature of the development and the surrounding context, the proposal would not individually or cumulatively prejudice comprehensive long-term development, as it effectively represents windfall development.

- *The development is contained within an existing defensible boundary and the landscape character features are maintained and enhanced.*

The proposed dwellings are comfortably contained within the appeal site area which has clearly defined defensible boundaries to all sides. Much of the existing soft landscaping on site would be retained. While a small number of trees with no especial merit would be removed, additional planting is proposed within the site as well as ecological improvements, resulting in an overall enhancement in terms of landscape character and biodiversity.



Figure 3: Image showing southern and western boundaries of the site which consist of hedging.

- 4.10 The Council, continue to purport that the development would not be contained within a defensible boundary, however this conclusion is not supported by the site evidence which is provided at Figure 3 above. The site is contained by hedging and mature vegetation to all sides.

- 4.11 While the views of the Inspector within the previous appeal decision are acknowledged the situation on site has since changed, and the proposal would comply with this requirement, as set out within the Shaping Development document. In determining this application, it would appear that the Council have not fully considered to the current site context and have instead relied on the views of the Inspector within the previous appeal.
- 4.12 The site area consists of the existing residential curtilage and is contained within existing defensible boundaries. The site is therefore visually seen as part of the residential curtilage of Brooklands and not the wider open field to the south. The re-designed dwellings submitted as part of this application would not result in landscape harm or impact on the character of the area, given their reduced height and scale, and have been designed to appear as traditional agricultural outbuildings. The Council acknowledges that the proposals are more modest when compared to the previous refusal / dismissed appeal scheme. Given the overall, height of the proposed dwellings, and context, it is considered that the appeal scheme would have minimal impact on the setting and would not appear prominently. Additional planting is proposed which would enhance the site's landscape character and biodiversity value, and a detailed landscaping scheme could be secured by condition.
- 4.13 Indeed, it is noted within the appeal decision relating to the previous refusal on site, at paragraph 23 the Inspector states that: "Neither the development plan policies nor the FAD (now the Shaping Development in Horsham District document) specifically identifies 'backland' sites as being unacceptable. The Inspector goes on to state that "this is not something which in itself weighs against the scheme". It is therefore considered that given the reduced scale of the proposed dwellings, the appeal would not appear visually intrusive, as previously considered by the Inspector. In addition, given the presence of existing built form directly to the west of the site, the proposals would not "extend built form into a countryside location to the rear of the building line along New Hall Lane", as suggested by the Council, and would not appear out of keeping.
- 4.14 The proposed dwellings have been scaled, positioned and orientated to reflect the existing backland built form to the west of the site and to the northern side of New Hall Lane. As such, the proposals would not appear visually isolated and would not be at odds with the prevailing character, as purported by the Council.

- 4.15 Notwithstanding the above, even if some harm is identified, given the amended design which has significantly reduced the size and scale of the proposed dwellings when compared to the previous dismissed appeal scheme, this would not be considered to result in a strong reason for refusal, as set out within Paragraph 11(d) of the NPPF.
- 4.16 In addition, it is noted that there are a number of recent decisions which have granted residential developments outside of the defined built-up areas elsewhere within the District where the context and scenarios were very similar. Examples include reference numbers DC/22/0495 and DC/22/2250 which each sought permission for 1no dwelling, and were granted at appeal in August 2023 and March 2024 respectively, and DC/23/2278 which sought permission for 8no dwellings and was granted by the Council's planning committee in April 2024.
- 4.17 The Inspector within the appeal decision in relation to application reference DC/22/0495 states "I have attached limited weight to the conflict with HDPF Policy 26 in respect of development outside of built-up area boundaries. The housing shortfall dictates that those boundaries are out of date. I consider that some weight can still be given to the strategy set out within HDPF Policy 2, in terms of the general locations of new development, but the fact that a site may lie outside of the built-up area boundary does not, in and of itself, constitute a reason to refuse planning permission".
- 4.18 It is noted that the Inspector within the previously discussed appeal decision in relation to Brooklands, refers specifically to application reference numbers DC/22/0495 and DC/22/2250 and the scale and design of the dwellings allowed under these appeals. In particular the allowed appeal at Cowfold Lodge, the Inspector refers to the approved log cabin style dwelling rather than the previously dismissed larger dwelling at Brooklands. The current proposals have had regard to this viewpoint, where the proposed dwellings have been reduced to modest single storey buildings which would not appear prominently within this setting.
- 4.19 A recent appeal decision issued in October 2025 under planning reference DC/24/1486 (Appeal Reference APP/Z3825/W/25/3361339), granted permission for a new build dwelling approximately 2 miles away from the closest built-up area boundary. Within the appeal decision the Inspector states that:

