



DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/26/0509

Land To The South of Lynwick Street, Rudgwick, Horsham, West Sussex, RH12 3DJ

DESCRIPTION:

Permission in Principle for the erection of 2 - 4 dwellings along with open space, landscaping, parking and access from Lynwick Street

DESCRIPTION OF THE SITE

The application site comprises approximately 0.62 hectares of undeveloped grass land located on the southern side of Lynwick Street, Rudgwick. The site has a semi-rural character, with an existing field access onto Lynwick Street. The land slopes from north-east to south-west and is defined by mature vegetation, including established trees along the northern boundary and more substantial woodland and vegetation along the western and southern edges. An unnamed watercourse runs broadly parallel to the western boundary.

The site lies outside of the defined Built-Up Area Boundary (BUAB) for Rudgwick and outside of the Conservation Area and is therefore located within the countryside for the purposes of the Development Plan. The surrounding context is characterised by sporadic and predominantly linear residential development along the northern side of Lynwick Street. In contrast, the southern side of Lynwick Street, where the application site is located, is largely open and undeveloped, contributing to the rural character of the area.

Immediately to the east of the site lies The Old Vicarage, a Grade II listed building, set within a well-treed curtilage. A Public Right of Way (RUD/1390) runs along the southern boundary of the site. The site contains a number of mature trees and areas of ecological interest, including woodland features, which contribute positively to the character of the area.

DESCRIPTION OF THE APPLICATION

This application seeks Permission in Principle (PiP) for residential development comprising between 2 and 4 dwellings. Under the PiP regime, consideration is limited to the three "in principle" matters of:

- Location
- Land use
- Amount of development

All detailed matters including layout, scale, appearance, landscaping, access, and technical constraints are reserved for subsequent Technical Details Consent (TDC).

An indicative feasibility layout has been submitted which demonstrates how up to four detached dwellings could be accommodated on the site, arranged around a central landscaped area, with access taken from Lynwick Street. The indicative plan also shows retention of key landscape features and woodland areas.

RELEVANT PLANNING POLICIES

The National Planning Policy Framework (NPPF) 2024

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 17 - Exceptions Housing Schemes
Policy 24 - Strategic Policy: Environmental Protection
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 34 – Heritage Assets and Managing Change within the Historic Environment.
Policy 35 - Strategic Policy: Climate Change
Policy 36 - Strategic Policy: Appropriate Energy Use
Policy 37 - Sustainable Construction
Policy 40 - Sustainable Transport
Policy 41 - Parking

Rudgwick Neighbourhood Plan (2021):

Policy RNP1 – Spatial Strategy
Policy RNP7 – Architectural Style
Policy RNP9 – Street Scene

Billingshurst Parish Design Statement

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 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 19: Development Quality
Strategic Policy 20: Development Principles
Strategic Policy 24: Sustainable Transport
Policy 21: Heritage Assets and Managing Change within the Historic Environment
Policy 25: Parking
Strategic Policy 37: Housing Provision
Strategic Policy 38: Meeting Local Housing Needs
Policy 40: Improving Housing Standards in the District
Policy 41: Rural Exception Homes

Planning Advice Notes:

Shaping Development in Horsham District (SDPAN)

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 Consultation responses

HDC Arboricultural Officer: Comment: 08.04.2026

There are mature tree and woodland features within, adjacent and abutting the site that will be arboricultural constraints on the positioning of both a road access for urban development and in terms of wider landscape conservation and enhancement.

Due to the constraint posed by the adopted engineered highway to the North, design of mature tree root protection areas will need to take account of the need for off-setting of key rooting areas. This would potentially have a significant constraint on the positioning/feasibility of excavations for new designed hard landscaping for a new road access.

Final Comment (01.07.2026)

From a technical (arboricultural) perspective disagree with the comments of both the employed Arboriculturist and the Landscape Architect. The trees will not be substantively rooting beneath the engineered highway.

The construction of a new road access (regardless of services connections or other potential excavations) may have a detrimental impact on the key rooting areas of the relatively large mature oak trees on either side of it. Existing levels mean that excavations would be required within this area and that an adoptable (WSCC) road specification would not be viable.

Two good examples of this type of latter dilemma/problem with new residential developments are the ongoing scenarios in Partridge Green (DC/22/0301) where the developer has now reneged on a solution that would limit impacts on the two oak trees either side of the access and the recent appealed development off Bax Close in Storrington (DC/24/1196) which has yet to be determined by the Inspector, who was asked to accept some novel new engineering at the appeal, to overcome the fact that the access cannot be constructed to the relevant design standard without foreseeable harm to the one remaining mature oak tree.

