



PLANNING COMMITTEE REPORT

TO: Planning Committee

BY: Head of Development and Building Control

DATE: 4th August 2026

DEVELOPMENT: Permission in Principle for demolition of existing polytunnel and removal of hardstanding, and the erection of up to 9no. dwellings.

SITE: New Orchard New Hall Lane Small Dole Henfield West Sussex BN5 9YH

WARD: Bramber, Upper Beeding and Woodmancote

APPLICATION: DC/26/0638

APPLICANT: **Name:** Desmond and Stephanie Weeden **Address:** C/O Agent Mrs Beverley Tourle, Maven Plan, 303A Riverbank House, 1 Putney Bridge, Fulham, SW6 3JD

REASON FOR INCLUSION ON THE AGENDA: Recommendation is contrary to the development plan.

More than eight persons in different households have made written representations within the consultation period raising material planning considerations that are inconsistent with the recommendation of the Head of Development and Building Control.

At the request of Councillor Croker

RECOMMENDATION: To grant permission in principle for a minimum of 5 and maximum of 9 dwellings

1. THE PURPOSE OF THIS REPORT

1.1 To consider the application for permission in principle.

DESCRIPTION OF THE APPLICATION

1.2 The application seeks permission in principle for a minimum of 5 and maximum of 9 dwellings on the site. The indicative layout indicates the site would be accessed from an existing road known as The Beeches, which is a private residential road serving 5 single storey dwellings.

DESCRIPTION OF THE SITE

- 1.3 The Site is located within Small Dole, accessed from A2037 Shoreham Road via The Beeches. The land sits to the rear of properties along Shoreham Road. Residential plots are located to the east and south of the Site, and rear gardens and small fields are located to the north and west.
- 1.4 The application site is approximately 0.48 hectares and was previously a plant nursery, which the submission notes nursery ceased operating 8 years prior. The site comprises a polytunnel, sheds and other surfacing associated with the nursery.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT PLANNING POLICIES

The following Policies are considered to be relevant to the assessment of this application:

National Planning Policy Framework:

Horsham District Planning Framework (HDPF 2015):

Policy 1 - Strategic Policy: Sustainable Development
Policy 2 - Strategic Policy: Strategic Development
Policy 3 - Strategic Policy: Development Hierarchy
Policy 4 - Strategic Policy: Settlement Expansion
Policy 15 - Strategic Policy: Housing Provision
Policy 16 - Strategic Policy: Meeting Local Housing Needs
Policy 24 - Strategic Policy: Environmental Protection
Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
Policy 26 - Strategic Policy: Countryside Protection
Policy 28 - Replacement Dwellings and House Extensions in the Countryside
Policy 30 - Protected Landscapes
Policy 31 - Green Infrastructure and Biodiversity
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
Policy 35 - Strategic Policy: Climate Change
Policy 36 - Strategic Policy: Appropriate Energy Use
Policy 37 - Sustainable Construction
Policy 38 - Strategic Policy: Flooding
Policy 39 - Strategic Policy: Infrastructure Provision
Policy 40 - Sustainable Transport
Policy 41 - Parking

Henfield Neighbourhood Plan (2021):

Policy 1 - A Spatial Plan for the Parish
Policy 2 - Housing Site Allocations
Policy 4 - Transport, Access and Car Parking
Policy 8 - Broadband Infrastructure
Policy 10 - Green Infrastructure and Biodiversity
Policy 12 - Design Standards for New Development

Henfield 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 9: Water Neutrality
Strategic Policy 11: Environmental Protection
Strategic Policy 13: The Natural Environment and Landscape Character
Strategic Policy 14: Countryside Protection
Strategic Policy 15: Settlement Coalescence
Strategic Policy 17: Green Infrastructure and Biodiversity
Strategic Policy 19: Development Quality
Strategic Policy 20: Development Principles
Strategic Policy 23: Infrastructure Provision
Strategic Policy 24: Sustainable Transport
Policy 25: Parking
Strategic Policy 37: Housing Provision
Strategic Policy 38: Meeting Local Housing Needs
Policy 39: Affordable Housing
Policy 40: Improving Housing Standards in the District