- “27. The proposed dwelling would be in a location that is not considered suitable when assessed against the relevant HDPF and NP policies. The site lacks close proximity to a wide range of essential services and facilities. Although there are some opportunities for travel by means other than private car, reliance on car journeys is likely to be significant. In these respects, the proposal would conflict with key development plan policies.
28. Balanced against the harm are a number of benefits. The overall housing supply remains significantly deficient, and the provision of an additional dwelling would make a meaningful contribution to addressing this shortfall. The Framework recognises that small sites can make an important contribution to housing supply and are often built out quickly. There would also be modest economic benefits during construction and through local spending, as well as a small contribution to housing diversity. While the scale of these benefits is modest given that only one dwelling is proposed, in the context of current housing pressures, even a single additional home represents a valuable and positive contribution.
29. Taking all matters into account, the adverse impacts of granting permission would not significantly and demonstrably outweigh the benefits when assessed against the Framework as a whole. Consequently, the proposal benefits from the presumption in favour of sustainable development as defined in paragraph 11d of the Framework.”
- 4.20 In addition to the above, attention is drawn to a recent appeal decision at Horsham Golf Club, Denne Park, Horsham, RH13 0AX, which allowed a development for 800 units under planning reference DC/23/1178 (Appeal Ref: APP/Z3825/W/24/3355546) in July 2025. The inspector for this appeal described the Council’s current housing land supply position as “lamentable”.
- 4.21 As set out within paragraph 4.17 above, the inspector within the Horsham Golf Club appeal decision at paragraph 58 reaffirms this position, stating that the settlement boundaries in the HDPF are out of date, and that the use of Policy 26 to restrict housing development outside settlement boundaries is not consistent with the NPPF.

- 4.22 Furthermore, it is highlighted that the Horsham Golf Club site does not directly adjoin a defined or proposed Built Up Area Boundary. As such, this appeal decision clearly indicates that the housing supply position would outweigh any non-compliance with parts of the criteria set out within the Shaping Development in Horsham District guidance and that even if part of these criteria are not met, this should not in itself form the basis for refusal.
- 4.23 Other recent examples of permitted dwellings outside of a defined built-up area can be seen under planning reference DC/24/1887, which granted outline planning consent for 2no detached dwellings in December 2025; reference DC/25/1831, which granted outline planning consent for 1no dwelling in March 2026, reference DC/25/0895, which granted full planning consent for 1no dwelling at appeal in March 2026 (Appeal Reference APP/Z3825/W/25/3375774) and reference DC/24/1888 which granted outline planning consent for 2no detached dwellings at appeal in June 2026 (Appeal Reference 6004865).
- 4.24 While it is acknowledged that every application and site context should be considered on its own merits, taking into account the current situation of the Council in terms of its 5-year housing supply, and the above examples, there is an expectation that a consistent approach is applied to decision-making.
- 4.25 It is highlighted that the above examples of permitted dwellings were located outside of settlement boundaries and in some cases, significant distances away from any defined built-up areas. The above examples clearly show that notwithstanding the distances to the respective settlement boundaries, given the lack of 5-year housing supply, the tilted balance is engaged and the principle of residential development in this location is acceptable.
- 4.26 The housing supply position of the Council is clearly deficient. 2no additional self-build dwellings would contribute towards the much-needed supply of houses. Small sites can often be built out relatively quickly and there would be economic benefits arising from construction and spend in the local economy. There is also a specific un-met need for self-build housing within Horsham DC. In the context of the current circumstances, the additional dwellings would be valuable. Recent decisions that have been made by the Council and the Inspectorate confirm small scale developments such as this make a valuable contribution to the Council's housing shortage.

