Planning Inspectorate

# Appeal Decision

Site visit made on 21 July 2026

**by Jane Smith MA MA MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 10th September 2026**

**Appeal Ref: 6009593**
**Land East of Spring Gardens, Washington, Nr Pulborough RH20 3BP**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
- The appeal is made by Mr & Mrs Ripley against the decision of Horsham District Council.
- The application Ref is DC/26/0035.
- The development proposed is single detached two storey dwelling & associated landscaping together with the relocation of the existing stable building.

## Decision

1. The appeal is allowed and planning permission is granted for single detached two storey dwelling & associated landscaping together with the relocation of the existing stable building at Land East of Spring Gardens, Washington, Nr Pulborough RH20 3BP in accordance with the terms of the application, Ref DC/26/0035, subject to the conditions in the attached schedule.

## Preliminary Matters

2. A revised National Planning Policy Framework (the Framework) was issued on 17 August 2026 and is a material consideration in this appeal. Both main parties have commented on its implications for their cases, and I have taken those additional representations into account.

3. I also sought the parties' comments regarding whether the provision of self-build housing, as specified on the application form, and the associated exemption from biodiversity net gain (BNG) would be adequately secured. In response, the appellant initially submitted a Unilateral Undertaking (UU) dated 31 July 2026, as a mechanism to secure the provision of self-build housing. However, that has been superseded by a bilateral legal agreement under s106 of the Town and Country Planning Act 1990, dated 2 September 2026 (the legal agreement). That includes additional planning obligations and revisions, addressing comments made by the Council on the effectiveness of the UU.

4. An emerging Local Plan is under preparation and the Examination in Public is ongoing at the time of making this decision. The Council's evidence for this appeal indicates that policies in the emerging Local Plan should be given limited weight at this point, taking account of the stage reached in the plan-making process and unresolved objections to many of the policies. I have no reason to take a different view and have considered the appeal on that basis.

## Main Issue

5. The main issue is whether the proposed development would provide a suitable location for housing, having regard to the development plan, the provisions of the Framework and access to services and facilities.

## Reasons

6. The appeal concerns a long, narrow parcel of land accessed from Spring Gardens, just off the A24 dual carriageway. Currently, it includes a stable building and gravel hardstanding within a fenced area near the road, with a larger grass paddock beyond that. There is existing housing to either side of the site, including several dwellings along the length of Spring Gardens. There is also a nursery with farm shop and café just beyond those houses, as well as several large commercial premises including business park units, an auctioneers' premises and a caravan/motorhome outlet. All of those uses are accessed via the existing junction with the northbound A24 at Spring Gardens.

7. The village of Ashington is further to the north and the main village of Washington is further to the south. There are other groups of houses, a garden centre and other sporadic development strung out along the A24. However, the wider surroundings are rural, and the area is outside any built-up area boundary (BUAB), within an area defined as countryside in the Horsham District Planning Framework (HDPF) 2015.

*Relevant policies*

8. Policy 1 of the HDPF sets out a presumption in favour of sustainable development, reflecting the wording in an earlier version of the Framework. Policy 2 articulates the Council's spatial strategy, distributing growth in accordance with a settlement hierarchy. Policy 2 also includes some encouragement for reuse of previously developed land, but with no clear indication that should in principle override other locational considerations.

9. Policy 4 allows for some expansion of settlements outside BUABs but specifies that such development should adjoin the settlement edge. That approach is maintained in the Council's Shaping Development in Horsham District Planning Advice Note. Since the appeal site would be well outside any defined BUAB, it does not benefit from the slightly increased flexibility for development on unallocated sites in the Shaping Development document. Within the countryside, Policy 26 of the HDPF restricts development to proposals which are essential to their countryside location, with a focus on protecting the rural character and undeveloped nature of the countryside.

10. In the Storrington, Sullington and Washington Neighbourhood Plan (2019) (the NP), Policy 1 is supportive of development outside the Washington BUAB in certain circumstances, subject to compliance with other policies in the development plan. That includes support for proposals resulting in reuse of previously developed land (PDL).

11. National decision-making policies S3 to S5 of the Framework collectively define a revised presumption in favour of sustainable development. Policy S5 applies to development outside settlements and part 1 lists forms of development which should be approved, unless the benefits of doing so would be substantially

outweighed by any adverse effects, when assessed against the national decision-making policies in the Framework. As has been highlighted by both parties, that list includes redevelopment of previously developed land (PDL) and development which would address an evidenced unmet need.

12. The Council has not disputed that the appeal site is PDL, by virtue of the stable building and hardstanding. To that extent, its redevelopment is supported in principle by both Policy S5 (part 1d) and NP Policy 1. However, the plans confirm that the proposed development would also extend into the separate paddock area, which does not clearly fall within the definition of PDL.

13. There is no dispute that the Council currently has a significant shortfall in housing land supply, so Policy S5 part 1j is also relevant. However, that requires that the development would be physically well-related to an existing settlement. As defined in the Framework, relevant settlements exclude hamlets and scattered groups of houses located outside predominantly built-up areas, where they are not specifically defined as a settlement in the development plan. The nearest settlements which would clearly fall within the Framework's definition are all some distance away, and the site is not physically well-related to them.

14. However, Policy S5 also provides in part 1e for limited infilling within groups of houses outside settlements. While neither party has directed me specifically to that clause, they have both acknowledged that Policy S5 as a whole is applicable. Furthermore, Part 1e is clearly of some relevance, in light of the appellant's argument that the proposed dwelling would be viewed in the context of the surrounding built form, with adjacent residential development on either side.

15. The substantial cluster of built development around the appeal site includes a cohesive group of houses along Spring Gardens and next to the A24. The part of the site which would be developed is sandwiched between existing dwellings to either side. Like its neighbours, the proposed dwelling would front Spring Gardens, occupying a gap between 1 Spring Gardens and The Orchard and it would be on a plot of broadly comparable extent. It would be embedded within the established group of houses, in a position where a single additional dwelling could reasonably be classified as limited infilling, notwithstanding any encroachment beyond the existing extent of PDL.

16. Policy S5 does not require that proposals for redevelopment of PDL and/or limited infilling within groups of houses are physically well-related to a settlement, since that requirement only appears within parts 1h and 1j, with no indication that it is to be applied to the other forms of development listed. On that basis, the proposed development is consistent with the forms of development which Policy S5 states may in principle be approved outside settlements, subject to weighing up the benefits against any adverse effects.

*Access to services and facilities*

17. While I have concluded that the site is not physically well-related to an existing settlement, there are some modest services and facilities nearby. Occupiers of the dwelling could easily walk to the farm shop and café further along Spring Gardens and they could also use the existing footpath to walk to the garden centre. They would, therefore, have opportunities to buy fresh produce and other items, as well as socialising very locally, providing some modest support for the services which do exist within this small rural community. Some of those very local services were

acknowledged in positive terms when the Council permitted the nearby dwelling at Chanctonview.

18. It would, nevertheless, be necessary to travel further to meet the majority of daily needs. The village of Ashington is a relatively short distance away but it could not realistically be reached on foot or by cycling, given the nature of the intervening dual carriageway. It does, however, provide a range of essential services including education, medical and convenience shopping. There is also a much wider range of services in Storrington, which is further away but still a convenient distance by road. There are bus stops very close to the appeal site, at the Business Park, with what appears to be a useful service along the A24. Therefore, while there would be some harm arising from the need to travel by car, future occupiers would be able to access services and facilities without travelling significant distances and they would also have some sustainable transport options.

