



Applications & Appeals Services

**APPEAL UNDER S.78 OF THE
TOWN & COUNTRY PLANNING ACT 1990**

STATEMENT OF CASE

in respect of

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

at

**Land To The South East of Spring Gardens, Washington,
West Sussex, RH20 3BS**



Appellants: Mr & Mrs Ripley

LPA Ref: DC/26/0035

MAY 2026

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I hold a Bachelor of Science with Honours Degree and Post Graduate Diploma from the University of Wales, College of Cardiff, in City and Regional Planning and have been a Member of the Royal Town Planning Institute since 1999.

I have over 25 years of experience in Town Planning and have held senior positions in Local Government the most notable being Head of Development Control at Arun District Council. I have worked for national planning consultancies and also held the position of Planning Manager for a house building firm.

For a number of years I have been the Director of NJA Town Planning Ltd and undertake the full range of planning work across a wide geographical area serving the needs of private individuals, private estates and commercial businesses.

I am familiar with the appeal site, the Local Planning Authority and its policies.

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1.0 INTRODUCTION

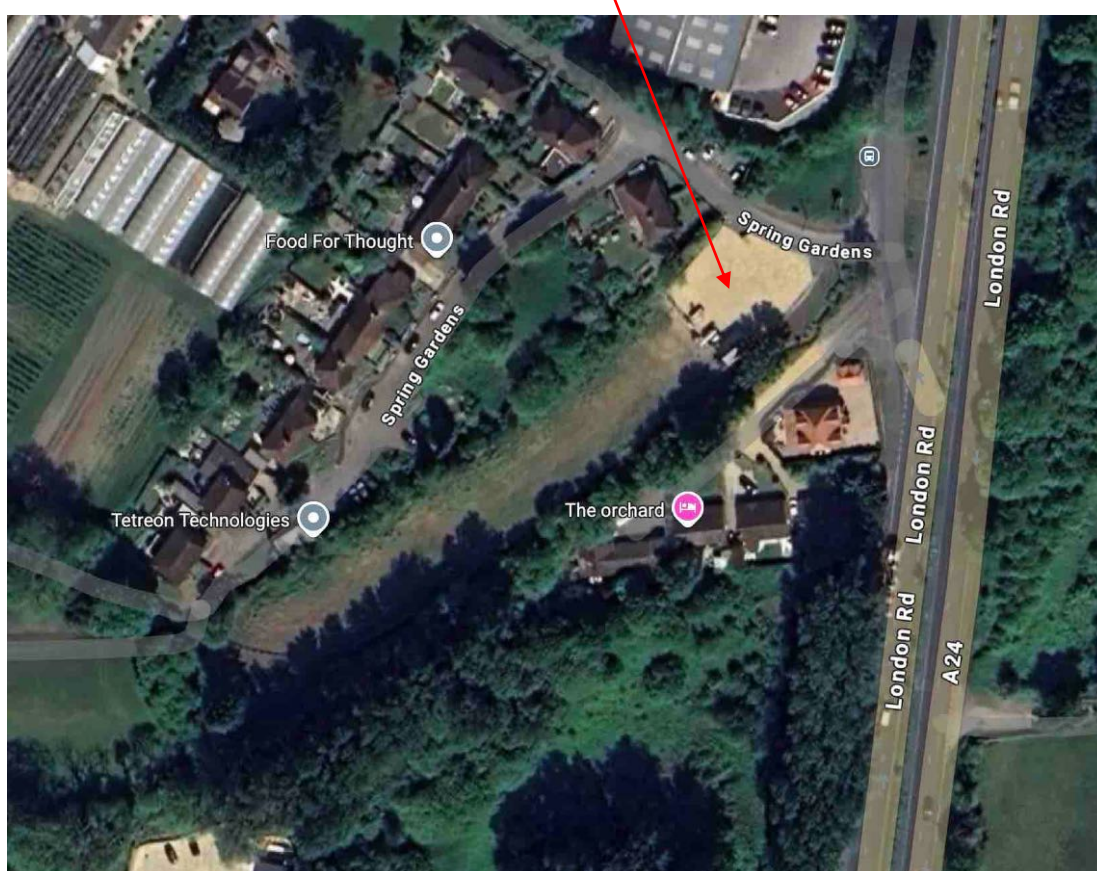
- 1.1 This appeal is against the refusal of planning permission by Horsham District Council, as Local Planning Authority, for ***“Erection of 1 no detached two storey dwelling and associated landscaping. Relocation of existing stable”*** at land to the south east of Spring Gardens, Washington, West Sussex, RH20 3BS. NJA Town Planning Ltd has been instructed by Mr & Mrs Ripley to appeal against this refusal of planning permission by the Council.