- 4.27 In addition to the above, it is reiterated that the re-designed dwellings submitted as part of this application would not result in landscape harm or impact on the character of the area such that it would amount to a clear and strong reason for refusal.
- 4.28 In summary, given the lack of a 5-year housing supply, the location of the site which adjoins a defined built-up area boundary, full compliance with the Shaping Development in Horsham District Document, the amended design of the proposals compared to the previous dismissed appeal scheme, reducing the scale and footprint and amending the layout of the proposed dwellings, and relevant recent examples of housing developments permitted outside of settlement boundaries, the principle of residential development is therefore acceptable.

Design and Appearance – Reason for Refusal 2

- 4.29 Reason for refusal 2 of the decision relates to the design and appearance of the proposed development and the purported harm and detrimental impact on the character of the area.
- 4.30 By the Council's own admission as set out within the officer report, New Hall Lane and the surrounding area consists of a varied mix of dwellings, ranging from detached to semi-detached properties and also differing in terms of dwellings and plot sizes.
- 4.31 As detailed within the submitted plans and supporting information, the proposed dwellings have been re-designed to appear as modest, single-storey agricultural outbuildings. The proposed dwellings would have a significantly reduced height of approximately 3m when compared to the previously refused designs. The overall footprint and GIA of the proposed buildings are also significantly less than the previously refused design, addressing the view of the Inspector within the appeal decision at paragraph 16 that: "the buildings would be sizable structures and would unmistakably be read as residential dwellings".
- 4.32 The Council within the delegated report state that: "The application site is read visually as part of the rural character of the countryside, supported by its countryside location outside of the built up area boundary. The introduction of built form in this locality, and particularly of this scale would extend beyond the parameters of the linear ribbon of open fields to the rear of the dwellings along New Hall Lane. It is therefore advanced that the two dwellings would form an inappropriate backland development that would appear at odds with the prevailing character on the street.

Whilst the present proposal incorporates dwellings significantly smaller in scale to those previously assessed by the Council (and subsequently dismissed at appeal), this does not overcome the matter of development in this location being uncharacteristic. It is therefore considered that the proposal would be out of character with surrounding development, contrary to Policies 32 and 33 of the HDPF”.

- 4.33 It is highlighted again that the site forms part of the residential curtilage of the existing dwelling at Brooklands, and is fully enclosed by hedging. In this context, the Appellant is of the view that the site is more closely connected to the existing development to the north and west, rather than the countryside, as purported by the Council.
- 4.34 It is also noted again that within the previous dismissed appeal, the Inspector states that the backland development does not weigh against the scheme. The amended single storey design and overall scale and footprint of the proposed dwellings is significantly reduced when compared to the previously refused and dismissed designs. The current proposals would not appear as ‘prominent or incongruous features’, as previously stated by the Inspector at paragraph 17 of the previous appeal decision and would be sited appropriately within this existing residential site.
- 4.35 Within the second reason for refusal, the Council continue to purport that the development would result in an overdevelopment of the site. Given the size and scale of the single storey dwellings submitted as part of this application / appeal, this is difficult to reconcile with the Inspector’s previous findings, where the Inspector did not consider that the previous proposals resulted in an overdevelopment of the site.
- 4.36 In addition, given the reduced height and scale of the proposed dwellings, as well as their layout and configuration, the proposals would not harm the spacious and verdant character of New Hall Lane. Indeed, given the height and design of the proposed dwellings, the buildings would not be visible from New Hall Lane and would appear inconspicuous within this setting. In addition, the proposals would not appear as prominent features against the backdrop of the fields to the south and would not result in the loss of open rural character.
- 4.37 As detailed above and evident from aerial views of the site and surroundings, the site is surrounded by extensive fields which are enclosed by soft landscaping to the field boundaries. Given this context and the nature of the site and proposals, the Appellant contends that the small scale proposals would not detrimentally impact this character.