19. Framework Policy TR3 guides development towards sustainable locations, to limit the need to travel by private car. In this case, however, the development would not generate a significant amount of movement, given its small scale and the relatively short travel distances to a suitable range of services and facilities. A public transport service is also available. When assessed against the national decision-making policies in the Framework, while there would be some adverse effects arising from increased travel by car, in my judgement that should be given no more than moderate weight.

20. Limited details have been provided of the Lancasters Cottage and Clockhouse Cottage appeal decisions mentioned in the officer report. It is clear that both concluded that those sites were not suitably located, but less clear how the availability of any local services, or the distance to others, compared with this case. The appeal decisions provided by the appellant also encompass a range of site-specific circumstances, including conversion of existing buildings and larger scale developments, which are not directly comparable. I have considered all the other decisions mentioned, but none of them outweighs the conclusions I have reached in the particular circumstances of this site and location.

*Planning balance and conclusion on main issue*

21. Policy HO7 of the Framework makes clear that substantial weight should be given to the benefits of providing homes which will contribute towards meeting the evidenced accommodation needs of the community. That includes, but is not limited to, homes needed for different groups. While only a single dwelling is proposed, it would make a modest contribution towards addressing an acknowledged and sizable shortfall in housing land supply. Since a self-build dwelling is proposed, there would be a small contribution towards the supply of land for people wishing to build their own homes. The proposal would also offer some potential for modest benefit to the vitality of local rural services.

22. For the reasons previously given, Policy S5 of the Framework is supportive of the proposal in principle, notwithstanding its location outside a settlement. The adverse effects in terms of accessibility to services and facilities carry no more than moderate weight. When considered collectively, the benefits of the development would not be substantially outweighed by the adverse effects. In those circumstances, Policy S5 states that the development should be approved.

23. Having had regard to the development plan, the provisions of the Framework and access to services and facilities, I conclude that the proposed development provides a suitable location for housing. While there would be a conflict with Policies 2, 4 and 26 of the HDPF, due to its location outside the defined BUAB, any conflict with Policy 1 of the NP is limited by the fact that the proposal would include reuse of PDL. There is, nevertheless, conflict with the development plan as a whole. However, in the circumstances of this particular case, that is outweighed by other considerations, notably the presumption in favour of sustainable development as defined in national decision-making policies S3 and S5.

**Legal Agreement**

24. Biodiversity Net Gain (BNG) is a mandatory requirement of Schedule 7A of the Town and Country Planning Act 1990 (TCPA). However, certain planning permissions including for self-build and custom build development are exempt. The application form specifies that the proposed dwelling would be self-build and exemption from BNG was claimed and accepted as valid by the Council. However, in order to ensure the delivery of a dwelling meeting the definition of self-build or custom housebuilding in section 1(A1) of the Self-build and Custom Housebuilding Act 2015 (SBCHA), a suitable legal mechanism is required.

25. The UU dated 31 July 2026 purported to secure the provision of self-build housing qualifying for the BNG exemption. However, it did not include a mechanism to secure BNG in the event that the dwelling is occupied in a manner which falls outside the definition of self-build housing. That could arise if there was evidence the initial occupier of the dwelling had not had primary input into its final design and layout, as required in Planning Practice Guidance.

26. The legal agreement completed on 2 September 2026 does include a mechanism for BNG to be delivered in those circumstances, along with provisions for monitoring and dispute resolution. It would therefore be effective in ensuring that the development is acceptable in planning terms, having regard to the statutory BNG requirements. I have therefore taken the 2 September legal agreement into account for purposes of this appeal and have not given the earlier UU any weight.

27. The planning obligations in the legal agreement are necessary to make the development acceptable in planning terms. They are directly related to the proposed development of a single self-build dwelling and fairly and reasonably related to it in scale and kind, since they simply ensure its delivery as proposed in the application and in accordance with relevant statutory requirements. I therefore conclude that the legal agreement would be consistent with the requirements of Regulation 122(2) of the Community Infrastructure Levy Regulations 2010 and that it would be effective in ensuring that statutory BNG requirements are addressed.

**Other Matters**

28. Access would be via the existing junction with the A24, which already serves several dwellings and some large commercial premises. Whether or not the site access has been relocated, its position is clearly detailed on the plans, and the Highways Authority raised no concern about its proposed use for this development. There would be off-street parking to the Council's standards, reducing the risk of any spillover parking near the junction. Since buses and other large vehicles already use the junction, there is no clear reason to assume that the movement of construction traffic would present any specific highway risks and

there would be space within the site for them to enter and park. As such, there is no substantive evidence that one additional dwelling in this location would have any unacceptable impact on highway safety.

29. Based on the ecological evidence provided with the application, the site is of limited ecological value at present, with no requirement for any further surveys or ecological mitigation measures. A soft landscaping scheme is proposed, which can be secured by condition, along with tree protection measures to ensure that the existing boundary vegetation is retained. There is no evidence before me to suggest that any earlier removal of trees or hedges was contrary to any relevant protection orders or otherwise unauthorised.

30. The proposed design adopts building materials and features which are generally typical of existing housing in the environs, including the sporadic housing within the rural areas. While the appeal site currently has an open and rural character, for the reasons previously given it also relates closely to the surrounding built development, and the Council did not allege that there would be any harm to the character and appearance of the area. Taking into account the proposed design approach and additional soft landscaping, the proposal could be accommodated without harm to the wider countryside or the character and appearance of its more immediate surroundings.

31. The dwelling would be sufficiently separated from its neighbours to avoid any unacceptable impact on sunlight or daylight. Window openings would be predominantly to the front and rear, with no first-floor windows on the side elevation facing Spring Gardens. While the dwelling would no doubt be visible from neighbouring properties, it would not unacceptably affect living condition for the occupiers.

32. Any unauthorised use or unsociable activities on the site would be less likely to persist after the site has been developed and occupied. If they did, that would remain subject to control by the relevant planning or statutory nuisance regimes. Disruption during construction would be temporary in nature and is not a reason to prevent development taking place.

33. Some specific concerns have been raised by interested parties about drainage of surface water, following implementation of the stable development. Other specific concerns have been raised by Southern Water regarding protection of the foul sewer from the effect of new tree planting. In light of those concerns, the arrangements for foul and surface water drainage should be subject to further review, but that would be addressed by the planning conditions set out below.

34. Given the modest size of the development, there is no clear evidence that there would be unacceptable pressure on existing infrastructure. The current Neighbourhood Plan does not define this particular site or its surroundings as undevelopable, in light of the partial support provided by Policy 1.

35. Based on the details in the Officer Report, and Natural England standing advice referred to therein, there is no evidence before me to suggest that the development would have a likely significant effect on relevant Arun Valley Habitats Sites, either alone or in combination with other development.

## Conditions

36. The Council suggested a number of conditions which I have considered against advice in the Framework and Planning Practice Guidance. I have made some amendments for precision and clarity and have imposed one additional condition, having first invited comments from the parties. The appellant's agreement to the imposition of pre-commencement conditions has been obtained, where relevant.

37. I have imposed a condition to secure compliance with the approved plans, in the interests of certainty.

38. A condition is required to secure further details of the arrangements for surface and foul water drainage, to avoid increased risk of surface water flooding and ensure protection of the public sewers from any adverse effects of new tree planting. Conditions are also necessary to secure a programme of archaeological monitoring and tree protection measures. In all three cases, the required details and measures need to be properly secured prior to any ground disturbance, so pre-commencement conditions are necessary.

39. Mitigation measures are necessary to protect future occupiers from road noise and vibration. Recommendations are made in the Anderson Acoustics Noise Impact Assessment, and I have imposed a condition to secure consideration and approval of a detailed scheme in line with those recommendations, together with its implementation, retention and maintenance.