In terms of the potential veteran status of the off-site oak tree at the Old Vicarage, observations were that the tree was of a species, size and condition that had potential significant habitat/biodiversity value and thus potential veteran status. It would appear to likely be a matter of a difference of opinion as to whether the tree be designated as a veteran, hence partly its statutory protection with a TPO is recommended should the scheme be supported.

Due to the trees stem size (if it has been measured accurately) and the fact that its minimum recommended root protection area (RPA) would not be spherical in shape due to the constraint posed by the road, it is likely that excavations for new development should be avoided within 18-20m of its stem (i.e. across the current/proposed access route) regardless of whether its veteran status can be agreed by all parties.

HDC Drainage Officer: Comment: 24.04.2026

The applicant has provided an assessment of flood risk but no further drainage information. HDC Drainage require more information to determine that the site drainage meets the requirements of the NPPF and PPG, National standards for sustainable drainage systems (June 2025), and the Horsham District Planning Framework (2015) – Policy 35 and Policy 38.

Officer Comment

At the Permission in Principle stage, consideration of drainage is limited to whether there are any overriding constraints that would preclude development in principle. Whilst the applicant has submitted a Flood Risk and Sustainable Drainage Technical Note, the Drainage Officer has advised that insufficient information has been provided to fully assess compliance with the requirements of the NPPF, Planning Practice Guidance, the National Standards for Sustainable Drainage Systems (June 2025), and Policies 35 and 38 of the Horsham District Planning Framework (2015). Notwithstanding this, detailed matters relating to surface water drainage, SuDS design, runoff rates, and management arrangements would ordinarily be secured and assessed at the Technical Details Consent stage. It is therefore considered that, in principle, drainage could be addressed at that stage, subject to the submission of robust technical evidence demonstrating compliance with relevant policy and guidance.

HDC Conservation Officer: Comment: 21.05.2026

The site has no apparent historic functional connection with The Old Vicarage, the listed building to the east. There are no immediate concerns from a setting point of view. Although do question the practicability of the illustrative layout. At this stage confident that development may result in less than substantial harm, at the low end of the scale, to the setting of the neighbouring listed building. Although this might be mitigated it all depends on how many houses are actually placed on the site.

HDC Landscape (Place Services on behalf of HDC) Initial Comments:28.04.2026

Generally, while the site is well enclosed minimising visual impact, development on the site could potentially result in the removal of the landscape features which provide this enclosure, therefore altering the verdant nature of Lynwick Street and exposing the site. Furthermore, the site's contribution to landscape character is considered positive and is noted within local capacity studies. Should any application be forthcoming, expect a Landscape and Visual Appraisal is undertaken to understand the detailed impacts, with particular reference to local LCA I2: Warnham and Rusper Wooded Ridge of the Horsham Landscape Character Assessment, should the site be considered appropriate for development.

Should the application be forthcoming, expect the following documents are submitted as a minimum:

- Landscape and Visual Appraisal
- Tree survey, Arboricultural Impact Assessment and Method Statement
- Landscape Strategy

Final Comments 17.07.26

The landscape officer maintains a landscape objection and remains unsupportive on landscape grounds.

- The submitted Landscape and Visual Statement (LVS) is accepted as proportionate to a PiP application, but the officer considers it lacks a clear methodology explaining how landscape value and effects have been assessed, making some of its conclusions difficult to understand and verify.
- The officer agrees that landscape effects are relevant to the PiP considerations of location and land use, rather than being matters solely for a future Technical Details Consent application.
- Concerns remain over the verdant character of Lynwick Street and the potential impact on frontage oak trees. The officer considers these trees make a valuable contribution to the rural character of the lane and notes that their removal would have a negative impact.
- The applicant's landscape consultant assessed the site as having only "medium" landscape value, relying partly on the influence of nearby residential development, traffic, lighting and other suburbanising influences. Place Services disagrees with that assessment and considers the positive landscape attributes to outweigh any detracting influences.
- Place Services considers the site to be of higher than medium landscape value, forming part of a distinctive and intimate landscape character which contributes positively to the wider Low Weald Hills and local wooded ridge character areas.

