

15th June 2026



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Mr Sam Whitehouse
Horsham District Council
Albery House,
Springfield Road,
Horsham, Elstree
RH12 2GB

By email only – [REDACTED]

Dear Mr Whitehouse,

Re: Objection to Planning Application Reference DC/26/0671: Outline Application for a development of up to 120 dwellings (including 45% affordable) with all matters reserved except for access at Land at Crawley Road, Faygate, West Sussex.

We write, on behalf of our clients [REDACTED] of Moorhead Farm to lodge an objection to the above planning application which is currently being considered by Horsham District Council.

We strongly consider that the above planning application does not constitute a sustainable form of development within the High Weald National Landscape. It would cause significant harm to the National Landscape, for which there exists no 'exceptional circumstances' to warrant a decision other than to refuse to grant planning permission for the proposed development.

It is worth initially considering the planning history for this development and the comments made at appeal. As the current planning application follows an earlier planning application which was refused by Horsham District Council and was then dismissed by the Planning Inspector at appeal. The application and subsequent appeal are detailed below:

DC/20/0470 – Outline application for the erection of 473 dwellings, with new access provided off the Crawley Road, plus associated areas of open space and landscaping. All matters reserved apart from access.



This planning application was refused planning consent for four reasons and the Council's decision was subsequently appealed.

Planning Appeal Reference PP/Z3825/W/21/3266503 – dismissed on 30th July 2021 following a public inquiry.

There is no reason to depart from the Planning Inspectors conclusions within that planning appeal, that:

'...those policies relating to the conservation and enhancement of protected AONB landscapes are fully consistent with the Framework. The conflict identified is significant and is determinative in this case. I therefore conclude that the benefits of the appeal proposal do not outweigh the conflict with the development plan taken as a whole. There are no material considerations that suggest the decision should be taken other than in accordance with the development plan.'

Since this rejected appeal a Planning Advice Note has been published that reinforces this decision and clarifies expectations for developments. The document is called Shaping Development in Horsham District Planning Advice Note (PAN), which has been compiled to secure sustainable and appropriate development in the District in the absence of a five-year housing land supply.

In terms of relevant statutory policy, Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 70(2) of the Town and Country Planning Act 1990 states that in making any determination under the Planning Acts the determination should be made in accordance with the Local Plan unless material considerations indicate otherwise.

The Development Plan for Horsham District Council comprises the National Planning Policy Framework (NPPF) (2024) and the Horsham District Planning Framework (HDPF) (2015). The PAN, as noted above sits alongside this whilst the Development Plan is being reviewed and is a material and very significant consideration in the determination of this planning application.

The proposed development is contrary to these documents and this letter sets out the detailed reasons for our strong objection to this planning application. We urge Horsham District Council to recommend the refusal of this planning application.

Shaping Development in Horsham District Planning Advice Note (PAN) (September 2025)

Since the planning appeal was dismissed in 2021, the Council has published the Shaping Development in Horsham District Planning Advice Note (PAN) which guides development to sustainable locations in the absence of a five-year housing land supply. It is a material consideration in planning applications.

While the Councils Five-Year Housing Land Supply is 1.7 years, it does not follow that planning permission should be granted. This has been confirmed through the Court of Appeal¹. The PAN also reiterates this point at paragraph 2.6.

One of the key purposes of the PAN is to serve as a guide for delivering sustainable and appropriate development in the acknowledged absence of a five-year housing land supply.

The PAN states 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 Built-Up Area Boundary;
- 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 and 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 development site is outside of the main road (Crawley Road/Old Crawley Road) which defines the built-up area boundary of Horsham. As such, it is not considered that the site adjoins the existing settlement edge, as required by criterion one of the PAN.

While Horsham is at the top of the settlement hierarchy within the HDPF, the construction of such a significant amount of homes on greenfield land and which is not allocated in the Plan is not appropriate to the scale and function of the settlement. It would result in encroachment in to the open countryside which surrounds Horsham and functions as a gap between Crawley and Horsham. Comprehensive long-term development would be undermined through the development of this site, which has not been considered for allocation within the emerging plan due to the sensitivity of the High Weald location. Criteria two and four of the PAN are not met.