2.0 APPEAL SITE AND SURROUNDINGS

- 2.1 The appeal site is a parcel of land located within the countryside but close to the built-up area boundaries of Storrington to the west, Ashington to the north east and Washington to the south. The site is accessed from Spring Gardens (a no through road), close to the slip road and junction with the A24 London Road.

Figure 1: Image of the appeal site (extract from Google Maps):

The appeal site



- 2.2 The site comprises 0.35 hectares – the majority of which is a paddock providing grazing land. To the north of the site is an area of gravel hardstanding and a small timber stable building comprising two stables. The site benefits from an existing vehicle access from Spring Lane with a separate pedestrian access to the south east boundary which leads to/from the public footpath that runs along the south eastern boundary of the site.

- 2.3 The boundaries of the site are well defined and enclosed by timber post and rail fencing, trees and vegetation. Timber gates and brick piers exist to the vehicle access from Spring Gardens.
- 2.4 Whilst the site is located within the countryside, it is close to a number of settlements as described and other built form including residential and commercial development. A row of dwellings is situated to the south east of the site, including 'The Orchard' which is in the same ownership as the appeal site. To the north west is the residential development of Spring Gardens with other residential development located along the lane.
- 2.5 A number of large commercial buildings, development and uses are located to the north, running along the western side of the A24 (accessed via the slip road). Spring Gardens Nursery which grows fruit and vegetables, offers 'pick your own' and has a farm shop and café is located on Spring Gardens to the north west and beyond which is a large building occupied by Toovey's Auctioneers and Valuers. Squires Garden centre which also has a shop and café is located to the south.
- 2.6 The site is not located within a Conservation Area and there are no listed buildings nearby. The site is also located outside of the South Downs National Park, the boundary of which is beyond Rock Road and The Hollow to the south. The site is partly within an Archaeological Notification Area and two Archaeology Sites are located to the east and west of the application site, however, these are some distance away. The site is located within Flood Zone 1 (low probability of flooding).
- 2.7 The following are photographs of the appeal site:







3.0 RELEVANT PLANNING HISTORY AND POLICY

Planning History

3.1 There have been 4 previous planning applications relating to the appeal site:

- ***DC/25/1009 Retention of existing entrance and stable block together with reduced Application Permitted area of hardstanding (permeable). (Retrospective).***
- ***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 2/4/2025.***
- ***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 19/6/2024.***

3.2 Decisions relating to sites within the Horsham District are included at Appendices NJA/1 – NJA/9 of this Statement of Case and which relate to new residential development permitted outside of a settlement boundary. These include details of application DC/22/22/0867 where the Council granted planning permission for the construction of a dwelling with a detached car port at Chanctionview, Spring Gardens just to the north-west of the application site. This case and others are referred to in more detail at Section 5 of this Statement of Case.

3.3 The application subject of this appeal (DC/26/0035) was determined by the Council on 09 April 2026. The application was refused for the following reason:

‘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’.

Planning Policy

3.4 The Council's reasons for refusal refer to the National Planning Policy Framework 2024 (NPPF) and the following policies of the Horsham District Framework 2015 (HDPF):

- Policy 1: Sustainable Development
- Policy 2: Strategic Development
- Policy 4: Settlement Expansion
- Policy 26: Countryside Protection

3.5 It is also relevant to consider HDPF policy 3 (Development Hierarchy) in respect of the Council's reasons for refusal.

3.6 The Storrington, Sullington and Washington Neighbourhood Plan (2018 – 2031) was 'made' in September 2019. The Council does not refer to any of its policies with the reasons for refusal however it is referred to where relevant within this Statement.

3.7 Other relevant information in respect of the Council's reasons for refusal include the following documents which are referred to in more detail at Section 5 of this Statement and which are included with this appeal for the Planning Inspector's information:

- Horsham District Council Authority Monitoring Report 01 April 2024 – 31 March 2025 (December 2025)
- Housing Delivery Test Action Plan (April 2025)
- Shaping Development in Horsham District Planning Advice Note (September 2025)

3.8 Having regard to the Government's National Planning Policy Framework (NPPF), the Council refers only to paragraph 11 d) which sets out the presumption in favour of sustainable development. For decision taking NPPF paragraph 11 states that this means:

‘c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting planning permission unless:

- i the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or***
- ii any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making efficient use of land, securing well-designed places and providing affordable homes, individually or in combination’.***

3.9 NPPF footnote 7 confirms the list of protected areas or assets referred to at 11 d) (i) and footnote 8 confirms that the policies most important for determining an application include applications for the provision of housing where the local planning authority cannot demonstrate a five-year supply of deliverable housing sites (with the appropriate buffer as per NPPF paragraph 78); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years.