- The officer notes that even the applicant's own LVS concludes that the scheme would result in a "Moderate Adverse Landscape Effect" which is considered "Significant" upon completion
- Concerns are also raised about the interface between dwellings and retained woodland, with the potential for domestication pressures and future tree loss arising from garden encroachment.
- The officer concludes that the site remains highly sensitive to development, owing to its settlement edge location and existing meadow/wetland character.
- There are continuing concerns as to whether the maximum quantum of development proposed (up to 4 dwellings) can be successfully accommodated without harming local landscape character.

External Consultation responses

WSCC Highways: Comment: 22.04.2026

In summary, the LHA is limited in its ability to comment on an application for PIP. In principle, the LHA would not raise any objections to an application at this site, subject to the submission of sufficient information at Technical Details Stage.

Southern Water: Comment: 09.04.2026

More information required. The Council's technical staff and the relevant authority for land drainage consent should comment on the adequacy of the proposals to discharge surface water to the local watercourse

Representations:

A total of 13 objections were received from 13 separate addresses. No letters of support were received.

The objections raised the following material planning considerations:

- The site lies outside and physically separate from the Built-Up Area Boundary of Rudgwick and is therefore contrary to the spatial strategy of the Development Plan
- The proposal would represent unjustified encroachment into the countryside and would harm the rural character and appearance of Lynwick Street.
- The proposed form of development, including a cul-de-sac/close arrangement, would conflict with the established linear pattern of development along Lynwick Street and appear out of character with the area.
- Concerns were raised regarding highway safety, including the suitability of the proposed access onto Lynwick Street, increased traffic generation, the narrow rural nature of the lane, absence of footways, existing road conditions and potential impacts from construction traffic.
- Concerns were raised regarding drainage and flood risk, including the site's topography, existing surface water issues, nearby watercourses and the potential for increased flooding impacts on neighbouring land and the highway.
- Objections raised concerns regarding impacts on trees, woodland, ancient woodland, protected trees and biodiversity, including potential harm to wildlife habitats and ecological connectivity.
- Concern was raised regarding the potential impact upon the setting of the adjacent Grade II listed building, The Old Vicarage.
- Several representations noted that the site had previously been assessed through the SHELAA and emerging Local Plan process and had not been identified as suitable or allocated for development.
- Concerns were raised regarding cumulative impacts arising from other committed or proposed development within Rudgwick.
- Objections also noted that Rudgwick's identified housing requirement is considered by respondents to already be met or exceeded through other allocated or permitted sites.

Matters Raised Which Are Not Material Planning Considerations

The following matters raised within representations are not material planning considerations, or carry very limited weight:

- Allegations regarding the motives of the applicant or assertions that the proposal was being pursued “secretly”.
- Concerns regarding effects on private property values.
- Generalised assertions regarding “precedent” in isolation from the requirement to determine each application on its own planning merits.
- Matters relating to the adequacy of neighbour notification and consultation procedures, noting that the Council has undertaken consultation in accordance with statutory requirements.
- Residents’ personal expectations regarding the future preservation of private views or the maintenance of the existing character of the area for personal reasons alone.
- Speculative assertions regarding future additional development beyond the scope of the current application.

Parish Comments: Objection – 09.04.26

Rudgwick Parish Council objects to the proposal. In summary, it raises concerns that the site lies outside and is physically detached from the Built-Up Area Boundary, conflicting with Policy 26 of the Horsham District Planning Framework and Policy RNP1 of the Rudgwick Neighbourhood Plan, and does not meet any rural exception criteria. The Parish Council considers that the proposal would be out of keeping with the established linear pattern of development along Lynwick Street, with the introduction of a small “close” representing an incongruous form of development in this countryside location.

The Parish Council also highlights that the site has previously been assessed through the Council’s evidence base, including the SHELAA and Local Plan site assessment process (ref: SA082), where it was not taken forward due to its detached location from the settlement. It further notes that consideration has already been given to whether this part of Lynwick Street should be incorporated into the Built-Up Area Boundary, which was not supported.

In addition, the Parish Council refers to the emerging Local Plan context, including the Inspector’s comments on countryside protection policies, and contends that sufficient housing is expected to come forward within allocated sites in Rudgwick to meet local needs. On this basis, it concludes that the site is neither required nor appropriate for residential development in principle.

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

The Permission in Principle consent route is an alternative way of obtaining planning permission for residential development, which separates the consideration of matters of “principle” for the proposed development, from the “technical details” of the development. As such, the Permission in Principle route has two stages: the first being the “Permission in Principle” stage (subject of this current

application), which establishes whether the site is suitable in-principle; and the second being the "Technical Details consent" stage which is when the detailed development proposals are assessed.