Supplementary Planning Guidance:

Planning Obligations and Affordable Housing SPD (2017)
Community Infrastructure Levy (CIL) Charging Schedule (2017)

Planning Advice Notes:

Facilitating Appropriate Development
Biodiversity and Green Infrastructure

PLANNING HISTORY AND RELEVANT APPLICATIONS

None directly relevant to this application.

3. OUTCOME OF CONSULTATIONS

- 3.1 Where consultation responses and representations 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 horsham.gov.uk/planning/planning-applications/view-and-comment-on-planning-applications.
- 3.2 **Landscape Officer:** Some development may be acceptable within the site context given it is previously developed and so is less sensitive to change from a landscape perspective. The site is well contained by vegetation and housing. The site sits on the edge of the settlement and relates well to it. From a landscape perspective the site has capacity for residential development as it would not be out of character. The number of dwellings would be an issue given it would be overdevelopment and would overly suburbanise the site which would be harm to the rural character. There would be insufficient space for parking, refuse storage and circulation ie) the quantum of development would not be acceptable.
- 3.3 **WSCC Highways Officer:** No Objection: -
- 3.4 There appears to be no visibility concerns at the junction of The Beeches and Shoreham Road. There are no recorded incidents at this junction. The addition of 9x dwellings would not result in over 100 vehicular movements in any one hour and this remaining shared surface is considered acceptable as per Manual for Streets. Local convenience shops are a 6 minute walk away, however pedestrians are required to cross the carriageway to the east side in order to access continuous footway toward the village centre. It would therefore be

beneficial for a dropped kerb/tactile paved uncontrolled crossing of A2037 to be provided in this location. Pedestrians can then utilise the pelican crossing in vicinity of village shop. Nearest bus stops are adjacent site access but to safely reach the southbound stop (east side carriageway) a crossing point would be beneficial. There is information required at technical details stage.

3.5 **HDC Drainage officer:** No Drainage Information has been provided – as such HDC Drainage are unable to determine whether 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.

3.6 **Southern Water:** Comment that details of foul / surface water drainage disposal should be conditioned, and note restrictions on tree planting adjacent to Southern Water sewers, rising mains or water mains.

PUBLIC CONSULTATIONS

Representations:

3.7 41 representations received, objecting to the proposal for the following reasons: -

- Highway Access: Existing private driveway was designed for 5 dwellings and is considered too narrow and unsuitable to safely accommodate traffic from a further 9 homes, deliveries, construction vehicles and emergency services.
- Pedestrian Safety: No footways are provided along the access route, meaning increased vehicle movements could create safety risks for pedestrians, including children and residents walking to local facilities.
- Overdevelopment: The proposal is considered too intensive for the site and would be out of character with the existing low-density development.
- Residential Amenity: Concerns regarding increased noise, disturbance, traffic, vehicle headlights, overlooking and loss of privacy affecting surrounding properties.
- Construction Impacts: Potential for disruption from construction traffic, noise, dust and damage to the existing private road.
- Parking: Additional dwellings would increase parking demand, potentially leading to overspill parking and congestion along the access road.
- Drainage and Flood Risk: Existing drainage infrastructure is said to be under pressure already, with concerns that further development could worsen flooding and drainage issues.
- Waste Collection: Concerns that refuse and recycling storage and collection arrangements may be inadequate and could obstruct access.
- Private Road Management: Questions raised regarding future maintenance, liability and management of the private access road following increased use.
- Ecology and Landscaping: Requests for ecological and bat surveys, with concerns about impacts on wildlife, biodiversity and increased light pollution.
- Land Suitability: Objector notes the land was previously presented as agricultural land unsuitable for development, raising concerns about the appropriateness of residential expansion.
- Cumulative impacts: On access, safety, amenity, infrastructure and the local environment.