3.10 Other relevant parts of the NPPF are referred to where necessary within this Statement in response to the Council’s reasons for refusal and overall consideration of the appeal scheme.

Emerging Planning Policy

3.11 The Horsham District Local Plan 2023-2040 was formally submitted to the Planning Inspectorate on Friday 26 July 2024 for public examination. Hearings commenced, however in a letter dated 04 April 2025 the Planning Inspector found that the Duty to Co-operate had not been met and raised significant soundness concerns in relation to

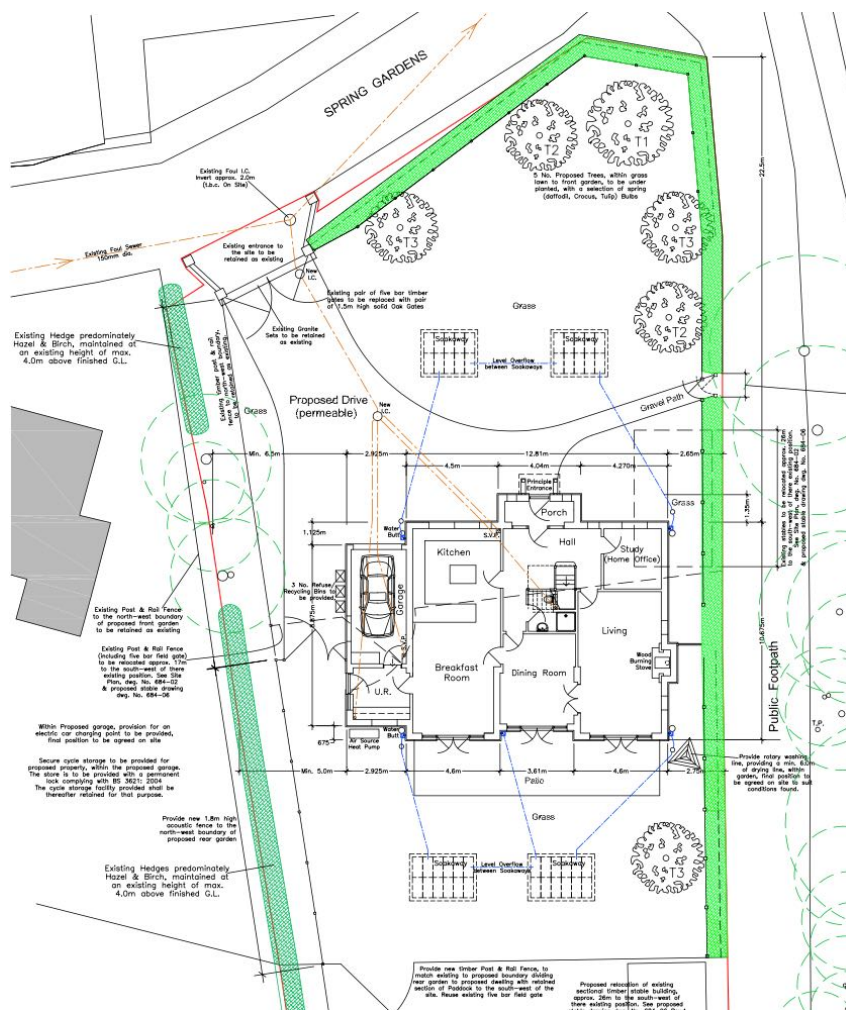
the Plan's housing requirement and spatial strategy. As a result, the Planning Inspector at the time recommended that the Council withdraw the Plan.

- 3.12 Matters have since progressed and in January 2026 a Planning Inspector was appointed to conduct a new examination of the Horsham Local Plan 2023-2040 and examination re-commenced. However, at this stage, the HDPF (and in this case the Storrington, Sullington and Washington Neighbourhood Plan) remains the adopted development plan relevant to the determination of this planning application.

4.0 PROPOSED DEVELOPMENT

- 4.1 The appeal proposal seeks planning permission for the construction of a two storey, four bedroom dwelling with an attached garage situated towards the northern end of the site. The proposed dwelling will be accessed via the existing vehicle access from Spring Gardens with the existing gates and piers retained. The existing post and rail fence and five bar gate which presently separate the gravel hardstanding from the paddock will be relocated to the rear of the new dwelling to provide a boundary separating the new residential curtilage from the paddock land beyond. The existing stable building will be re-located to the newly defined paddock.