The scope of the Permission in Principle application (being the first stage) is limited to location, land use, and amount of development.

Location

Policy 2 of the Horsham District Planning Framework (HDPF) sets out the overarching growth strategy, focusing development within the District's main settlements. The adopted settlement hierarchy represents the most sustainable approach to accommodating growth, directing the majority of new housing to Horsham, Southwater and Billingshurst, with only limited development elsewhere, and only where it accords with an adopted Neighbourhood Plan.

Policy 3 seeks to retain the existing settlement pattern and ensure that development takes place in the most sustainable locations possible. Policy 4 supports limited settlement expansion outside built-up area boundaries only where: the site is allocated in the Local Plan or a Neighbourhood Plan and adjoins an existing settlement edge; the scale of growth is appropriate to the settlement; the proposal meets identified local needs; and the development is contained within defensible boundaries that respect landscape character.

In this countryside location, Policy 26 is also engaged. It seeks to protect the rural area against inappropriate development unless it is essential to a 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. Residential development unrelated to a countryside use is not supported.

Paragraph 84 of the National Planning Policy Framework (2024) similarly advises that isolated homes in the countryside should be avoided unless specific exceptions apply—such as for rural workers, heritage benefits, the reuse of redundant buildings that enhance their setting, subdivision of existing dwellings, or design of exceptional quality. None of these exceptions are applicable in this instance.

The application site lies outside any defined Built-Up Area Boundary, and therefore in planning policy terms forms part of the countryside. The proposal seeks permission in principle for up to 4 dwellings and associated works in a location where new residential development not essential to its countryside location would not be supported by the development plan.

As such, the proposal is contrary to the spatial strategy set out in Policies 2, 3, 4 and 26 of the HDPF, which seek to focus development in the most sustainable locations in order to minimise reliance on the private car and maximise accessibility to day-to-day services, and ensure that development in the countryside is essential to its location and meets a specified criteria (which this scheme does not).

The site is not allocated for development within the Rudgwick Neighbourhood Plan and therefore conflicts with Policy RNP1 (Spatial Strategy). The site has also been previously assessed through the Council's evidence base, including the Strategic Housing and Economic Land Availability Assessment (SHELAA) and the emerging Local Plan site selection process (ref: SA082). In both instances, the site was not identified as suitable for development, primarily due to its location detached from the Built-Up Area Boundary. Whilst such assessments do not in themselves determine planning applications, they form part of the Council's evidence base underpinning the spatial strategy and therefore attract weight. The findings reinforce the conclusion that the site does not represent a sustainable or appropriate location for residential development.

While the applicant has referenced the recent appeal at Maybanks¹ to approve 3 dwellings, Officers consider that this should be afforded limited weight in the determination of this application due to materially different site circumstances and policy context.

¹ PINS ref: APP/R3650/W/24/3345689

Firstly, the appeal site in that case was found by the Inspector to be functionally and visually associated with existing development, including an adjacent residential scheme, a car park, and a building with extant permission (Turnpike). The Inspector concluded that the site was read in the context of that existing built form and did not positively contribute to the wider pastoral landscape. In contrast, the current application site comprises an undeveloped greenfield parcel that contributes to the rural character of the southern side of Lynwick Street, with no comparable relationship to an established cluster of built development. Development in this instance would therefore represent a more pronounced encroachment into the countryside.

Secondly, the Inspector's findings on character and appearance were influenced by the previously developed/curtilage nature of the appeal site and its "untidy and overgrown" condition, which limited its landscape contribution. No such circumstances apply here; the application site is not previously developed land and forms part of an open and verdant rural setting.

Thirdly, whilst the Inspector accepted that the appeal site was in a suitable location in accessibility terms, this was in the context of Waverley Borough Council's development plan policies, which differ from those of Horsham District Council. In particular, the Horsham spatial strategy, including Policies 3, 4 and 26 of the HDPF and Policy RNP1 of the Rudgwick Neighbourhood Plan, places clear emphasis on protecting land outside defined Built-Up Area Boundaries from residential encroachment unless specific criteria are met.

Finally, the Inspector expressly noted that the appeal proposal would not set a precedent and that proposals must be determined on their individual merits. In this case, the application site is physically separated from the built-up area by approximately 197 metres, and development would result in a fundamental change to the character of the southern side of Lynwick Street, which remains predominantly open.