40. Notwithstanding the exemption from BNG, a requirement for measures to improve biodiversity on the site would accord with Policy N2 of the Framework, which includes that development proposals should contribute positively to the natural environment, taking opportunities to conserve and enhance existing habitats and natural features of nature conservation value. I have therefore imposed a condition to that effect. There is no clear need for a condition to secure ecological mitigation measures during construction, since none are identified as being necessary in the Preliminary Ecological Appraisal. Nevertheless, construction activities would remain subject to relevant legislation to safeguard protected species, should any unexpected impacts arise.

41. Notwithstanding the details on the plans, I have imposed a condition to secure the soft landscaping details, in the interests of the appearance of the area and so that the position of new tree planting can be confirmed in line with the requirements outlined in Southern Water's advice on the application.

42. A condition to ensure that access, parking and turning facilities are available prior to occupation is also necessary in the interests of highway safety. Conditions to secure broadband infrastructure and water efficiency measures are also reasonable and necessary given the specific requirements in Policy 37 of the HDPF. However, there is no clear need to secure further details of the refuse and recycling arrangements, which are already shown on the plans. Nor is it necessary to secure EV charging by condition, as that is now incorporated in the Building Regulations.

43. The external materials are specified on the plans, and I have imposed a condition to secure those details, in the interests of the character and appearance of the area. I have also imposed the Council's recommended condition limiting hours of work, in light of the close relationship between the appeal site and neighbouring

dwellings. However, the proposed dwelling would be on a generous plot, and the Council did not raise any specific concerns about its scale or design, so there is no clear justification for a condition restricting permitted development rights.

**Conclusion**

44. The proposed development would conflict with the development plan, but material considerations indicate that a decision should be made other than in accordance with it. Therefore, the appeal should be allowed.

*Jane Smith*

INSPECTOR

**Schedule of Conditions**

1) The development hereby permitted shall begin not later than 3 years from the date of this decision.

2) With the exception of any alternative details approved pursuant to the conditions which follow, the development hereby permitted shall be carried out in accordance with the following approved plans:
   - 684-01 Rev A: Location Plan
   - 684-02 Rev A: Site Plan
   - 684-03 Rev A: Plan as Existing
   - 684-04 Rev B: G.F. Plan as Proposed
   - 684-05 Rev C: F.F. / Roof Plan as Proposed
   - 6784-06 Rev A (sic): Proposed Dwelling Relocation of Existing Stable
   - 684-07 Rev A: Entrance to Site Visibility Splays
   - 684-08 Rev C: Landscape Plan as Proposed
   - 684-09 Rev A: Arboriculture/Root Protection Plan
   - 684-10 Rev B: Proposed Dwelling
   - 684-11: Plans as Proposed Entrance to Site
   - 684-12: Acoustic Plan

3) No development shall commence until a drainage strategy detailing the proposed means of foul and surface water disposal, incorporating any measures required by Southern Water for protection of the public sewers, has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.

4) No development shall commence until a programme of archaeological monitoring during construction has been secured in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter proceed in full accordance with the approved Written Scheme of Investigation.

5) All the trees and hedges shown on drawing no. 684-09 A as to be retained shall be protected by strong fencing, in accordance with the tree protection fencing alignment and specification detailed on that drawing. The fencing shall be erected

in accordance with the approved details before any equipment, machinery or materials are brought onto the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed within any fenced area, and the ground levels within those areas shall not be altered, nor shall any excavation be made.

6) No development shall take place above ground level until a scheme of noise and vibration attenuation and ventilation sufficient to prevent overheating and maintain thermal comfort has been submitted to and approved in writing by the local planning authority. The scheme shall include acoustic performance details of the building facades and glazing and shall incorporate the recommendations detailed in the Anderson Acoustics Noise Impact Assessment dated 17 March 2026.

All works to implement the scheme, once approved, shall be carried out by suitably qualified persons. Prior to occupation of the dwelling, evidence shall be submitted to and approved in writing by the Local Planning Authority to demonstrate that the development has been carried out in accordance with the approved noise, vibration attenuation and ventilation measures. The approved measures shall thereafter be retained and maintained for the duration of the use in accordance with the approved details.

7) Prior to any works above slab level, a Biodiversity Enhancement Strategy prepared by a suitably qualified ecologist, shall be submitted to and approved in writing by the local planning authority. The content of the Biodiversity Enhancement Strategy shall include the following:

(a) purpose and conservation objectives for the proposed enhancement measures;

(b) detailed designs or product descriptions to achieve stated objectives;

(c) locations of proposed enhancement measures by appropriate maps and plans (where relevant);

(d) persons responsible for implementing the enhancement measures; and

(e) details of initial aftercare and long-term maintenance (where relevant).

The Biodiversity Enhancement Strategy shall be implemented prior to occupation of the dwelling, in accordance with the approved details, and shall be retained in that manner thereafter.

8) Notwithstanding the landscaping details included on the application drawings, the development hereby permitted shall not be occupied until a scheme of landscaping has been submitted to and approved in writing by the local planning authority. The scheme shall include details of all proposed tree and hedge planting, incorporating any measures required by Southern Water for protection of the public sewers from the effects of such planting. The landscaping scheme shall thereafter be carried out in accordance with the approved details before any part of the development is first occupied.

9) No part of the development hereby permitted shall be occupied until the parking, turning and access facilities necessary to serve the dwelling have been implemented in accordance with the approved details as shown on drawing 684-08, REV C and shall be thereafter retained as such.

10) Prior to the first occupation of the dwelling hereby permitted, the necessary in-building physical infrastructure and external site-wide infrastructure to enable superfast broadband speeds of 30 megabits per second through full fibre broadband connection shall be provided to the premises.

11) The dwelling hereby permitted shall meet the optional requirement of Building Regulation G2 to limit the water usage of the dwelling to no more than 110 litres per person per day. The subsequently installed water limiting measures shall thereafter be retained.

12) The materials to be used in the development hereby permitted shall strictly accord with those indicated on the application form and approved plans.

13) No works for the implementation of the development hereby approved shall take place outside of 08:00 hours to 18:00 hours Mondays to Fridays and 08:00 hours to 13:00 hours on Saturdays nor at any time on Sundays, Bank or public Holidays.

END of conditions

Horsham District Council

D Grout
KG Designs
Longacre
Bentons Lane
Dial Post
Horsham
West Sussex
RH13 8NW

Application Number: DC/26/0035

TOWN & COUNTRY PLANNING ACT, 1990 (as amended)
TOWN & COUNTRY PLANNING (Development Management Procedure) (England) Order 2015

On behalf of: Mr and Mrs Ripley

In pursuance of their powers under the above-mentioned Act and Order, the Council hereby **REFUSE** to permit the works specified hereunder, that is to say:

**Erection of 1 no detached two storey dwelling and associated landscaping. Relocation of existing stable.**

**Land To The South East of Spring Gardens Washington West Sussex**

as shown on Plan and Application Number DC/26/0035 submitted to the Council on 15/01/2026. The reasons for the Council's decision to refuse to permit the above works are specified hereunder.

1 The development would be located beyond a defined built-up area on a site not allocated within the Development Plan and would not be essential to this countryside location. The development would therefore be contrary to the overarching spatial strategy and hierarchy approach of concentrating development within defined settlements and advocating a planned approach to settlement expansion, contrary to policies 1, 2, 4 and 26 of the Horsham District Planning Framework (2015). Notwithstanding the absence of a five-year land housing supply, and the provisions of the National Planning Policy Framework (2024) at paragraph 11(d), it is not considered that there are any material considerations in this instance which would outweigh harm arising from conflict with Local and Neighbourhood Plan policies in these regards.

