

Saskia Lower

From: Chris Barker
Sent: 13 May 2026 17:51
To: Tamara.Dale; Saskia Lower
Cc: Lee Goossens; Phillipa Hallett; Kate Brocklebank
Subject: RE: DC/26/0472 - Land at 521816 122277 Eastlands Lane Cowfold West Sussex - ECE Planning Response 260513
Attachments: APPEAL DECISION 3363148 .pdf; IDJB05-Inspectors-Post-Hearing-Letter.pdf
Categories: Filed by Newforma

Dear Tamara,

Thank you for your email.

We are disappointed by the position outlined in your email of 12 May and consider that insufficient weight has been given to the detailed planning case set out in the submitted Planning Statement.

The proposal should not be assessed solely by reference to its location outside the built-up area boundary, but in the context of the Council's housing land supply position, the status and weight of the Cowfold Neighbourhood Plan, and the proper application of the presumption in favour of sustainable development under paragraph 11(d) of the NPPF.

The Cowfold Neighbourhood Plan should, in our view, attract significantly reduced weight in this case. Although recently made, its housing requirement, evidence base and examination context were derived from the now out-of-date Horsham District Planning Framework 2015, which itself required an early review. The Neighbourhood Plan was therefore materially out of step with the current housing position in Horsham District at the point of adoption, including the scale of housing need, the Council's housing land supply shortfall and the emerging Local Plan evidence.

The Plan allocates only around 70 dwellings, including sites which already had planning permission or were otherwise reflected in the emerging Horsham District Local Plan. It therefore makes little additional contribution to addressing the acute district-wide housing shortfall and provides limited scope for future growth. It cannot reasonably be said to contain policies and allocations which meet an up-to-date and robustly identified housing requirement for Cowfold.

This is reinforced by the emerging Local Plan examination. The Inspector has made clear that the submitted plan falls short of meeting local housing need and that the Council will need to identify further housing sites, including a range of smaller sites capable of delivering in the short term. That position is directly relevant to the assessment of this proposal, which is a small, deliverable site adjoining an established settlement.

For these reasons, we do not agree that paragraph 14 of the NPPF can be relied upon to resist the proposal. Paragraph 14 does not provide automatic protection simply because a neighbourhood plan is less than five years old. The relevant issue is whether the neighbourhood plan contains policies and allocations to meet its identified housing requirement. For the reasons set out above and in the Planning Statement, we consider that it does not.

In relation to the principle of development, the site lies outside but directly adjacent to the built-up area boundary of Cowfold, which is identified as a Medium Village and has a recognised role in accommodating appropriate and proportionate growth. The proposal is for nine dwellings and represents a modest, logical and contained extension to the settlement edge.

It would not result in isolated development, nor would it undermine the spatial role or function of Cowfold. The design, layout and form of development respond to the rural edge context and would create a defensible settlement boundary.

The Council's adopted guidance in *Shaping Development within Horsham District* recognises that, given the Council's inability to demonstrate a five-year housing land supply, proposals outside built-up area boundaries will come forward and should be assessed against relevant criteria. Those criteria were addressed directly in the Planning Statement.

In our view, the proposal satisfies them. The site adjoins the settlement edge, the scale of development is appropriate to Cowfold's role, the scheme would contribute to identified housing need, it would not prejudice longer-term comprehensive planning, and it is capable of being contained by defensible boundaries with landscape mitigation and enhancement. Biodiversity net gain and associated habitat enhancements could also be secured through an appropriate planning obligation.

It is therefore not sufficient to identify that the site lies outside the built-up area boundary and conclude that the principle of development is unacceptable. The Council's housing land supply position materially reduces the weight to be afforded to settlement boundary policies and engages the tilted balance under paragraph 11(d) of the NPPF. A full planning balance is therefore required.

With regard to pedestrian access, we do not consider that the absence of existing lighting along Eastlands Lane amounts to an in-principle reason for refusal. West Sussex County Council, as Highway Authority, has raised no objection to the access arrangements, formally or at pre application stage. That is a significant material consideration. In any event, the applicant owns Eastlands Lane and is willing to discuss appropriate lighting improvements, should the Council consider them necessary. Such works could be secured by condition or planning obligation.

The assessment should remain proportionate. This is a scheme of nine dwellings adjoining an established village. The relevant test is not whether the route provides an urban standard of lighting, but whether future occupiers would have reasonable access to local services and facilities, and whether any residual harm would significantly and demonstrably outweigh the benefits of the proposal.

Recent appeal and decision-making practice support a proportionate approach to accessibility in village-edge locations. In Appeal Ref. **APP/Z3825/W/25/3363148**, an Inspector found that a dwelling approximately 0.9km from the centre of Storrington would have a choice of transport modes and '*would not rely solely on the private car*, notwithstanding an unlit pedestrian route.

A similar approach has also been accepted in relation to larger developments at Clayton Kennels and the former Sandgate Quarry site, Milford Grange. There is no clear basis for taking a materially different approach here, particularly where Eastlands Lane provides a direct and attractive walking and cycling route towards the village.

The Council's housing land supply position is a significant material consideration. The published position identifies a supply of only around one year, and the Housing Delivery Test position is substantially below the required threshold. Against that background, the delivery of nine homes should not be dismissed. Small and medium-sized sites can make an important cumulative contribution to immediate housing supply, particularly where larger strategic sites are delayed or constrained.