For these reasons, the appeal decision does not alter the conclusion that the application site represents an unsuitable location for residential development in principle.

The Council have published an advice note titled "Shaping Development in the Horsham District" (SDPAN) which sets out a proactive manner to support sustainable development that delivers the development to meet identified needs and ensures that other objectives are met. The Council, through the SDPAN, recognises that it is likely to receive applications outside of defined BUABs 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 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 application site does not adjoin an existing settlement edge as defined by a BUAB. The scheme does not therefore meet the criteria within the SDPAN for development adjacent to settlements.

In spatial terms, the proposal would introduce a new residential development along a quiet rural lane characterised by limited development on the southern side of Lynwick Street and a prevailing rural character. The proposal would therefore represent the incremental extension of built form into the countryside, contributing to development that would undermine the established settlement pattern.

In addition, the site is poorly related to the settlement in terms of pedestrian accessibility. Lynwick Street is a narrow rural lane with limited footway provision, restricted lighting and vehicle-dominated

conditions. As a result, the site does not offer safe or convenient pedestrian access to local services and facilities, and future occupiers would be likely to rely heavily on the private car, contrary to the objectives of sustainable development.

While the Council is currently unable to demonstrate a five-year supply of deliverable housing land and the presumption in favour of sustainable development applies, this does not remove the requirement for development to be located appropriately. In this instance, the proposal's conflict with the spatial strategy of the development plan, the SDPAN, and the unsustainable location of the site attracts significant weight.

Land Use

The proposed land use is residential. Residential development is supported in principle within the District; however, the acceptability of residential use is dependent on its location and compliance with the spatial strategy of the Development Plan.

The application site lies outside the defined Built-Up Area Boundary of Rudgwick and is therefore located within the countryside. In this countryside location the principle of residential use conflicts with the spatial strategy of the Horsham District Planning Framework, including Policies 1, 3, 4 and 26, and Policy RNP1 of the Rudgwick Neighbourhood Plan.

While the Council is currently unable to demonstrate a five-year supply of deliverable housing land and has failed the Housing Delivery Test, this does not render all countryside locations suitable for residential development. Paragraph 11(d) of the National Planning Policy Framework requires a balanced assessment of site-specific harms and benefits, rather than automatic approval

National policy encourages the delivery of housing on small and medium-sized sites and supports rural housing where it enhances or maintains the vitality of rural communities. However, such support is conditional on development being well related to existing settlements, accessible by sustainable modes of transport, and compliant with the overall settlement strategy.

In this instance, the site is not allocated for residential development, does not physically adjoin the built-up area of Rudgwick, and due to the likely arrangement, would appear out of character with the linear form of development along the street. As such, the proposal would introduce a new residential use into the countryside along a quiet rural lane, contrary to the objectives of the Development Plan and the Council's Shaping Development in Horsham District Advice Note (SDPAN). The proposed residential land use would therefore result in an unjustified extension of development into the countryside, contributing to sporadic and piecemeal growth that would undermine the established settlement pattern and rural character of the area.

For these reasons, officers conclude that the proposed residential land use is not acceptable in principle at this location, and that the limited benefits arising from the proposed provision of dwellings are insufficient to outweigh the conflict with the spatial strategy of the Development Plan.

Amount

The application seeks Permission in Principle for 2 - 4 dwellings. While numerically modest, the acceptability of the proposed amount of development must be assessed in the context of the site's location and the Development Plan spatial strategy, rather than by scale alone.

Policies within the Horsham District Planning Framework support the delivery of housing in principle; however, they do so through a plan-led approach that directs development to defined settlements and allocated sites. Outside of the Built-Up Area Boundary, the introduction of new residential units is tightly controlled in order to prevent incremental encroachment into the countryside.

Although national policy recognises the importance of small sites in contributing to housing supply, this support is not unconditional. Paragraphs 73–75 of the National Planning Policy Framework do not override local spatial strategies, nor do they indicate that small-scale development is acceptable in all locations regardless of policy constraints.

In this case, the proposal would introduce up to 4 residential units into a countryside location where new housing is not supported in principle. Even a single dwelling would represent an outward extension of built form along a quiet rural lane and would contribute to sporadic and piecemeal development beyond the settlement boundary.