The PAN seeks to ensure that local housing needs are met, this is not the case for the proposed development – which is confirmed as per the Council's Housing Officer comments dated 4th June 2026. Criterion 3 of the PAN is therefore not met.

¹[Gladman Developments Limited v Secretary of State for Housing, Communities and Local Government and Corby Borough Council and Uttlesford District Council. Neutral Citation Number: [2021] EWCA Civ 104. Case No. C1/2020/0542/QBACF. Date: 03/02/2021.

There is not an existing and defensible boundary to the site which would prevent further encroachment in to the countryside in this nationally protected landscape. This is particularly true of the northern boundary where there is only a basic agricultural field boundary and should not be considered therefore as 'defensible.' The eastern boundary comprises woodland, however this cannot be considered defensible as there were already plans which were disclosed within the previous planning application for settlement expansion on the area to the east of the woodland. The development of the application site does therefore not comply with criterion five of the PAN.

Ultimately, the application site is not an appropriate and sustainable location for development which is what the PAN seeks to ensure as a priority.

The PAN also requires that developments put forward in the absence of the five-year housing land supply to be deliverable.

Paragraph 5.16 of the PAN specifically states that *'to support any form of outline application, relevant supporting information will be requested to demonstrate when development would be expected to be delivered.'*

The document specifies that the Council wishes to approve sites that are deliverable within the context of the definition within the NPPF. The definition of 'deliverable' in the glossary of the NPPF clearly states that for outline applications for major development *'it should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years.'* It is therefore the Council's expectation that full planning applications should be submitted, or on larger sites such as the application site, hybrid applications that seek full permission for part of the proposal, including initial development phases.

No such information appears to have been submitted with this planning application, and therefore limited weight can be given to the benefits of improving housing land supply within the District. The planning application is in outline with all matters reserved except for access and therefore cannot be considered deliverable. The proposed development does not therefore comply with the requirements of the Shaping Development in Horsham District PAN.

The effect of granting permission on this land will be to further encourage urban encroachment on the outskirts of Horsham, beyond Crawley Road, inviting yet more significant harm to the High Weald National Landscape.

None of the five criteria within the Council's PAN are met, furthermore the development is not deliverable within the context of the PAN or the definition of deliverable within the NPPF. The proposal should therefore be refused planning permission and would have no benefits for the housing land supply of the District and significant harm to the High Weald National Landscape.

The Spatial Strategy – (HDPF (2015))

The Council's overall Spatial Strategy is set out within Policies 2, 3 and 4 of the HDPF.

Policy 3 allows for development within built up areas. Policy 4 of the HDPF provides for settlement expansion through the allocation of sites within the Local Plan and Neighbourhood Plans. The preamble to Policy 3 and Policy 4 of the HDPF explains that within the countryside development will be strictly controlled, to ensure that development takes place in a manner that ensures that rural landscape character is retained and enhanced.

The scheme would also not be considered as a windfall development under Policy 14 of the HDPF as it is outside a built-up area boundary and Policy 4 precludes windfall development in countryside locations.

The site is within a countryside location and Policy 26 of the HDPF seeks to protect the rural and undeveloped nature of the countryside against inappropriate development. In order to be acceptable a proposal outside of a settlement boundary must be essential to its countryside location and also meet one of four criteria. The proposed housing scheme of up to 120 dwellings would not be essential in this location and would therefore automatically not be acceptable under this policy.

The proposals are therefore contrary to the Spatial Strategy of the District contained at Policy 2, 3 and 4 of the HDPF and countryside Policy 26 of the HDPF.

National Planning Policy Framework (NPPF (2024))

- **NPPF Paragraph 189 and Paragraph 190 High Weald National Landscape**

As stated above this development is within the High Weald National Landscape and Paragraph 189 of the NPPF states that *'great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and National Landscapes which have the highest status of protection in relation to these issues... The scale and extent of development within all these designated areas should be limited...'*

This national policy is also reflected in Policy 30 of the HDPF.