Schedule of plans/documents:

| Plan Type | Description | Drawing Number | Received Date |
|---|---|---|---|
| Plans | Acoustic Plan | 684-12 | 19.03.2026 |
| Supporting Docs | Noise Impact Assessment by Anderson Acoustics dated 17.03.2026 | 8891_001R_1-0_BP | 19.03.2026 |
| Plans | Plan As Proposed Entrance to Site | 684-11 | 19.03.2026 |

| | | | |
|---|---|---|---|
| Location plan | Location Plan | 684-01 A | 12.01.2026 |
| Plans | Entrance to Site Visibility Splays | 684-07 A | 12.01.2026 |
| Plans | Landscape Plan As Proposed | 684-08 C | 19.03.2026 |
| Elevation plan | Proposed Dwelling | 684-10 B | 15.01.2026 |
| Site plan | Site Plan | 684-02 A | 12.01.2026 |
| Floor plan | Plans As Existing | 684-03 A | 12.01.2026 |
| Floor plan | G.F. Plan As Proposed | 684-04 B | 19.03.2026 |
| Elevation & Floor plan | F.F./Roof Plan As Proposed | 684-05 C | 19.03.2026 |
| Elevation & Floor plan | Proposed Dwelling Relocation of Existing Stable | 684-06 A | 12.01.2026 |
| Tree plan | Arboriculture/Root Protection Plan | 684-09 A | 12.01.2026 |
| Supporting Statement | Preliminary Ecological Appraisal by Ecology & Habitat Management Ltd dated 25.11.2025 | NONE | 12.01.2026 |

**Note to Applicant – Community Infrastructure Levy (CIL):**
Horsham District Council has adopted a Community Infrastructure Levy (CIL) Charging Schedule which took effect on 1st October 2017. **This development constitutes CIL liable development**.

If you have not received a Liability Notice from the Council within 1 month of the decision date please contact the CIL Team at cil@horsham.gov.uk

CIL is a mandatory financial charge on development. To avoid additional financial penalties, the requirements of CIL must be managed before development is commenced (including in the event of any successful appeal).

Payment must be made in accordance with the requirements of the CIL Demand Notice issued.

**Note To Applicant:**
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.

Emma Parkes
Head of Development and Building Control

Date: 09/04/2026

**ADDITIONAL INFORMATION**

**Right of Appeals**
If you are aggrieved by the decision to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990.

You must appeal within 12 weeks of the date of the decision notice for a householder application or 'minor commercial' (shop front) development, and within 6 months for other types of planning applications. There are different timescale – usually 28 days – if an enforcement notice is/has been served for the same (or very similar) land and development. Please note, only the applicant possesses the right of appeal.

Appeals can be made online at: https://www.gov.uk/planning-inspectorate. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are at https://www.gov.uk/government/collections/casework-dealt-with-by-inquiries.

Horsham District Council

# DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/26/0035
Land To The South East of, Spring Gardens, Washington, West Sussex,

DESCRIPTION:

Erection of 1 no detached two storey dwelling and associated landscaping. Relocation of existing stable.

RELEVANT PLANNING HISTORY:

| | | |
|---|---|---|
| DC/25/1009 | Retention of existing entrance and stable block together with reduced area of hardstanding (permeable). (Retrospective). | Application Permitted on 13.08.2025 |
| DC/25/0183 | Retention of existing entrance and stable block together with reduced area of hardstanding (permeable) and parking for a single works van / trailer (Retrospective) | Application Refused on 02.04.2025 |
| DC/24/1327 | Retention of existing entrance and stable block together with reduced area of hardstanding (permeable) and parking for a single works van / trailer. | Application Refused on 28.10.2024 |
| DC/22/1023 | Erection of a stable & kennel building and laying of hardstanding. | Application Refused on 19.06.2024 |

DESCRIPTION OF THE SITE

The application site comprises approximately 0.35 hectares of land located to the south-east of Spring Gardens, Washington, situated between the A24 trunk road and a cluster of five residential properties (The Orchard, Sumar, Russets, Woodfold, and Birchdown). The site is currently in use as a paddock, historically used for the grazing of livestock for several decades. The applicant resides at The Orchard, immediately to the south-east of the site.

The site is bounded to the east and south by a public footpath linking Spring Gardens to Rock Road. The northern boundary fronts onto Spring Gardens, a cul-de-sac serving 21 dwellings and Spring Garden Nursery, which operates a farm shop, and café. To the north-west, beyond the A24, lies a large cluster of commercial premises including Hughes Pumps, Thermco Systems, Sussex Car & Motorhome Centre, and Toovey's Auctioneers.

The site is not located within a Conservation Area, Area or Outstanding Natural Beauty, or National Park, and there are no Tree Preservation Orders affecting it. The land lies within Flood Zone 1, indicating a low probability of flooding.

It is noted that there have been several planning applications previously on site, with these submitted retrospectively after the work was done.

DESCRIPTION OF THE APPLICATION

The application seeks to erect a 1no detached two-storey 4-bedroom dwelling, with associated landscaping, as well as the relocation of the existing stable to further down the site.

The application seeks the construction of a single detached two-storey dwelling on the north end of an existing paddock, to the east of Spring Gardens. The property has a domestic curtilage of just over 900 sqm and functional 250 sqm of private amenity space. The proposed dwelling also includes a single garage, together with space for the parking and turning of additional vehicles on the proposed drive to the front and side of the property.

A timber post and rail fence, to match the existing, will form the boundary between the rear garden and the retained section of the paddock to the south-west of the site.

RELEVANT PLANNING POLICIES

**The National Planning Policy Framework (NPPF)**

**Horsham District Planning Framework (2015)**:
Policy 1 - Strategic Policy: Sustainable Development
Policy 2 - Strategic Policy: Strategic Development
Policy 3 - Strategic Policy: Development Hierarchy
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 31 - Green Infrastructure and Biodiversity
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
Policy 34 - Cultural and Heritage Assets
Policy 40 - Sustainable Transport
Policy 41 - Parking

**Storrington, Sullington and Washington Neighbourhood Plan (2018-2031)**
Policy 1 – A Spatial Plan for the Parishes
Policy 14 – Design

Paragraph 33 of the NPPF requires that all development plans complete their reviews no later than 5 years from their adoption. Horsham District Council is currently in the process of reviewing its development plan however at this stage the emerging policies carry only limited weight in decision making. As the HDPF is now over 5 years old, the most important policies for the determination of this application must be considered as to whether they are 'out of date' (NPPF paragraph 11d). This includes, for applications involving the provision of housing, whether the Council can demonstrate a five-year supply of deliverable housing sites (NPPF footnote 8).

The Council is currently unable to demonstrate a five-year supply of deliverable housing sites, with the supply currently calculated as being 1.7 years. The presumption in favour of development within Paragraph 11d) of the NPPF therefore applies in the consideration of all applications for housing development within the District (unless footnote 7 or Paragraph 14 applies to relevant applications), with Policies 2, 4, 15 and 26 now carrying only moderate weight in decision making.

All other policies within the HDPF as itemised above have been assessed against the NPPF and are considered to be consistent such that they continue to attract significant weight in decision making.