- 4.38 In any event, any modest harm which may be identified in this regard is not considered to outweigh the benefit of providing no additional dwellings given the deficient housing position and as confirmed within the examples set out in the accompanying appendices.
- 4.39 Indeed, the Inspectors' attention is drawn to Figure 4 below which shows a recent application for 45 dwellings which was approved at Horsham DC's planning committee in January 2026, (although the formal decision notice has yet to be issued) to the east of the appeal site under planning reference DC/25/1019.



Figure 4: Plan showing relationship of the appeal site (outlined in red) with a neighbouring housing development for 45 dwellings approved at Planning Committee in January 2026 under planning reference [DC/25/1019](#).

- 4.40 While it is acknowledged that the neighbouring development shown within Figure 4 was for a much greater number of dwellings, it is contended that this approved scheme has a far greater impact on the prevailing landscape character, introducing built form within an undeveloped field and much further to the south when compared to the appeal proposal and the existing built form along New House Lane.
- 4.41 The appellant is of the view that the appeal proposal is more closely associated with the existing built form along New Hall Lane. In addition, given the very modest scale of the appeal scheme, it is viewed that this has significantly less impact on the landscape character when compared to the neighbouring development as shown above. The Appellant is of the view that the appropriate weight has not been given to the housing land supply of the Council, with greater weight given to perceived landscape harm. Taking the above example into account, it is contended that the housing supply position would outweigh the views raised by the Council in relation to reason for refusal 2.
- 4.42 In terms of the pattern of development being linear along New Hall lane and there being no examples of backland development, the Inspectors attention is directed to Appendix E which shows clear examples of existing backland development, including dwellings located to the north-east of the appeal site at Downley, New Orchard and 5no properties within a small cul-de-sac at The Beeches. Indeed, it is noted that planning permission has been granted for the enlargement of the residential curtilage of New Orchard further to the north into a previous nursery / agricultural land, under planning reference DC/22/1339 in 2022.
- 4.43 The Council within their delegated report for this current appeal state that: "it is noted that there are some ancillary residential buildings to the west of the application site, though these are of a small scale and would be viewed in the context of their host dwellinghouse. The design of the proposed dwellings would be far in excess of the scale of ancillary residential built form to the west". This judgement is considered to be fundamentally flawed. The Inspector is advised that there are a number of agricultural barns located directly to the west of the appeal site at Dene Hollow, including the erection of a replacement barn under planning reference DC/23/0662 in 2024.