The proposed amount of development must also be considered cumulatively. Approval of up to 4 dwellings outside the Built-Up Area Boundary would risk establishing an undesirable precedent for additional small-scale development along Lynwick Street, thereby undermining the effectiveness of the settlement boundary and the plan-led approach to growth.

While the PiP process does not determine detailed layout or design, it would nonetheless establish the principle of residential development on this site. Given the identified conflict with the spatial strategy, officers consider that granting PiP for 2-4 dwellings would result in planning harm that cannot be mitigated at the Technical Details Consent stage.

For these reasons, officers conclude that the proposed amount of development is not acceptable in this location, and that the limited benefit arising from the development does not outweigh the harm to the settlement pattern and countryside character.

Other Considerations

Heritage Impact

The site lies adjacent to The Old Vicarage, a Grade II listed building located to the east in land that immediately abuts the site. In accordance with Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, the Council must have special regard to the desirability of preserving the setting of the listed building.

The absence of a Heritage Statement limits the ability to fully assess impacts at this stage. However, it is evident that development of the site has the potential to affect the rural setting of the listed building, particularly through the introduction of built form into what is currently open land.

At PiP stage, the assessment is limited; however, it must still be established whether there is any in-principle harm that could not be mitigated. Given the nature of the Permission in Principle process, detailed matters relating to layout, scale, appearance and landscaping are not under consideration at this stage. Nevertheless, the potential effect of development on the setting of the adjacent heritage asset remains a material consideration insofar as it relates to the principle of development.

The Council's Conservation Officer has reviewed the submission and advises that the site has no apparent historic functional connection with The Old Vicarage and raises no overriding objection in principle from a heritage setting perspective. However, concern is raised regarding the practicability of the illustrative layout submitted and it is noted that development of the site could result in a low level of less than substantial harm to the setting of the listed building, dependent upon the eventual form, layout and number of dwellings proposed. The Conservation Officer further advises that such harm may potentially be mitigated through an appropriate detailed design approach at Technical Details Consent stage.

In the absence of detailed design information, the precise heritage impacts cannot be fully assessed at this stage. Nevertheless, the proposal has the potential to affect the setting of the adjacent listed building and this weighs modestly against the proposal. The development must therefore be considered against the requirements of Policy 34 of the Horsham District Planning Framework (2015), and the heritage objectives of the National Planning Policy Framework (2024).

Tree and Landscape Impact

The application site is strongly influenced by mature trees, woodland, meadow grassland and other established landscape features both within and adjacent to its boundaries. The site forms part of a verdant and attractive rural landscape which contributes positively to the character of this section of

Lynwick Street and the wider countryside. Mature trees along the frontage, including several protected specimens, make a positive contribution to the street scene and reinforce the rural character of the area.

The Council's Arboricultural Officer has identified mature trees adjacent to the site as an important consideration for any future development proposals, particularly in relation to potential access arrangements and the relationship between development and retained trees. Whilst detailed arboricultural matters would ordinarily fall to be considered at the Technical Details Consent stage, the presence of mature trees and woodland features demonstrates the sensitivity of the site to development.

Following submission of additional information, Place Services has reviewed the submitted Landscape and Visual Statement and maintains an objection on landscape grounds. Whilst accepting that a proportionate level of information has been submitted for a Permission in Principle application, the landscape officer considers that the site remains highly sensitive to development due to its settlement edge location, existing meadow and wetland character and its contribution to local landscape character. The officer further considers that the site is of higher than medium landscape value and forms an important component of the wider Low Weald Hills and local wooded ridge landscape character areas.

The landscape officer also considers that the verdant frontage to Lynwick Street is a positive characteristic of the area and raises concerns regarding the potential loss of frontage trees and the impact of domestic encroachment on retained woodland. It is further noted that the applicant's own Landscape and Visual Statement identifies a Moderate Adverse Landscape Effect that is considered Significant upon completion of the development.

Whilst the detailed design, landscaping and mitigation measures are not matters for consideration at the Permission in Principle stage, the existing landscape character and environmental qualities of the site are material considerations when assessing whether the location is suitable for residential development in principle. In this respect, the site makes a positive contribution to the rural character and landscape setting of the area, and development would result in the urbanisation of an undeveloped parcel of countryside. This weighs against the proposal and adds to concerns regarding the suitability of the site for residential development in principle.

The applicant has disputed the Council's landscape adviser conclusions and submitted further commentary in support of the proposal. Officers have considered these submissions but note that Place Services maintains its professional opinion that the site is highly sensitive to development and contributes positively to local landscape character. Accordingly, the landscape concerns identified above remain.