3.8 Parish Comments: Objection, the application is contrary to the following HDPF policies: -

- 1 as it is not a strategic site in the Local Plan
- 2 as it is not a nominated site in the Neighbourhood Plan
- 3 as it is not within an existing built-up area

- as the site is not allocated in the Local Plan or Neighbourhood Plan, and does not adjoin an existing settlement edge
- 10 as it does not demonstrate that car parking requirements can be accommodated within the immediate surroundings of the buildings
- 23 as the site cannot be served by safe and convenient vehicular and pedestrian access; or cannot be supplied with essential services, such as water, power, sewage and drainage, and waste disposal; or provide adequate vehicle parking; or would have an unacceptable impact on the landscape
- 26 as the site lies outside built-up area boundaries and does not support the needs of agriculture or forestry; does not enable the extraction of minerals or disposal of waste; or provide for quiet informal recreational use or enable the sustainable development of a rural area
- 33.2 as there is loss of amenity to the neighbouring property; or the design is not sensitive to surrounding buildings
- 33.3 as the scale and massing and appearance of the proposal is out of keeping and unsympathetic with the built surroundings.
- 33.4 in that it does not respect the character of the surrounding area and buildings.
- 39 as it does not demonstrate there being sufficient capacity in the existing infrastructure to meet their requirements; or as there is no assessment of the likely infrastructure requirement or its provision
- 41 as it does not demonstrate adequate safe and secure parking, and highway safety.

3.12 Member Comments:
None received

4. HOW THE PROPOSED COURSE OF ACTION WILL PROMOTE HUMAN RIGHTS

- 4.1 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.
- 4.2 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.

5. HOW THE PROPOSAL WILL HELP TO REDUCE CRIME AND DISORDER

- 5.1 It is not considered that the development would be likely to have any significant impact on crime and disorder.

6. PLANNING ASSESSMENTS

Background:

- 6.1 The Permission in Principle consent route is an alternative way of obtaining planning permission for residential development. It 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.

- 6.2 The scope of the Permission in Principle application (being the first stage) is limited to location, land use, and amount of development, as explained in Paragraph 012 of the Planning Practice Guidance (PPG) (Permission in Principle):

‘The scope of permission in principle is limited to location, land use and amount of development. Issues relevant to these ‘in principle’ matters should be considered at the permission in principle stage. Other matters should be considered at the technical details consent stage. In addition, local authorities cannot list the information they require for applications for permission in principle in the same way they can for applications for planning permission.’

- 6.3 The PPG 020 (Reference ID: 58-020-20180615) further states that:

‘It is not possible for conditions to be attached to a grant of permission in principle and its terms may only include the site location, the type of development and amount of development. Local planning authorities can inform applicants about what they expect to see at the technical details consent stage.’

Location

- 6.1 The application site is located in a backland location to the north of New Hall Lane and west of on the western side of Shoreham Road. The site lies outside of, but immediately adjacent to the built-up area boundary (BUAB) of Small Dole. In policy terms, land outside the BUAB is designated as countryside, where development is ordinarily restricted unless it is considered essential or is otherwise supported by specific policies.
- 6.2 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.
- 6.3 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.
- 6.4 The site is not within a settlement boundary and has not been identified for development in a Local Plan document. The development would therefore be contrary to the above policies. In addition, it has not been demonstrated that there is an essential need for development in the countryside, and this raises conflict with Policy 26 of the HDPF. The appropriate degree of weight to be assigned to conflict with these policies is considered further below.
- 6.4 The Shaping Development in Horsham (SDPAN) document was endorsed at Full Council on 17th September 2025. The SDPAN recognises that the Council is likely to receive applications outside of defined Built Up Area Boundaries and on unallocated sites (such as this proposal) as it is unable to demonstrate a five-year housing land supply. Given this position and the principles behind HDPF Policy 4, the SD states that the Council will consider positively applications that meet all of the criteria:

- 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.