**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 13: The Natural Environment and Landscape Character
Strategic Policy 14: Countryside Protection
Strategic Policy 17: Green Infrastructure and Biodiversity
Strategic Policy 19: Development Quality
Strategic Policy 20: Development Principles
Policy 21: Heritage Assets and Managing Change within the Historic Environment

Strategic Policy 24: Sustainable Transport
Policy 25: Parking
Strategic Policy 38: Meeting Local Housing Needs
Policy 45: Replacement Dwellings and House Extensions in the Countryside
Policy 46: Ancillary Accommodation

**Supplementary Planning Guidance**:
Planning Obligations and Affordable Housing SPD (2017)
Community Infrastructure Levy (CIL) Charging Schedule (2017)

**Parish Design Statement**

**Planning Advice Notes**:
Facilitating Appropriate Development
Biodiversity and Green Infrastructure

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 CONSULTATIONS

**HDC Arboricultural officer**: No significant Arboricultural concerns

The proposed development would have no significant additional negative impacts on the remaining surrounding vegetation to the North and South of the plot.

**HDC Environmental Health**: Comment

The proposed dwelling will be located with 40m of the A24 dual carriageway with first floor bedroom windows having direct line of sight to the carriageway. It can be reasonably anticipated that the future occupiers will be exposed to significant adverse noise levels. Acoustic mitigation will be required to ensure suitable internal noise levels and manage overheating risk.

An acoustic assessment undertaken by competent person should be provided to ensure the application is properly determined in accordance with the requirements of the Noise Policy Statement for England, the NPPF and the Planning Practice Guidance.

OUTSIDE AGENCIES

**Archaeology Consultant**: Advice

The site is partly within an Archaeological Notification DWS8725 Section of the Hardham to Barcombe Mills Roman Road through the Districts of Horsham and Mid Sussex. The proposed development has the potential therefore to either impact the Roman road itself or settlement or burial activity associated with the road and so a programme of archaeological monitoring and recording during construction to be secured by a planning condition is advised.

**Ecology Consultant**: No ecological objection subject to conditions

The stable block on site has no potential roost features for bats and no do any of the trees on site. Therefore, we agree that no further surveys for bats are required.

Satisfied that there is sufficient ecological information available to support the determination of this application.

**Southern Water**: Comment

The 150 mm diameter gravity sewer requires a clearance of 3 metres on either side of the gravity sewer to protect it from construction works and to allow for future maintenance access.

No development or tree planting should be carried out within 3 metres of the external edge of the public gravity sewer without consent from Southern Water. All existing infrastructure should be protected during the course of construction works.

**WSCC Highways**: Comment

The existing vehicle access point on Spring Gardens will be utilised, with no alterations to this existing arrangement proposed. The LHA has previously assessed and approved the use of this access for previous applications at this site, and no concerns would be raised for its use for the current proposals.

From inspection of the plans, there appears to be suitable space to the rear of the site for the parking and turning of vehicles associated with the relocated stable use.

In summary, the LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 116), and that there are no transport grounds to resist the proposal.

PUBLIC CONSULTATIONS:

Representations:

7 letters of Objection have been received from 6 addresses, objecting to the application on the following grounds:

- Overdevelopment
- Site unsuitable for residential development
- Previous applications refused but built anyway
- Poor drainage and flood risk
- Loss of privacy due to overlooking
- Amenity harm
- Noise and disruption from construction traffic
- Loss of grazing land
- Negative impact on wildlife
- Limited parking in the area
- Unsafe access to A24 due to poor visibility and high-speed traffic

Parish Comments:

**Washington Parish Council**: Strong Objection

- Spring Gardens outside of the built-up area boundary, not designated for residential development in the neighbourhood plan or local plan
- Proposed development does not meet local strategic policies
- Cumulative impact and additional traffic would be harmful to rural character

Member Comments:

None received

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

**Principle of Development**:

Policies 3 (Development Hierarchy) and 4 (Settlement Expansion) of the Horsham District Planning Framework (2015) (HDPF) seek to ensure development takes place in a manner that ensures that the settlement pattern and the rural landscape character of the District is retained and enhanced, but still enables settlements to develop in order for them to continue to grow and thrive. The mechanism by which this will be achieved is through the designation of built-up area boundaries and the planned expansion of existing settlements through the Local Plan or Neighbourhood Planning.

The site is located outside of the built-up area boundary and is therefore considered to be located within a countryside location. Policy 26 of the HDPF would be relevant and requires development outside the Built-Up Area boundaries (BUAB) to be essential to its countryside location in order to protect the rural character and undeveloped nature of the countryside against inappropriate development. In addition, it must meet one of the following criteria:

1. Support the needs of agriculture or forestry;
2. Enable the extraction of minerals or the disposal of waste;
3. Provide for quiet informal recreational use; or
4. Enable the sustainable development of rural areas.

Furthermore, this policy requires that development be of a scale that is appropriate to its countryside character and location and should not lead either individually or cumulatively to a significant increase in the overall level of activity in the countryside and protects and/or conserves, and/or enhances the key features and characteristics of the landscape character area.

The development would provide 1no. dwelling on a site located outside of a built-up area boundary, where such development would be contrary to the overarching spatial strategy as expressed through Policies 1, 2, 3, 4, and 26 of the Horsham District Planning Framework (2015).

As the Council cannot currently demonstrate a five-year housing land supply (1.7 years at the time of writing), Paragraph 11(d) of the NPPF would thus be engaged in the overall planning balance and considerations of any future application. In recognition of this, the Council published the Shaping Development in Horsham District Document in September 2025. The document recognises that the Council is likely to receive applications outside the defined BUABs and on unallocated sites (such as this proposal) as it is unable to demonstrate a five-year housing land supply.

Paragraph 83 of the NPPF states that *"to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby."*

Paragraph 84 of the NPPF outlines that planning decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:

a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside;
b) the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets;
c) the development would re-use redundant or disused buildings and enhance its immediate setting;

d) the development would involve the subdivision of an existing residential building; or
e) the design is of exceptional quality, in that it:
    i. is truly outstanding, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and
    ii. would significantly enhance its immediate setting and be sensitive to the defining characteristics of the local area.

While the site is not considered to be within an isolated rural location for the purposes of paragraph 84 of the NPPF, due to the residential dwellings to the south-east, and north-west, it is nonetheless a site that lies beyond any built-up area boundary. The nearest built settlement to the north, based on aerial measurements, is Ashington which is 0.8km from the site. Ashington is classed as a 'medium village' within the HDPF, with a moderate level of services and facilities. The second nearest built settlement to the southwest, based on aerial measurements, is Storrington, which is approximately 0.9km away and classed as a 'Small Towns and Larger Villages', with a good range of services and facilities.

WSCC Highways in their consultation response noted that the site location lacks immediate services and amenities within the vicinity of the site. While the Design and Access Statement notes that the site is located 200m away from Spring Gardens bus stop and adjacent to the proposal is a large tea rooms which also sells farm goods and groceries, the nearest built-up settlement edges are still 0.8km to the north, and 0.9km to the southwest by car. These aerial measurements are taken from the application site to the nearest edge of the built-up area boundary of each settlement. WSCC Highways note that this would result in residents relying on the private car for travel. Alongside the location next to the A24, it would be difficult to leave the site without relying on a car for travel.

While there are public rights of way near the site that provide a route to the built-up settlement edge of Storrington, these are still some distance, which is not suitable or accessible for everyday use and to reach the centre of Storrington with services and amenities, is approximately 3.9km from the application site. The surrounding walking routes are not considered to provide a realistic option to meet the day-to-day needs of potential occupiers. While the Planning Statement states that the proposal will not create unsustainable travel patterns due to the site's proximity to nearby settlements and links to public transport, it is considered that the location of the site limits opportunities for sustainable travel.