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 of October 2025, will not exceed 3,240,000 litres per day. Natural England standing advice raises no objection to this approach.

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 of the Horsham District Planning Framework (2015) require that development mitigates the impacts of climate change through measures including improved energy efficiency, reduced flood risk, lower water consumption, enhanced biodiversity and the promotion of sustainable transport modes. These policies reflect Chapter 14 of the National Planning Policy Framework (2024), which requires that local plans and decisions support the transition to a low carbon future and minimise vulnerability to climate impacts.

Given the outline nature of this Permission in Principle application, limited technical detail has been provided at this stage. At the detailed design stage, it is anticipated that the following measures could be incorporated to ensure the development builds resilience to climate change and reduces carbon emissions:

- Water consumption limited to 110 litres per person per day, in line with Policy 37 and Building Regulations Part G;
- Integration of sustainable drainage systems (SuDS) and permeable surfacing to manage surface water runoff;
- Provision of electric vehicle charging points for the dwelling;
- Refuse and recycling storage incorporated within the layout;
- Opportunities for biodiversity net gain, to be delivered through new landscaping and habitat creation; and
- Improved energy performance of the dwellings in accordance with, or exceeding, Building Regulations Part L requirements.

Full details of these measures would be expected at the Technical Details Consent stage, where conditions can be imposed to secure their implementation. Subject to these future provisions, the proposed development could suitably reduce its impact on climate change and would accord with Policies 35, 36 and 37 of the Horsham District Planning Framework (2015) and the aims of the National Planning Policy Framework (2024).

Drainage and Flooding

The site includes a watercourse along its western boundary and areas of varying topography. Supporting information indicates that development would be directed to areas within Flood Zone 1.

At PiP stage, detailed drainage design is not required; however, it must be demonstrated that there are no overriding constraints. Based on the submitted information, it appears that drainage could potentially be addressed at TDC stage, subject to compliance with Policy 35 of the HDPF, Strategic Policy 10 of the emerging Local Plan, and the NPPF.

This matter is therefore neutral at this stage.

Ecology and 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.

Given the outline nature of this Permission in Principle application, detailed ecological information has not been submitted at this stage. Should the principle of development be supported, ecological survey work and appropriate mitigation and enhancement measures would be required at the Technical Details Consent stage to ensure compliance with Policy 31 of the Horsham District Planning Framework (2015), the NPPF (2024), and the Conservation of Habitats and Species Regulations 2017 (as amended).

The site also falls within the scope of the mandatory Biodiversity Net Gain (BNG) regime. A minimum 10% net gain in biodiversity value will be required to be demonstrated at the Technical Details Consent stage, through submission of a habitat baseline assessment and Biodiversity Metric calculation in accordance with the Environment Act 2021 and the Biodiversity Gain (Town and Country Planning) (General) Regulations 2024.

At this stage, it is considered that the site provides scope to deliver BNG through appropriate landscaping and habitat creation as part of any detailed design, and that the requirements of Policy 31 and national BNG legislation could reasonably be met.

Conclusions and Planning Balance:

The application seeks Permission in Principle for residential development comprising between 2 and 4 dwellings. As set out above, consideration at this stage is limited to the matters of location, land use and amount of development.

The proposal would make a modest contribution towards the District's housing supply, which attracts weight in the context of the Council's acknowledged shortfall in deliverable housing land and the engagement of the presumption in favour of sustainable development. The provision of up to four dwellings would therefore represent a benefit of the scheme and is afforded moderate weight.

However, this benefit must be weighed against the identified harms. The site lies outside and physically separate from the defined Built-Up Area Boundary of Rudgwick and does not represent a logical or sustainable extension to the settlement. The proposal would introduce new residential development into the countryside in a location where such development is not essential to a countryside location and would conflict with the spatial strategy set out in Policies 2, 3, 4 and 26 of the Horsham District Planning Framework, Policy RNP1 of the Rudgwick Neighbourhood Plan and the principles set out within the Shaping Development in Horsham District Planning Advice Note. Significant weight is therefore afforded to this conflict.

The development would also result in the loss of an undeveloped greenfield site that contributes positively to the rural character of this part of Lynwick Street. The site forms part of an attractive and verdant landscape characterised by mature trees, woodland features, meadow grassland and open green space. These features contribute positively to local landscape character and reinforce the transition between the settlement and the surrounding countryside.