Paragraph 190 of the NPPG goes on to state that *'when considering applications for development within National Parks, the Broads and National Landscapes, permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of:*

- (a) the need for the development, including in terms of any national considerations and the impact of permitting it, or refusing it, upon the local economy;*

- (b) *the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and*
- (c) *any detrimental effect on the environment, the landscape and recreational opportunities and the extent to which that could be moderated.'*

We have reviewed the applicant's exceptional circumstances report that has been submitted with the application and it does not appear to address the criteria listed within paragraph 190 of the NPPF. There is extremely relevant case law in relation to 'exceptional circumstances.' This has concluded that exceptional need does not necessarily equate to an exceptional circumstance - *Mevagissey Parish Council v Cornwall Council (2013) EHCW 3684 paragraph 52: 'Even if there were an exceptional need...that would not necessarily equate to exceptional circumstances for a particular development, because there may be alternative sites that are more suitable because development there would result in less harm to the AONB landscape.'* The proposal does therefore not constitute an 'exceptional circumstance' when considered against criterion (a) of paragraph 190 of the NPPF.

When considering the scope for developing outside of the designated area as required by criterion (b), it is relevant to consider the evidence base for the emerging Local Plan, which sets out the methodology for the Regulation 19 Site Assessment Report (December 2023). This document confirms that assets such as National Landscapes are not considered suitable from the outset and have therefore been specifically excluded from further assessment. It subsequently follows, that there is considerable scope for developing outside the designated National Landscape through prioritizing other less harmful locations which have been put forward through the emerging Local Plan process. There is therefore no exceptional circumstance which would justify the approval of the scheme in relation to criterion (b) of paragraph 190 of the NPPF.

The Planning Appeal for a previous planning application on the land was dismissed as there was determined to be '*...significant harm to the landscape and scenic beauty of the AONB*' – paragraph 118 of the Inspectors Report.

Descriptive landscape characteristics noted by the Planning Inspector are highlighted below:

- *'The characteristic elements apparent in the vicinity of the appeal site include highly interconnected areas of ancient woodland, productive fields bound by hedgerows, woods dissected by historic routes and isolated farmsteads.'*(paragraph 14);
- *'The strong landscape framework around the fields, including the containment by High Wood and the separation provided by The Birches, along with the open views north across the vale to the wooded landscape opposite, together establish strong sense of rurality'* (paragraph 15);

- *'Representations indicate that PROW 1587 and its connecting paths and informal routes stemming from these are much valued and well used by local residents, particularly during recent times.'* (paragraph 15).

At the time of writing, it is noted that the Council's Landscape Officer has yet to comment on the application, however it is understood that they maintained an objection to the pre-application proposals. The significant harm which would be incurred through the development on the application site in terms of the environment, landscape and recreational opportunities cannot be moderated and this was reiterated by the Council within pre-application advice. There is therefore no exceptional circumstance that exists under criterion (c) of paragraph 190 of the NPPF.

There are no exceptional circumstances for the proposed development and therefore development of the site should be refused.

- **NPPF paragraph 181 and Paragraph 182 Flooding and Drainage**

Paragraph 181 of the NPPF states that *'when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere.'*

Paragraph 182 of the NPPF also states that *'applications which could affect drainage on or around the site should incorporate sustainable drainage systems to control flow rates and reduce volumes of runoff, and which are proportionate to the nature and scale of the proposal. These should provide multifunctional benefits wherever possible, through facilitating improvements in water quality and biodiversity, as well as benefits for amenity.'*

The Flood Risk Assessment and Outline Drainage Strategy submitted with the planning application identifies the stream which lies north-west of the application site, which is culverted beneath Crawley Road (para 2.2). The Strategy does not appear to address the impact of high risk of surface water flooding at Moorhead Farm (see fig 4.2 Flood Risk from Surface Water (with climate change allowance of the Strategy), which already floods after heavy rain. The Assessment focuses on addressing the impact of the proposed development of a greenfield site; however the reality is, that due to the topography of the land and the clay soil (identified within the Assessment as unsuitable for infiltration SuDS), that flooding in the surrounding area, and at our client's property will undoubtedly increase.

It is also worth noting that all surface run off from the site passes through culverts under the yard at Moorhead Farm and Crawley Road which place constraints on the permissible run off. We also note that WSCC LLFA have also requested 'the full Greenfield Runoff Rate calculations for review'.

There are therefore strong concerns that the proposed development will increase the flood risk at our client's property, which would conflict with paragraphs 181 and 182 of the NPPF.

- **NPPF paragraph 115(b) Highways**

Paragraph 115(b) of the NPPF states that applications for development should ensure that there is safe and suitable access to the site for all users.