An appeal decision for Lancasters Cottage (DC/24/0669) – for one dwelling outside the built-up area boundary – was refused due to the location not being considered sustainable by the Inspector. The Inspector highlighted that *there is no footpath, nor is there a separate cycleway. Even if traffic levels are low, it is still unlikely that this would be an attractive walking or cycling option for future occupiers, particularly in the dark or in poor weather. It is unlikely that future occupiers would use the bus services that would also require travelling this route. While there is a public right of way opposite the site, it is still some distance until the next village. Although there is a footpath from Littleworth to Partridge Green, this would not overcome the issues that exist between the site and Littleworth…. Even taking account of its rural location, the appeal site is not in a location which would allow for ready use of means of travel other than the private car.*

In discussing a number of appeal decisions for and against dwellinghouses in the countryside, outside of the built-up area, the Planning Inspector for Clockhouse Cottage (ref: DC/25/0108) noted *there was an agreed failure to provide a five-year supply of housing land and therefore the presumption in favour of sustainable development applied. Even so, the theme linking these decisions is that to provide occupiers in rural areas with a realistic alternative to the car, local roads need to provide safe and suitable pedestrian and cycle routes to nearby services and/or bus stops. In situations where such provision is not available, new dwellings in the countryside would give rise to inappropriate patterns of transport, resulting in heavy reliance on the car.*

It is the case that even though the Council cannot provide a five-year housing supply, that the sustainability of the location is still of significant weight in decision-making for dwellings outside of the built-up area boundary. The proposed dwelling subject of this application would be remote from day-to-day services where the provision of four market dwellings in this location, not linked to a rural use, would be contrary to Policy 26 of the HDPF and would not be in accordance with the overarching spatial strategy for development as set out in Policies 3 and 4 of the HDPF. It is therefore considered to

be contrary to the spatial strategy and principles of the National Planning Policy Framework and Local Development Plan.

With the above in mind, the principle of the proposal is resisted. The appropriate degree of weight to be assigned to conflict with these policies is detailed further below.

**Design and Appearance**:

Policies 32 and 33 of the Horsham District Planning Framework (HDPF) require development to demonstrate high-quality design that respects the character of the surrounding area. Policy 32 highlights that design is a core component of sustainable development and must respond to the site context, while Policy 33 requires proposals to make efficient use of land, ensure appropriate scale, massing and layout, and integrate positively with the character of the site and surroundings.

The proposed detached dwelling is located centrally within the northern end of the site, to sit between the existing properties on either side of the site. The proposed dwelling provides 4 bedrooms, a living space, bathrooms, kitchen, etc. There is sufficient rear amenity space provided. The dwelling proposes an attached single garage with space for parking and turning on the drive to the front and side of the property. Cycle storage will be provided as well as bin and recycling facilities.

The materials reflect those already present within the immediate locality, with multi-coloured stock brick, plain clay tiles and vertical tile hanging and cladding on the roof. The height, scale and massing would respect the established scale of the neighbouring development and sit comfortably within the plot. It is considered that the proposed dwelling is of a significant scale, however, due to the distance with the neighbouring development as well as the size of the plot, the dwelling would be of an appropriate size and scale. The existing site entrance is being retained as existing and the existing sectional timber stable building which is already on site will be relocated and re-erected to the south of its current position and in the south-east corner of the proposed paddock. The environmentally sustainable construction is also acknowledged with solar panels proposed on the rear roofslope. The orientation of the building is such that the larger living room doors and windows to the rear facing east-west, to maximise passive solar gain.

Therefore, the proposed development is considered to sit comfortably within the context of the site and surroundings and would relate sympathetically to the character and visual amenity of the locality. The proposal is therefore considered to accord with the above policies.

**Trees and Landscaping**:

There are no trees on site that identified as being subject of a Tree Preservation Order (TPO). All of the existing trees, hedging and planting are to be retained as existing, and the rooting environments of existing trees will be safeguarded by the erection of temporary tree protection fencing. New planting of hedges is proposed to the north-eastern and south-eastern boundary of the proposed curtilage of the property, which will enhance the rural nature of the site. The Arboricultural Team confirmed that the proposed development would have no significant additional negative impacts on the remaining surrounding vegetation to the North and South of the plot.

**Heritage and Archaeology**:

Policy 34 of the Horsham Development Framework aims to sustain and enhance the historic environment through positive management of development affecting heritage assets. By reassuring development preserve and ensure clear legibility of, locally distinctive vernacular building forms and their settings, features, fabric, and materials.

The site is partly within an Archaeological Notification Area DWS8725 Section of the Hardham to Barcombe Mills Roman Road through the Districts of Horsham and Mid Sussex. A scheduled monument covering a section of the Roman Road north of Rock is present approximately 600m to the north-west of the site. Roman Greensand Way (or Sussex Greensand Way) is an ancient Roman road, approximately a mile to the north of the escarpment of the Sussex Downs that runs approximately 25 miles from Barcombe Mills in the east to Hardham on Stane Street to the west.

The Heritage Statement provides a methodology for archaeological monitoring to ensure that the archaeological features within the footprint of all groundworks are preserved. The Archaeological Consultant notes that this document omits key details including but not limited to the need for all of the intrusive work to be directly monitored by a professionally qualified archaeologist. This work can be secured by planning condition.

**Residential Amenity**:

Policy 33 of the HDPF states that development should consider the scale, massing, and orientation between buildings, respecting the amenities and sensitivities of neighbouring properties.

The representation letters received are acknowledged. These concern; overdevelopment of the site, the potential amenity harm such as overlooking and loss of privacy, noise and disruption from construction traffic, negative impact on wildlife and poor drainage.

The proposed residential dwelling is located approximately 12m away from the closest residential property to the northwest and 20m from the nearest residential property to the south-east. Due to orientation of the site, there are no nearby residential properties that would be harmfully impacted by the proposed dwelling. There is an existing line of trees along the north-west boundary which provide a level of screening and the proposal seeks to plant additional planting along the south-east boundary to ensure more screening from those residential properties. The distance between the dwellings would be maintained and it is considered that the majority of windows have been placed on the front and rear elevations to avoid any potential overlooking. The amenity space for the existing dwelling on site would be appropriate and provide adequate external amenity garden space.

It is therefore considered that the proposal would be in accordance with the above policy.

**Highways Impacts**:

Policy 40 of the HDPF deals with sustainable transport and seeks new developments to provide safe and suitable access for all vehicles, pedestrians, cyclists, horses riders, public transport, and the delivery of goods. Policy 41 which relates to parking requires adequate parking and facilities to be provided within developments to meet the needs of anticipated users.

The existing vehicle access point on Spring Gardens will be utilised, with no alterations proposed. Both pedestrian and vehicular access would be provided onto Spring Gardens.

WSCC Car Parking Demand Calculator requires a minimum of three car parking spaces in this location. There would be sufficient off-street parking provision provided on the driveway situated to the front of the proposed dwelling, with adequate turning provision within the site boundaries. A single garage is proposed, although WSCC Highways noted that the proposed garage does not meet the minimum internal specifications for single bay garages for 3m x 6m, so may not be suitable for car parking provision. It is considered that there is sufficient driveway space to accommodate parking provision. Furthermore, electric vehicle charging will also be provided at the dwelling.

WSCC Highways in their consultation response noted that the site location lacks immediate services and amenities within the vicinity of the site and the nearest settlement of Ashington is approximately 1.5km to the north, and Storrington, 7.5km southwest by car. As such, residents would have a reliance on the private car for travel. WSCC Highways however, raised no concerns and concluded that the proposal would not have an unacceptable impact on highway safety or result in ‘severe’ cumulative impacts on the operation of the highway network.