Figure 2: Proposed Landscape Plan



- 4.2 The large area of gravel hardstanding will be reduced in size and much of which will be replaced by a grassed area. New landscaping is proposed including the planting of hedges as shown on the submitted plans and acoustic fencing will be installed as per the Acoustic Plan. The access to the adjacent public footpath via the existing gate will be retained.

Figure 3: Proposed Elevations



- 4.3 The proposed dwelling will be finished in plain clay tiles to the roof (with half round clay ridge tiles and clay bonnet hip tiles) and a combination of brickwork and tile hanging to the elevations. Solar panels are incorporated into the roof as shown on the above plans.

5.0 ANALYSIS OF THE COUNCIL'S REPORT AND DECISION

5.1 Before considering the compliance of the appeal scheme with relevant planning policies, it is necessary to examine the Council's delegated planning report to understand the key planning issues and why the planning application was refused. In the following analysis the extracts in bold type are from the 'Assessment' section of the Case Officer's delegated report.

5.2 In considering the issue of the proposed development it is helpful to firstly consider the legal framework within which planning decisions are made. Planning legislation holds that the determination of a planning application shall be made in accordance with the development plan unless material considerations indicate otherwise.

5.3 Specifically, section 70 (2) of the Town and Country Planning Act 1990 states:

"In dealing with such an application the authority shall have regard to:

- a) The provisions of the development plan, so far as material to application,*
- b) and local finance considerations, so far as material to the application, and*
- c) Any other material considerations."*

5.4 Section 38(6) Planning and Compulsory Purchase Act 2004 provides:

"If regard is to be had to the development plan for the purposes of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

5.5 When considering whether or not a proposed development accords with a development plan, it is not necessary to say that it must accord with every policy within the development plan. The question is whether it accords overall with the development plan (*Stratford on Avon v SSC LG* [2014] JPL 104). Even if a proposal cannot be described as being in accordance with the development plan, the statutory test requires that a balance be struck against other material considerations. The courts have emphasised that a planning authority is not obliged to strictly adhere to the development

plan and should apply inherent flexibility: *Cala Homes (South) Limited v SSCLG* [2011] JPL 1458 and *Tesco Stores Ltd v Dundee City Council* [2012] 2 P.&C.R. 9.

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 1 no. 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).

- 5.6 NPPF paragraph 7 states that the purpose of the planning system is to contribute to the achievement of sustainable development including the provision of homes, commercial development and supporting infrastructure in a sustainable manner. Achieving sustainable development means that the planning system has three overarching objectives: economic, social and environmental (NPPF paragraph 8).

5.7 Paragraph 10 of the NPPF states *‘So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development (paragraph 11).*

5.8 HDPF Policy 1 (Sustainable Development) states that when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained within the NPPF. Therefore, in line with the NPPF, planning applications that accord with the policies of the HDPF will be approved without delay (unless material considerations indicate otherwise). Where there are no policies relevant to the application, or relevant policies are out of date, Policy 1 states that the:

‘Council will grant permission, unless material considerations indicate otherwise – taking into account whether:

- *Any adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or*
- *Specific policies in that Framework indicate that development should be restricted’.*

5.9 The application site is located within the countryside and HDPF policy 26 (Countryside Protection) seeks to protect the countryside from inappropriate development. HDPF policy 2 (Strategic Development) is the Council’s overarching policy that covers location and amount of development. The policy states that new development should be focused in and around the key settlement of Horsham, and to allow for growth in the rest of the district in accordance with the identified settlement hierarchy. This is set out at HDPF policy 3 (Development Hierarchy) and settlement expansion is referred to at HDPF policy 4 (Settlement Expansion).

5.10 Whilst it is acknowledged that the site is located within the countryside, in this case there are compelling reasons which justify the proposed development when considering the policies of the NPPF and HDPF as a whole. These material planning considerations are addressed below in response to the Council’s assessment.

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.