It is noted that the design of the signalized junction has been amended since the planning appeal, and that the dedicated left and right hand lanes have been deleted. There are strong concerns that the proposed junction will be inadequate to deal with traffic to and from this large development of 120 homes and with 207 parking spaces. Additionally there is already considerable traffic congestion in the area [REDACTED]

The proposed development of 120 dwellings in this location would have an unacceptable impact on highway safety and should be refused planning permission.

- **NPPF paragraph 210 Heritage**

The Historic Environment Desk-Based Assessment that has been submitted as part of the planning application considers the impact on the setting of designated and non-designated Heritage Assets. There are many assets that are identified surrounding the application site, and which would undoubtedly be impacted upon by the proposed development. Specifically, the report identifies minor impact upon a designated heritage asset (Moorhead Cottages) and minor-negligible impact upon a non-designated heritage asset (Moorhead Farm). It is considered that this would amount to 'less than substantial harm' as defined by paragraph 215 of the NPPF. When considering 'less than substantial harm' the NPPF requires that '*...this harm should be weighed against the public benefits of the proposal...*' This exercise has not been completed within the Assessment. This is because there are no public benefits which would outweigh the harm resulting from the proposed development.

Paragraph 210 of the NPPF also requires that development makes a *positive contribution to local character and distinctiveness* (paragraph 210(c)). As shown within the Assessment, there are many designated and non-designated heritage assets within the immediate vicinity of the application site. Due to the scale of the development, on this piece of greenfield land which is within a designated landscape, it is physically impossible to provide a 'positive contribution' to local character and distinctiveness.

The proposed development does not enhance the local character of the area and results in harm to the designated and non-designated heritage assets. It is contrary to paragraphs 215 and 210 of the NPPF and should be refused planning permission.

- **Paragraph 11(d) Sustainable Development**

Paragraph 11(d) of the NPPF states that

'Where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, granting permission unless

- (i) *the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or*
- (ii) *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, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.*

Assets of particular importance include National Landscapes such as the High Weald National Landscape.

When applying the tilted balance, the application of paragraph 11(d) does not require the decision maker to 'disregard' development plan policies. The Court of Appeal¹ has held that in cases where the balance may generally tip in favour of residential schemes it does not necessarily follow that permission should automatically be granted. It depends on the individual circumstances of each case and the weight to be attributed to each factor in consideration.

In this instance, the significant harm that would be incurred to the High Weald National Landscape provides a clear reason for refusing the proposed development. In this respect there are no reasons to depart from the previous conclusions of the Planning Inspector at planning appeal in this regard. These previous conclusions prioritized the significant harm to the designated landscape above all else.

Summary

This objection letter sets out the detailed reasons that the planning application at Land at Crawley Road should be refused planning permission.

The development of this piece of greenfield land, which is outside any defined built-up area boundary would be unsustainable and contrary to the spatial strategy of Horsham District.

For the reasons described in this objection, *the application of policies in the Framework that protect areas or assets of particular importance provide a strong reason for refusing the development proposed. In addition to this, the adverse impacts of granting planning permission for this scheme would 'significantly and demonstrably' outweigh any benefits of allowing housing development on this site.*

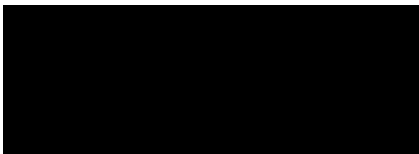
On behalf of our clients, we strongly urge the Council to refuse planning permission for the proposed development for Land at Crawley Road on the basis that it is contrary the following key policies:

- The Spatial Strategy for the District contained at policies 2, 3 and 4 of the HDPF

- Policy 26 of the HDPF which requires that the countryside is protected against inappropriate development;
- Policy 30 of the HDPF which seeks to conserve and enhance the High Weald National Landscape;
- The Shaping Development in Horsham District Planning Advice Note;
- The National Planning Policy Framework.

It would not conserve and enhance the landscape and scenic beauty of the High Weald National Landscape as required by planning policies within the development plan at both a national and local level. Furthermore, it would cause significant harm to the High Weald National Landscape, no exceptional circumstances exist and planning permission should be refused by the Council at the earliest opportunity.

Yours Sincerely,



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Director

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