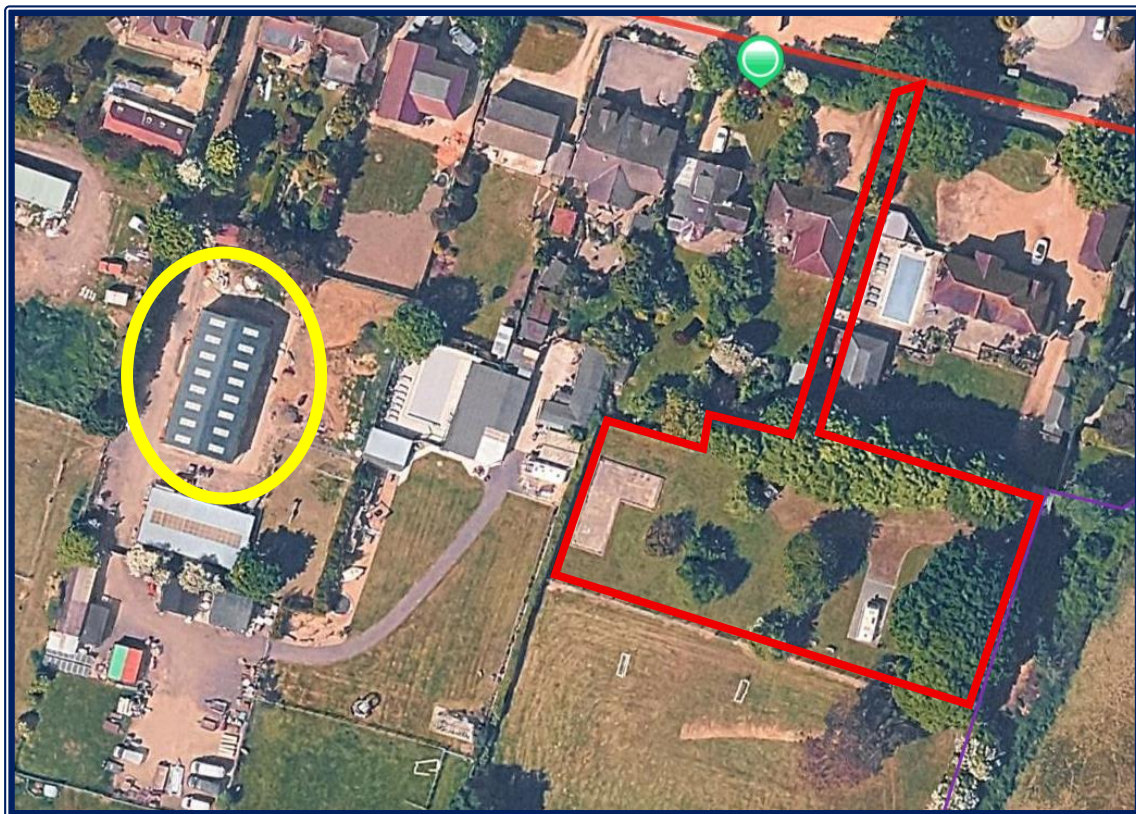


Figure 5: Plan showing relationship of the appeal site (outlined in red) with a recently permitted barn building to the west outlined in yellow under planning reference DC/23/0662.

4.44 Figure 5 above shows the permitted barn in yellow. This building has a floor area of approximately 300sqm. Taking into account the views of the Council and comparing the appeal scheme with this permitted building, it is clearly evident that the proposed dwellings would be significantly smaller when viewed against the scale of the neighbouring building. The single storey design of the proposed dwellings and modest footprint would therefore not be “far in excess of the scale of ancillary residential built form to the west”, as purported by the Council.

4.45 In addition, attention is drawn to the recently allowed appeal referred to above under reference DC/24/1486 (Appeal Reference APP/Z3825/W/25/3361339), which permitted a large new build dwelling sited in an open field. Within the delegated report for this application, the officer states that: “The application site would be viewed in the context of an open agricultural field, along with commercial and agricultural development. The application site is located within the immediate context of the commercial development, and whilst the proposed dwelling would be located within a narrow plot of land, it is not considered that the proposal in itself would result in harm to the landscape character and visual amenity of the area.

There are however some concerns regarding the design of the proposal. It is understood that given the wider site context, the design appears to be intended to appear as a converted agricultural barn such that from wider views it would reflect the built form to the north and would not be visually incongruous with this context in wider views of the application site”.