Housing Land Supply

- 5.11 The Council is unable to demonstrate a five year supply of housing as required by the NPPF. The latest AMR 2024/25 (published 19 December 2025) confirms that the Council can demonstrate just 1.7 years' supply. As a result and in accordance with the NPPF, the Council's policies in respect of the supply and location of new homes (HDPF policies 2, 3, 4, 15 and 26) are out-of-date and should be given less weight in the decision making process. The tilted balance of NPPF paragraph 11 d) is engaged and the proposal should be considered against the presumption in favour of sustainable development.
- 5.12 Although the application site is located within the countryside, it is not situated within a protected countryside landscape such as an Area of Outstanding Natural Beauty (AONB) or National Park (NPPF footnote 7) and the Council (as of November 2025) is no longer requiring Applicants to demonstrate that new development will be water neutral at planning application stage. As such, there is no conflict with NPPF paragraph 11 d) (i).
- 5.13 This Statement further confirms that there are no adverse impacts of granting planning permission for the proposal that would significantly and demonstrably outweigh the benefits of the provision of a new home of a high quality design, in a sustainable location and which makes effective use of land (11 d) ii).
- 5.14 The Government has set out a target of 1.5 million new homes to be built over the present Parliament. There is as such a significant need to build new homes and proposal will positively contribute towards the supply of windfall homes within the district. This is an important source of supply as noted at NPPF paragraph 73 which states that *'Small and medium sites can make an important contribution to meeting the*

housing requirement of an area, are essential for Small and Medium Enterprise housebuilders to deliver new homes and are often built-out relatively quickly’.

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.

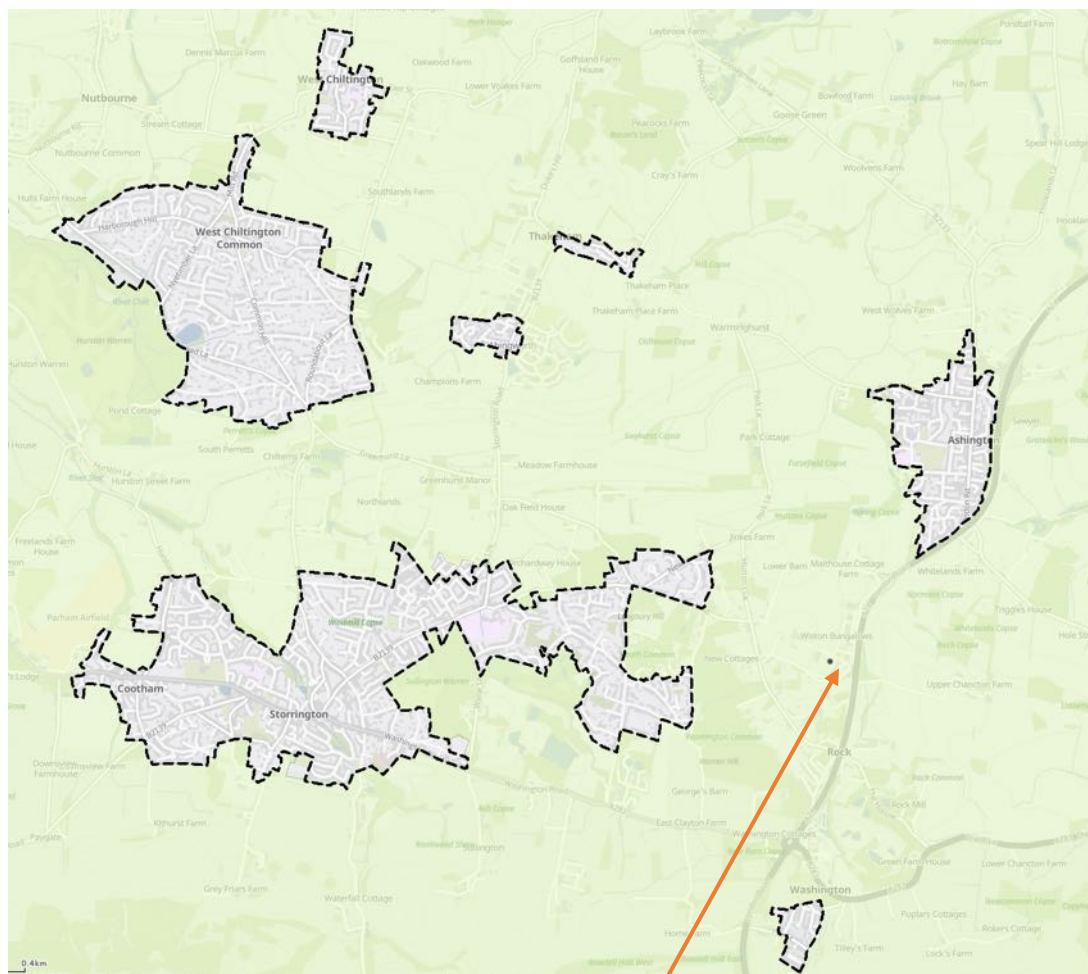
WSCC Highways in their consultation response noted that the site location lacks immediate services and amenities within the vicinity of the site. While the Design and Access Statement notes that the site is located 200m away from Spring Gardens bus stop and adjacent to the proposal is a large tea rooms 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.