**Ecology**:

Policy 31 of the HDPF states that development will be supported where it demonstrates that it maintains or enhances the existing network of green infrastructure. Development proposals will be required to contribute to the enhancement of existing biodiversity and should create and manage new habitats where appropriate.

The site lies approximately 12.3km southeast of The Mens Special Area of Conservation (SAC) (MAGIC maps) and therefore lies outside within the 12km Wider Conservation Area for The Mens SAC. Ecology was satisfied that there was sufficient ecological information available to support determination of the application.

The application is supported by a Preliminary Ecological Appraisal, which identifies a number of species within a radius of the site. However, there are no suitable habitats or roost features identified on site. The stable block on site has no potential roost features bats nor do any of the trees on site. The report concludes that the proposal would not be anticipated to impact on any of the identified species, as such there are no enhancement or mitigation measures proposed. The Council's Ecologist confirmed that there was sufficient ecological information to support determination of the application and concluded that there were no ecological objections to the proposal.

**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 October 2025, will not exceed 3,240,000 litres per day.

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**:

<u>Noise:</u>

Due to the location of the site, close to the busy A24, it is expected that there would be a significant level of noise for residential occupants. Environmental Health raised that the proposed dwelling would be located 40m from the A24 dual carriageway, with the first-floor bedroom windows having direct line

of sight of the carriageway, and acoustic mitigation will be required to enable suitable internal noise levels and manage overheating risk.

The applicant undertook an acoustic assessment and provided the report. The report concluded that the external building fabric should be sufficient to control external noise ingress to habitable spaces, a 1.8m fence will be required in the rear private garden for daytime noise mitigation and the bedrooms located on the most exposed elevations will require alternative ventilative solutions to provide suitable thermal comfort with windows closed at night. Environmental Health reviewed the Noise Impact Assessment and concluded that the report was satisfactory and has made appropriate recommendations for managing noise impacts and overheating risks at night; recommending conditions if the application was to be approved.

Climate Change:

Policies 35, 36 and 37 require that development mitigates to the impacts of climate change through measures including improved energy efficiency, reducing flood risk, reducing water consumption, improving biodiversity and promoting sustainable transport modes. These policies reflect the requirements of Chapter 14 of the NPPF that local plans and decisions seek to reduce the impact of development on climate change. The proposed development includes the following measures to build resilience to climate change and reduce carbon emissions:

- Requirement to provide full fibre broadband site connectivity
- Dedicated refuse and recycling storage capacity
- Opportunities for biodiversity gain
- Cycle parking facilities
- Electric vehicle charging points

Subject to these conditions the application will suitable reduce the impact of the development on climate change in accordance with local and national policy.

**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.

The Biodiversity Gain Plan must show how the development will achieve the required minimum 10% BNG using the statutory biodiversity metric tool and must demonstrate how the habitats will be managed and maintained for 30 years, starting from the date the development is completed. Off-site gains (on unregistered sites) and significant on-site enhancements will be secured over this period by way of a Legal Agreement.

The Applicant has demonstrated that the development is exempt from the requirement to achieve a minimum 10% BNG by reason of:

- The development qualifies as 'self-build or custom housing' under Regulation 8 of the Biodiversity Gain Requirements (Exemptions) Regulations 2024.

**Conclusions and Planning Balance**:

As the site is not allocated for development within the HDPF or a made neighbourhood plan, owing to the site's location outside the built-up area boundary, the principle of development is contrary to Policies 1, 2, 4, and 26 of the Horsham District Planning Framework.

*Housing Land Supply*

Chapter 3 of the Council's most recent Authority Monitoring Report (AMR) revealed that the Council currently benefits from a deliverable supply of housing sites of 1.7 years. On the basis of the Council's lack of 5-year housing land supply, the presumption in favour of sustainable development at paragraph 11(d) of the NPPF is engaged in this instance.

NPPF paragraph 11(d)(ii) states that where there are no relevant development plan policies in place, the policies that are considered most important for the determination of applications (in this case, Policies 1, 2, 4 and 26 of the HDPF, owing to the lack of a five-year housing land supply) permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

*Development Plan Policies*

In circumstances where Paragraph 11(d) is engaged, NPPF Paragraph 225 (Annex 1) sets out that due weight can be given to the most important policies for determining an application according to their degree of consistency with policies in the Framework. However, the Framework does not prescribe the weight to be given to conflict with development plan policies. This is affected by the purpose of the policy and the circumstances of the case.

In this case the most important policies include those relating to the spatial development strategy as set out at HDPF Policies 1, 2, 3 and 4. Policy 1 reflects the Framework presumption in favour of sustainable development and is thus fully consistent with the NPPF. Policies 2, 3 and 4 set out how sustainable growth will be achieved, though as they seek to focus development within settlements and only allow expansion on allocated sites, they have a restrictive element. Nonetheless, they generally reflect the Framework preference for development to be well located in relation to services and facilities. Therefore, moderate weight is applied to these policies.

HDPF Policy 26 refers specifically to countryside protection outside built up area boundaries, requiring development to be essential to this location. Whilst again this reflects the Frameworks preference for development to be well located in relation to services and facilities, as the definition of built-up areas is based on out-of-date housing numbers, this policy is afforded moderate weight.

As per the preceding sections of this this report, the granting of this permission would conflict with Policies 1, 2, 4 and 26 of the HDPF. Whilst the proposed would not support the spatial strategy for the District, these policies are not fully framework compliant. Furthermore, the issues associated with the Council's current five-year housing land supply situation result in moderate weight being applied to these policies in the overall planning balance.

*Planning Balance*

The proposal would provide for one market dwelling. As above the Council cannot currently demonstrate a five-year housing supply, the provision of an additional dwelling towards this supply is afforded *significant* weight. However, the Council considers that this benefit would be *limited* given the negligible overall contribution to the supply.

The proposal's ability to demonstrate no adverse amenity impacts, safe access and suitable parking are not considered benefits to the scheme but would rather be necessary to demonstrate compliance with local planning policies. No other discernible benefits have been identified that would weigh in favour of granting permission.

The Council published the Shaping Development in Horsham District Document in September 2025. The document recognises that the Council is likely to receive applications outside the defined BUABs 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, it 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.

While the current housing shortfall is a material consideration of significant weight, and the contribution of one market dwelling would bestow socio-economic benefits in the form of housing delivery, the site is not adjacent to nor adjoining an existing settlement edge. Therefore, the proposal would not benefit from the provisions of the Shaping Development in Horsham District document as above.

The cumulative benefits (the provision of one market dwelling (moderate weight) and the socio-economic (moderate weight) would be outweighed by the identified adverse impacts of the development. Namely the conflict with the development plan (moderate weight) and the site's unsustainable location (significant weight). On balance, this would demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole. Therefore, the proposal is recommended for refusal.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

Horsham District Council has adopted a Community Infrastructure Levy (CIL) Charging Schedule which took effect on 1st October 2017.

**It is considered that this development constitutes CIL liable development.**

| Use Description | Proposed | Existing | Net Gain |
|---|---|---|---|
| District Wide Zone 1 | 279.11 | | 279.11 |
| | | **Total Gain** | |
| | | **Total Demolition** | |

Please note that the above figures will be reviewed by the CIL Team prior to issuing a CIL Liability Notice and may therefore change.

Exemptions and/or reliefs may be applied for up until the commencement of a chargeable development.

In the event that planning permission is granted, a CIL Liability Notice will be issued thereafter. CIL payments are payable on commencement of development.