6.5 The above approach is intended to facilitate housing development in the most sustainable locations, with those being sites with a direct relationship to the edges of settlements, and the proposal would benefit from the provisions of the SDPAN. The application site immediately adjoins the built-up area boundary of Small Dole and future occupants would be within approximately 0.8km of the available services and facilities, including public transport routes for onward journeys to larger settlements. The scale of the development being sought would be appropriate to Small Dole and would be contained within existing defensible site boundaries. Taken together, these factors support the view that the site is both sustainable and appropriate for residential development.

Land Use

6.6 The application would remove the existing polytunnels within the site which were in use as part of the previous nursery. The application site would meet the definition of previously developed land (as set out in the NPPF): -

“Land which has been lawfully developed and is or was occupied by a permanent structure and any fixed surface infrastructure associated with it, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed). It also includes land comprising large areas of fixed surface infrastructure such as large areas of hardstanding which have been lawfully developed.”

6.7 NPPF paragraph 125 c) outlines that Planning decisions should “*give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, proposals for which should be approved unless substantial harm would be caused, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land*”

6.8 The development would result in the re-use of previously developed land with a residential use consistent with the immediately adjoining settlement of Small Dole and supported by the provisions of the Council’s SDPAN. The land use is therefore considered acceptable.

Amount of development:

6.9 Policies 25 and 33 of the HDPF promote development that protects, conserves and enhances landscape character and ensures that proposals reflect the locally distinctive character of settlements. Policy 32 requires high quality design. Proposals should consider landscape characteristics, with development seeking to provide an attractive, functional and accessible environment that complements the locally distinctive character of the district. Buildings should contribute to a sense of place, and should be of a scale, massing and appearance that is of a high standard or design and layout which relates sympathetically to the landscape and built surroundings.

6.10 Paragraph 68 of the NPPF (2024) requires local planning authorities to support opportunities to bring forward small and medium-sized sites, particularly where such development can make an important contribution to meeting local housing needs and maintaining the vitality of rural communities. The delivery of up to 9 dwellings on an edge-of-settlement brownfield

site aligns with this objective by providing a modest but meaningful level of growth within an allocated location.

- 6.11 Furthermore, paragraph 137 of the NPPF (2024) emphasises the importance of making efficient use of land, particularly previously developed land, while ensuring that development is appropriate in terms of scale, character, and relation to the surrounding area. The redevelopment of the existing yard presents a logical and efficient use of land within an established allocation, avoiding unnecessary encroachment into open countryside and limiting landscape impacts by focusing development on an already altered site.
- 6.12 Policy 12 of the Henfield Parish Neighbourhood Plan states that as appropriate to their scale, nature and location, development proposals will be supported where their design and detailing meet the relevant requirements in the Henfield Parish Design Statement. In addition, as appropriate to the site concerned, the scale, density, massing, height, landscape design, layout and materials of all new development proposals are of a high quality and reflect the architectural and historic character and scale of the surrounding buildings and street scene/landscape.
- 6.13 The application form sets out that the PiP is seeking consent for a minimum of 5 dwellings and a maximum of 9 dwellings, with an indicative layout plan indicating how 9 dwellings could potentially be accommodated on the site (noting that detailed matters would be considered under a later technical details stage submission).
- 6.14 There are some concerns as to whether the maximum quantum of development being sought (i.e. 9 dwellings) could be successfully accommodated on the site without resulting in an over-intensive form of development, particularly when accounting for access, visitor parking, refuse storage and circulation requirements. These concerns are reflected in the comments of the Council's Landscape consultant.
- 6.15 The application site does though reflect existing boundaries which allows for retention and reinforcement of existing planting, with existing surrounding development comprising residential properties of varying size, form and plot size(s). In this context there are no in principle reasons why a development of up to 9 dwellings could not be delivered which maintains a soft transition between the settlement edge and adjoining countryside, and this may require a different layout and different buildings / forms to those indicated on the indicative layout plan.
- 6.16 It is therefore considered that a development which provides an appropriate layout and the necessary level of parking and servicing, while respecting the surrounding landscape and townscape character would be secured as part of the technical details stage. The granting of permission in principle would not prevent further consideration of the actual impacts arising from a development of the amount proposed.