Location and Shaping Development

- 5.15 As set out, with particular regard to the spatial strategy of the HDPF, its policies in respect of the supply and location of new homes should be considered out-of-date (HDPF policies 2, 3, 4, 15 and 26) and less weight should be given to them in the decision making process due to the age of the HDPF and the lack of a five year supply of housing. Nevertheless, the relevant policies of the HDPF in respect of the location of new homes is addressed as follows:
- 5.16 HDPF policy 2 seeks to maintain the rural character of the District and states that new development should be focused in and around *'the key settlement of Horsham'* with growth in the rest of the district in accordance with the settlement hierarchy set out at HDPF policy 3 and also in accordance with HDPF policy 4.
- 5.17 Policy 3 establishes the settlement hierarchy for the district and confirms that development will be permitted within towns and villages which have defined built-up areas.
- 5.18 The appeal site is located 1.5 miles to the north west of Washington however it more closely relates to Ashington to the north which is approximately 1 mile away. Ashington is defined by HDPF policy 3 as a 'Medium Village'. The policy states that *'These settlements have a moderate level of services and facilities and community networks, together with some access to public transport. These settlements provide some day to day needs for residents, but rely on small market towns and larger settlements to meet a number of their requirements'*.

Figure 4: Extract from the HDC Local Mapping Tool



Appeal site

- 5.19 Within Ashington there are a number of local services and facilities including a primary school, a day nursery and pre-school, a community centre, a convenience store, a public house and a restaurant/takeaway, a pharmacy, a hairdressers and a beauty spa. There is also a play area and sports pitches within the village and a petrol station with shop to the north of the village, accessible off the A24.
- 5.20 Occupiers of the proposed dwelling will be able to reach Ashington without necessarily having to rely on the use of the private vehicle as there is a bus stop at the end of Spring Gardens. This serves the number 23 bus which takes just a few minutes to reach Ashington. The bus route runs between Worthing Pier to Crawley bus station, stopping at other towns and villages including Southwater and Horsham. Busses operate throughout the day (with at times two busses an hour), seven days a week.

- 5.21 The larger settlement of Storrington is nearby which is a 'Small Town/Larger Village' as per HDPF policy 3 and where there are more local services and facilities including a supermarket. In addition, there is a shop and café at Spring Gardens Nursery and occupiers of the proposed dwelling will also be able to walk to Squires Garden Centre to the south via the roadside footpath. As such, the appeal site is not remote from a settlement, public transport options are available and there are also some amenities within walking distance. The appeal site is therefore in a sustainable location having regard to its proximity to settlements and local services and facilities.
- 5.22 NPPF paragraph 110 requires the planning system to actively manage patterns of growth. Whilst significant development should be focused on locations which are or can be made sustainable, it should also be recognised that *'opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making'*.
- 5.23 In addition, NPPF paragraph 115 states that sustainable transport modes should be prioritised when taking account the vision for a site, the type of development proposed and its location. A safe and suitable access to a site should be achieved for all users and any significant impacts from a development on the transport network should be mitigated.
- 5.24 The proposed construction of one dwelling is not 'significant' development and it will not in itself result in unsustainable patterns of vehicle movements within the rural area or result in any harmful impact upon the local transport network. Nevertheless, the proposed dwelling will not be remote from a main settlement as described.
- 5.25 The proposed dwelling is also not remote from other built-form and it is surrounded by residential and commercial development. As a result, the construction of just one dwelling on this (large) appeal site, will not appear out of keeping with the context of the site's surroundings.
- 5.26 Therefore having regard to the cases of Braintree District Council v Secretary of State for Communities and Local Government (2018) and Bramshill v Secretary of State for Housing, Communities and Local Government (2021) (referred to previously at Section

2), the application site is not physically isolated from a settlement given its proximity to settlements as described and neither is it isolated from other development.