**Recommendation: Application Refused**

Reason for Refusal:

1 The development would be located beyond a defined built-up area on a site not allocated within the Development Plan and would not be essential to this countryside location. The development would therefore be contrary to the overarching spatial strategy and hierarchy approach of concentrating development within defined settlements and advocating a planned approach to settlement expansion, contrary to policies 1, 2, 4 and 26 of the Horsham District Planning Framework (2015). Notwithstanding the absence of a five-year land housing supply, and the provisions of the National Planning Policy Framework (2024) at paragraph 11(d), it is not considered that there are any material considerations in this instance which would outweigh harm arising from conflict with Local and Neighbourhood Plan policies in these regards.

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.

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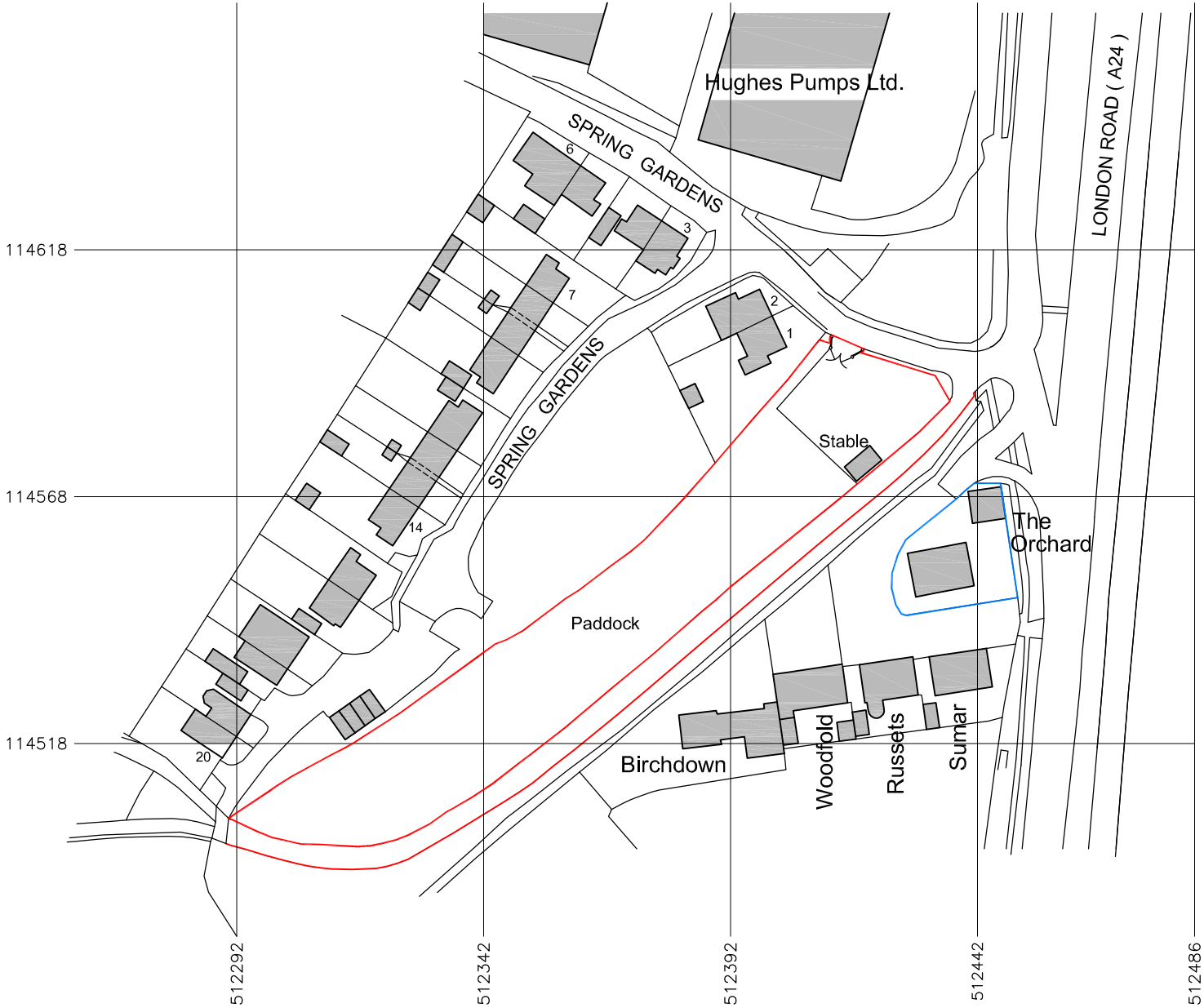
**Plans list for: DC/26/0035**
Schedule of plans/documents **not approved**:

| Plan Type | Description | Drawing Number | Received Date |
|---|---|---|---|
| Plans | Acoustic Plan | 684-12 | 19.03.2026 |
| Supporting Docs | Noise Impact Assessment by Anderson Acoustics dated 17.03.2026 | 8891_001R_1-0_BP | 19.03.2026 |
| Plans | Plan As Proposed Entrance to Site | 684-11 | 19.03.2026 |
| Location plan | Location Plan | 684-01 A | 12.01.2026 |
| Plans | Entrance to Site Visibility Splays | 684-07 A | 12.01.2026 |
| Plans | Landscape Plan As Proposed | 684-08 C | 19.03.2026 |
| Elevation plan | Proposed Dwelling | 684-10 B | 15.01.2026 |
| Site plan | Site Plan | 684-02 A | 12.01.2026 |
| Floor plan | Plans As Existing | 684-03 A | 12.01.2026 |
| Floor plan | G.F. Plan As Proposed | 684-04 B | 19.03.2026 |
| Elevation & Floor plan | F.F./Roof Plan As Proposed | 684-05 C | 19.03.2026 |
| Elevation & Floor plan | Proposed Dwelling Relocation of Existing Stable | 684-06 A | 12.01.2026 |
| Tree plan | Arboriculture/Root Protection Plan | 684-09 A | 12.01.2026 |
| Supporting Statement | Preliminary Ecological Appraisal by Ecology & Habitat Management Ltd dated 25.11.2025 | NONE | 12.01.2026 |

**DELEGATED**

Case Officer sign/initial Bethan Tinning Date: 07.04.2026

Authorising Officer sign/initial Tamara Dale Date: 09.04.2026










This Drawing is to be read in conjunction with dwg. No. 684–01 to 10 Inclusive At all times

| Rev. | Description | Date |
|---|---|---|
| A | Drawing completed for Planning Submission | 09/01/26 |

The Client is advised to ascertain and comply with his duties under the C.D.M. Regs 2015 and his obligations under the Party Wall etc. Act 1996 and Equality Act 2010 where applicable.
Contractors must verify all dimensions on site before commencing any work.
The copyright of this drawing is reserved.
The drawing must not be disclosed without authority
The drawings and drawing notes do not purport to cover each and every item required to complete the project, the notes are not a specification of works, the contractor is advised to verify the full extent of the works with the client.
This drawing to be read in conjunction with Designers Risk Assessment

Project

**Land East of Spring Gardens**
**Washington,**
**W. Sx.**
**RH20 3BP**

**LOCATION PLAN**
**Proposed Dwelling**

Client

**Mr & Mrs Ripley**

| Drawing no. | 684–01 (A4) | A |
|---|---|---|
| Scale 1 : 1250 | Date Nov. 2025 | |

# KG DESIGNS

ARCHITECTURAL CONSULTANT

Longacre, Bentons Lane, Dial Post,
Horsham, West Sussex RH13 8NW
Tel : 01403 711666
E-MAIL : kgd@kgdesigns.com