The Council's landscape adviser maintains an objection to the proposal and considers the site to be highly sensitive to development, noting its contribution to local landscape character and settlement edge function. Concerns remain regarding whether the maximum quantum of development proposed could be successfully accommodated whilst responding appropriately to the site's landscape constraints and valued features. It is also noted that the applicant's own Landscape and Visual Statement concludes that the proposal would result in a Moderate Adverse Landscape Effect which is considered Significant, albeit the applicant contends that this would not necessarily render the development unacceptable in planning terms. These matters attract further weight against the proposal.

Whilst detailed arboricultural, landscape and design matters would be reserved for any subsequent Technical Details Consent application, the existing characteristics of the site remain relevant to the assessment of whether the location is suitable for residential development in principle. In this regard, development would erode the rural character of the site and diminish its contribution to the landscape setting of Lynwick Street and the wider countryside.

The proposal also has the potential to affect the setting of the adjacent Grade II listed building, The Old Vicarage. The Conservation Officer has advised that any harm would likely be less than substantial and may potentially be mitigated through detailed design. Whilst this matter weighs against the proposal, it is afforded limited weight in the overall planning balance.

When assessed against the policies of the development plan as a whole, the proposal does not constitute sustainable development. Whilst the Council cannot currently demonstrate a five-year supply of deliverable housing sites and the tilted balance under paragraph 11(d) of the National Planning Policy Framework is engaged, the adverse impacts arising from conflict with the development plan spatial strategy, together with the harm to the rural character and landscape qualities of the site, significantly and demonstrably outweigh the limited benefits associated with the delivery of up to four dwellings.

The proposal would undermine the plan-led approach to growth, result in unjustified encroachment into the countryside and fail to respect the established settlement pattern and landscape character of the area. Accordingly, the application fails to accord with the Development Plan when read as a whole and there are no material considerations which indicate that a decision should be made otherwise. Permission in Principle is therefore refused.

Recommendation: Application Refused

Reason for refusal:

- 1 The proposed development would be located outside and physically separate from the defined Built-Up Area Boundary of Rudgwick on a site not allocated for development. The proposal would result in an unjustified and unsustainable extension of residential development into the countryside, contrary to the plan-led spatial strategy which seeks to direct development to the most sustainable locations and manage settlement growth in a coordinated manner. The proposal is therefore contrary to Policies 1, 2, 3, 4 and 26 of the Horsham District Planning Framework (2015) and Policy RNP1 of the Rudgwick Neighbourhood Plan (2021). Whilst the presumption in favour of sustainable development is engaged, the benefits of the proposal do not outweigh the harm arising from this conflict with the development plan.
- 2 The proposed development would urbanise an undeveloped rural site that makes a positive contribution to the character and appearance of Lynwick Street and the wider countryside. By reason of the site's landscape value, verdant frontage, mature trees and settlement edge location, the proposal would result in harm to local landscape character and rural character. The proposal is therefore contrary to Policies 25, 32 and 33 of the Horsham District Planning Framework (2015), Policies RNP7 and RNP9 of the Rudgwick Neighbourhood Plan (2021), and the National Planning Policy Framework (2024).

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/26/0509

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

Plan Type	Description	Drawing Number	Received Date
Location plan	Rudgwick Location Plan	DA2512-F-01a	23.03.2026
Site plan	Rudgwick 4-Unit Feasibility Site Plan	DA2512-F-04e	23.03.2026
Block plan	Rudgwick 4-Unit Feasibility Block Plan	DA2512-F-03e	23.03.2026
Supporting Statement	Flood Risk & SuDS Technical Note by GTA Civils & Transport dated 18 March 2026	14224	23.03.2026
Supporting Statement	Transport Statement by gta Civils & Transport dated 20.03.2026	14224 Issue 3	23.03.2026
Supporting Statement	Planning Statement by DMH Stallard dated March 2026	808/417672.1	23.03.2026
Supporting Statement	Response to the second draft reason for refusal and the tree officer's comments by SJA Trees Arboricultural Planning Consultants dated 24 June 2026	SJA reb 26302-01a	25.06.2026
Supporting Statement	Landscape and Visual Statement dated 16 June 2026	HLA 684 S01	25.06.2026

DELEGATED

Case Officer sign/initial Daniel Holmes Date: 22.07.2026

Authorising Officer sign/initial Tamara Dale Date: 23.07.2026