5.27 HDPF Policy 4 supports the growth of settlements across the district in order to meet identified local housing, employment and community needs. Therefore, outside built up area boundaries, Policy 4 permits the expansion of settlements subject to the following:

1. *'The site is allocated in the Local Plan or in a Neighbourhood Plan and adjoins an existing settlement edge.*
2. *The level of expansion is appropriate to the scale and function of the settlement type.*
3. *The development is demonstrated to meet the identified local housing needs and/or employment needs or will assist the retention and enhancement of community facilities and services.*
4. *The impact of the development individually or cumulatively does not prejudice comprehensive development, in order to not conflict with the development strategy; and*
5. *The development is contained within an existing defensible boundary and the landscape and townscape character features are maintained and enhanced'.*

5.28 The supporting text for HDPF Policy 4 (and 3) sets out the following justification - *'to ensure that development takes place in a manner that ensures 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'* (HDPF paragraph 4.6).

5.29 Given the fact that the Council cannot demonstrate an appropriate supply of housing, the Council's SD PAN previously referred to acknowledges that the Council is likely to receive applications for residential development outside of the defined built up area boundaries and on unallocated sites.

5.30 As such, the SD PAN (at paragraph 5.12) confirms that the Council will consider positively applications that meet all of the following 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 all 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'.*

- 5.31 The above essentially follows the same principles of HDPF policy 4 with the exception that it does not contain the same requirement for sites to be allocated for development in the Local or Neighbourhood Plan.
- 5.32 The appeal site does not adjoin a settlement edge, however, as set out, the site is in a suitable position to accommodate a new dwelling without any significant or harmful conflict with the spatial strategy of the HDPF.
- 5.33 In terms of criterion 2 of the SD PAN and HDPF policy 4, the level of expansion, just one dwelling is small. The low density of development is wholly appropriate to site's location which is close to other built form, including modern residential development.
- 5.34 The proposed development meets local housing needs in respect of the clear need for new housing within the district and the impact of the proposal will neither individually nor cumulatively prejudice comprehensive long term development. The proposal complies with criteria 3 and 4 of the SD PAN and HDPF policy 4.
- 5.35 In respect of criterion 5 of the SD PAN and HDPF policy 4, the application site is contained by an existing defensible boundary, important landscape features will be retained and the proposed dwelling will not harmfully encroach into open countryside.
- 5.36 In summary of HDPF policies 1, 2, 3 and 4, these policies encourage sustainable development and allow for the expansion of settlements outside of built-up area boundaries where the level of expansion is appropriate to the scale and function of the settlement type.

- 5.37 Given the small scale of development proposed, the sustainable location of the appeal site, the lack of any harm caused to the visual amenities of the countryside landscape (as further addressed within this Statement) and the high need for new homes within the district, it is reiterated that the proposal does not significantly conflict with the overarching principles of the Council's spatial strategy or the Council's SD PAN. However, any conflict must be weighed in balance with the provisions of NPPF paragraph 11 d) and the presumption in favour of sustainable development.

Rural Housing and Countryside Impact

- 5.38 The NPPF seeks to avoid the development of 'isolated' homes within the countryside unless certain circumstances apply (NPPF paragraph 84). In this case it is demonstrated that the appeal site is not located within isolated countryside, as agreed in the Case Officer's report.
- 5.39 HDPF policy 26 seeks to protect the rural character and undeveloped nature of the countryside against inappropriate development. However policy 26 must also be read in the context of the text at HDPF paragraph 9.18 which sets out that *'The Council is seeking to identify the most valued parts of the district for protection, as well as maintain and enhance this natural beauty and the amenity of the district's countryside'*.
- 5.40 The NPPF supports the provision of rural homes at paragraph 83 where it states:
- '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'.*
- 5.41 This recognises the importance of allowing new residential development within the rural areas which can help to sustain local rural communities. As such, appropriate residential development on sustainably located sites, such as the appeal site is arguably 'essential' to rural areas and allows the sustainable development of rural areas (HDPF policy 26, criterion 4).

- 5.42 As set out, the proposed dwelling will be situated close to other built form. The site is not located within a prominent or isolated position and it is enclosed within well-defined boundaries and well screened boundaries to the sides and rear.
- 5.43 The proposed dwelling is of high quality, traditional design which is appropriate to and in keeping with the rural character of the area and just one dwelling will not result in any significant increase in the overall level of activity within the countryside.
- 5.44 Given the proximity of the site to Ashington and other residential development, as set out, the dwelling will not appear at odds with the context of the site's surroundings. There is as such also no conflict with policy 26 in respect of its requirement for proposals to be of a scale appropriate to the countryside character and location and to protect/conservate/enhance key features and characteristics of landscape character.

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.

- 5.45 The proposal is not for 'four market dwellings' as stated above (the proposal is for one self-build dwelling).