- 4.46 While it is acknowledged that each application needs to be considered on its own merits, taking into account the view of the Council in relation to the above referenced application when compared to the designs submitted as part of this application / appeal, the proposals are considered to have less of an impact on the landscape character, and are therefore considered to be acceptable in this regard.
- 4.47 Taking the above into account, it is again the view of the Appellant that the perceived landscape impact has been given significant weight by the Council. In any event, given the housing position of the Council, it is considered that even if some harm is identified in this regard, the adverse impacts of granting permission would not significantly and demonstrably outweigh the benefits when assessed against the Framework as a whole.
- 4.48 Additional planting and landscaping enhancements are proposed within the site, as well as biodiversity enhancements, as detailed within the submitted ecology information which would serve to preserve and enhance the character of the site. The Appellant would be willing to accept any reasonable planning conditions considered necessary by the Inspector.
- 4.49 Overall, the proposals would represent appropriate development within this setting, overcoming the concerns raised within the previously refused application under planning reference DC/24/1101 and subsequent appeal. The proposals are modest in scale, would be comparable to adjoining developments and built form, would have less of an impact when viewed against recent adjoining housing developments and overall, would not harm the landscape character. The appeal would therefore be in accordance with Policies 25, 32 and 33 of the HDPF.

5. Summary and Conclusion

- 5.1 Overall, the Appellant contends that the appeal proposal represents an appropriate form of development in a sustainable location. Case law confirms that it is not necessary for development to accord with every individual policy of the development plan and that the key consideration is whether the proposal accords with the plan when read as a whole.
- 5.2 The NPPF at paragraph 3 confirms that the Framework should be read as one. In addition, the Government's Planning Policy Guidance (PPG) states that any conflicts between the development plan should be considered in light of all material planning considerations including local priorities and needs, as guided by the NPPF.
- 5.3 As set out above, the Council cannot currently demonstrate a 5-year supply of housing and the HDPF is now over 5-years old, with the most relevant policies in relation to the appeal proposals considered to be out-of-date and carrying limited weight. Given the circumstances, paragraph 11(d) of the NPPF sets out that planning permission should be granted unless:
- "Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole".
- 5.4 There are not considered to be any adverse impacts which would outweigh the benefits of the appeal proposal. The tilted balance at paragraph 11(d) is therefore engaged.
- 5.5 Taking into account the clear need for new dwellings within the District, the appeal proposal is arguably essential to the countryside location and will help to enable the sustainable development of the rural area, as well as contribute to the shortfall of housing.
- 5.6 Paragraph 38 of the NPPF states that decision makers at every level should seek to approve applications for sustainable development wherever possible. In light of the above, therefore, we would contend that there is no conflict with the objectives of the Council's Local Plan, and we would respectfully request that this appeal is allowed. The appellant is happy to accept any suitable planning conditions which the Inspector may deem necessary. In summary, therefore, we would urge the Inspector to allow this appeal and grant planning permission accordingly.

6. Appendices

6.1 The following Appendices are attached to this statement –

- Appendix A – Appeal Decision - DC-22-2250 - 1no Dwelling in Countryside
- Appendix B – Appeal Decision - DC-22-0495 - 1no Dwelling in Countryside
- Appendix C – Council Committee Report - DC-23-0235 - 1no Dwelling Adjoining BUAB
- Appendix D – Shaping Development in Horsham District Planning Advice Note
- Appendix E – Site Plan Showing Site and Examples of Existing Backland Development
- Appendix F – Council Committee Report - DC-25-1019 - 45no Dwellings Adjoining Appeal Site
- Appendix G – Appendix G - Council Committee Report - DC-23-2278 - 8no Dwellings in Countryside
- Appendix H – Appeal Decision DC-24-1486 - 1no Dwelling in Countryside
- Appendix I – Appeal Decision DC-23-1178 - Major Development not Adjoining BUAB
- Appendix J – Council Committee Report - DC-24-1887 - 2no Dwellings in Countryside
- Appendix K – Council Committee Report - DC-25-1831 - 1no Dwelling in Countryside
- Appendix L – Appeal Decision DC-25-0895 - 1no Dwelling in Countryside
- Appendix M – Appeal Decision DC-24-1888 - 2no Dwelling in Countryside