Water Neutrality:

- 6.17 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.
- 6.18 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.

- 6.19 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.
- 6.20 Officers have undertaken an Appropriate Assessment which demonstrates that the anticipated increase in mains water consumption from this development, alongside all other development granted since the 31st October 2025, will not exceed 3,240,000 litres per day.
- 6.21 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.

Other Matters:

- 6.22 It is noted that a number of representations have been received, objecting to the application for the (summarised) reasons set out in paragraph 3.11. These representations have been considered so far as is possible under a permission in principle application, where the considerations are limited to location, land use and amount of development. The considerations raised by the development relating to highways, including access arrangements, parking and safety; impact on neighbouring amenity; drainage; servicing arrangements; and ecology would be reserved for a subsequent 'Technical Details' application.

Conclusions and Planning Balance:

- 6.23 The proposed development comprises a development with a minimum of 5x dwellings and a maximum of 9x dwellings. In accordance with the Town and Country Planning (Permission in Principle) Order 2017, only the location, land use and amount of development can be considered at this stage. All detailed matters, which includes design, layout, access, drainage, ecology and any other infrastructure, would be assessed at the Technical Details Consent (TDC) stage.
- 6.24 The application site lies outside of any defined built-up area boundary, has not been allocated for development, and the scheme is not essential to its countryside location. The proposal is therefore contrary to Policies 1, 3, 4 and 26 of the HDPF.
- 6.25 At present, the Council is unable to demonstrate a five-year supply of deliverable housing sites and the Horsham District Planning Framework (2015) is more than five years old. Consequently, paragraph 11(d) of the National Planning Policy Framework (2024) is engaged and the presumption in favour of sustainable development applies; Paragraph 14 of the NPPF does not apply as the Henfield Neighbourhood Plan is more than five years old. In these circumstances, planning permission should be granted unless:

- the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusal; or
- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework taken as a whole.

- 6.26 The application site, although in a countryside location, immediately adjoins the built-up area boundary of Small Dole and is adjoined by existing residential development to the south and east. The site is a former nursery, which contains existing structures such as a polytunnel and greenhouses, and represents previously developed land with clearly defined defensible boundaries. A residential development on the site would be directly supported by the provisions of the SDPAN, with a development of up to 9 dwellings making a modest contribution to the supply of housing in the District.
- 6.27 It is acknowledged that a development of up to 9 dwellings would alter the character of the site and has potential to create some adverse impacts on the landscape, primarily arising from the increase in built form on the site and the related layout. The detailed considerations and impacts would though be addressed as part of a technical details submission. At this stage there is nothing to suggest a development could not be achieved which would be appropriate to this edge of settlement location at the level of development indicated on the application form (i.e. a minimum of 5 and maximum of 9).
- 6.28 It is considered that the above considerations are such that they would outweigh the identified conflict with the spatial strategy to housing delivery set out in the HDPF. The principle of residential development on the site is therefore considered acceptable.

7. RECOMMENDATIONS

- 7.1 That permission in principle be granted for a minimum of 5 and maximum of 9 dwellings.

Note to Applicant

Technical Details Consent (TDC) Requirements

This Permission in Principle establishes only the location, land use and amount of development. All detailed matters, including access, layout, design, drainage, ecology, landscaping and infrastructure requirements, must be addressed through a subsequent Technical Details Consent (TDC) application.

8. USE OF AI

- 8.1 This report has not been prepared with the support of artificial intelligence tools.