The benefits of the proposal include:

- the delivery of nine additional homes in a District with an acute housing land supply shortfall;
- a deliverable site adjoining a sustainable settlement;
- biodiversity net gain and landscape enhancements;
- an attractive and appropriate form of infill development; and
- the opportunity to reinforce a logical and defensible settlement edge.

These benefits should attract significant weight.

By contrast, the harms identified appear to relate principally to conflict with the settlement boundary, reliance on the Cowfold Neighbourhood Plan, alleged non-compliance with the *Shaping Development* guidance, and concerns regarding the unlit pedestrian route. For the reasons set out above, those matters do not amount to adverse impacts which would significantly and demonstrably outweigh the benefits of the proposal.

We therefore respectfully request that the Council reconsiders its position in light of the adopted policy and guidance framework, the current housing land supply position, and the clear requirement to apply the tilted balance under paragraph 11(d) of the NPPF.

On the basis that the Council have not received necessary third-party responses from PROW, WSCC as Highway Authority and Drainage Officers we trust that Council will not determine the application without such information. We would be happy therefore to continue to discuss the proposals and would propose an EoT until 29 May 2026 to resolve as many issues as possible.

We would welcome the opportunity to discuss these matters further before the Council finalises its recommendation and look forward to hearing from you.

Kind Regards,

Chris Barker
Managing Director, MATP MRTPI

T 01903 248777 | [REDACTED]

Planning Appeals are changing in April 2026. [Read our latest insights](#) to find out what's changing and how to prepare.



Shaping places.
Unlocking potential.

Sussex studio 64-68 Brighton Road, Worthing, BN11 2EN

From: Tamara.Dale [REDACTED]
Sent: Tuesday 12 May 2026 09:58
To: Saskia Lower [REDACTED]
Cc: Chris Barker [REDACTED]
Subject: RE: DC/26/0472 - Land at 521816 122277 Eastlands Lane Cowfold West Sussex

Dear Saskia,

Thank you for your email.

At this stage, there is a likelihood that the principle of development would be considered unacceptable, on the grounds that the development is located outside of the defined built-up area and is not compliant with the Shaping Development within the Horsham District (SDHD) document.

While the wider site ownership would adjoin the outer edge of the built-up area to the north, and would be accessible by public footpaths, it is not considered to be fully compliant with the SDHD

criteria. In addition, given that the public footpath is not lit, it is unlikely to form an attractive option for occupiers in darkness and inclement weather.

It is also of note that the Cowfold Neighbourhood Plan has allocated sites for housing development, where the Plan is less than 5 years old. As such, the provisions of paragraph 14 of the NPPF are affected, where both criteria would be met.

For these reasons, it is likely to be considered that the proposed development would not accord with the spatial strategy contained within the HDPF and Cowfold Neighbourhood Plan. While recognised that the Council cannot currently demonstrate a 5-year housing land supply, where the development would contribute to an identified housing need, the contribution of 9no. dwellings would be modest. The benefits arising from the scheme would, when considered overall, be of moderate weight.

However, when considering the development in totality, and the planning policy framework as a whole, the proposed development would conflict with the relevant planning policies, where the adverse impacts would significantly and demonstrably outweigh the benefits arising from the scheme.

It is not considered that amendments could be made that would otherwise make the application acceptable. As such, should you prefer for the application to be determined today, I should be able to finalise my report without the additional responses. However, these matters may need to be addressed at a later stage should an appeal or subsequent application be submitted.

I look forward to your response,

Kind regards,

Tamara

Tamara Dale

Principal Planning Officer

[Redacted signature block]



Horsham District Council, Albery House, Springfield Road, Horsham, West Sussex RH12 2GB

Telephone: 01403 215100 (calls may be recorded) www.horsham.gov.uk Chief Executive: Jane Eaton

Horsham District Council will only accept service of documents by email if they are sent to legal@horsham.gov.uk. Any documents sent to individual email addresses will not be accepted under any circumstances.

Communications received after 5pm will be regarded as being served on the next working day.

Please contact us in advance if your email, including any attachments, is going to exceed 30MB.

Disclaimer

IMPORTANT NOTICE This e-mail might contain privileged and/or confidential information. If you have received this e-mail in error, please notify the sender and delete the e-mail immediately; you may not use or pass it to anyone else. Whilst every care has been taken to check this outgoing e-mail for viruses, it is your responsibility to carry out checks upon receipt. Horsham District Council does not accept liability for any damage caused. E-mail transmission cannot guarantee to be secure or error free. This e-mail does not create any legal relations, contractual or otherwise. Any views or opinions expressed are personal to the author and do not necessarily represent those of Horsham District Council. This Council does not accept liability for any

unauthorised/unlawful statement made by an employee. Information in this e mail may be subject to public disclosure in accordance with the law. Horsham District Council cannot guarantee that it will not provide this e mail to a third party. The Council reserves the right to monitor e-mails in accordance with the law. If this e-mail message or any attachments are incomplete or unreadable, please telephone 01403 215100 or e-mail customer.services@horsham.gov.uk. Any reference to "e-mail" in this disclaimer includes any attachments.

This email has been scanned for viruses and malware, and may have been automatically archived by **Mimecast Ltd.**