Previously Developed Land

- 5.46 Paragraph 124 of the NPPF states that *'Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions'*.
- 5.47 NPPF paragraph 125 d) requires planning policies and decisions to promote and support the development of underutilised land and buildings, especially if this would help to meet identified needs for housing where land is constrained and available sites could be used more effectively. Paragraph 128 requires that a positive approach is taken to applications for alternative uses of land which is currently developed but not allocated for a specific purpose in plans, again, where this would help meet identified development needs.
- 5.47 In addition HDPF policy 2 (criterion 8) supports sustainable development including the encouragement of the *'effective use of and by reusing land that has been previously developed (brownfield land), provided it is not of a high environmental value'*. Similarly, HDPF policy 33 (criterion 1) also requires developments to *'make effective use of land, and prioritise the use of previously developed land and buildings whilst respecting any constraints that exist'*.
- 5.48 The appeal site is located just within the boundary of the Storrington and Sullington and Washington Council's Designated Neighbourhood Plan area, adjacent to the Ashington Parish Council boundary. Policy 1 (A Spatial Plan for the Parishes) of the Storrington, Sullington and Washington Neighbourhood Plan (September 2019) confirms that development proposals inside the built-up area boundaries of Storrington, Washington and Sullington will be permitted if they accord with other

provisions of the development plan. It further states that *'Development proposals outside the Built-up Area of Washington will be supported on any allocated site(s) and within the area within and around Montpellier Gardens/Luckings Yard as shown on Inset Plan 4 or if it results in the reuse of previously developed land on land outside the South Downs National Park provided the proposal accords with other policies of the Development Plan'*.

- 5.49 The appeal site is situated to the north of Montpelier Gardens (as shown on Policies Map Inset 4 in the Neighbourhood Plan) – there is no definition of what is meant by 'within the area within and around' Montpellier Gardens however, the Neighbourhood Plan at paragraph 4.17 recognises that there is no land within or adjoining Washington that is available for development as the village is constrained by its location within the South Downs National Park. As a result, it states that *'some development of rural areas will be necessary to meet the recognised local needs in order to maintain the vitality of smaller villages and support local facilities such as shops and schools whilst retaining existing settlement functions and rural character'*.
- 5.50 In addition, paragraph 4.19 states that *'There is a need to allow for the Neighbourhood Plan to operate with a degree of flexibility in the context provided by national policy'* in reference to former paragraph 55 of the NPPF (now paragraph 83). It is reiterated that the NPPF does not therefore necessarily preclude new housing within rural areas.
- 5.51 In this case, not only would the proposal allow for the provision of a new dwelling in a sustainable location, which will help meet local housing needs, the proposal also relates to the redevelopment of previously developed land (PDL). The appeal site is situated on land outside of the National Park (and the site is far enough away from the boundary to have no impact upon its setting), and it falls within the NPPF's definition of PDL set out at Annex 2. In this respect, the site has been lawfully developed and is occupied by a permanent structure and fixed surface – the stable building and hardstanding. PDL also includes the curtilage of the 'developed land'.
- 5.52 The proposed dwelling is situated to the northern end of the appeal site close to the location of the existing stable building (to be re-located) and partially in the location of the existing hardstanding. Much of the hardstanding will be removed with the northern end of the site landscaped with new grass, trees and hedgerow planting. The proposed dwelling would also be situated in-between other residential development; the site is

considered to comprise an infill site, in an area which although located outside of a built-up area boundary and it is not particularly 'rural' in its appearance having regard to the proximity of the site to the A24 and commercial and residential development.

- 5.53 The proposed dwelling has been sensitively designed and sited to ensure that no harm will be caused to the visual amenities of the countryside and the Council has raised no objections in this respect. The proposed development will therefore make effective use of PDL, in compliance with the NPPF, HDPF policy 2 (criterion 8) and policy 1 of the Neighbourhood Plan.

Case Studies

- 5.54 The following cases relate to proposals within the Horsham district where planning permission has been granted for the creation of new dwellings within the countryside. These cases (included at Appendices NJA/1 and NJA/3- NJA/9) are summarised as follows:

1. Chanctonview, Spring Gardens, Washington – DC/22/0867 (Appendix NJA/1)

- 5.55 Planning permission was granted by Horsham District Council in June 2024 for the 'Erection of 1 No. detached house with car port' at Chanctonview which is just to the north-west of the appeal site on Spring Gardens.
- 5.56 The Case Officer's report confirms that the application site would comprise PDL as defined at Annex 2 of the NPPF and weight is given to policy 4 (North Farm, Wiston Estate, Washington) of the Storrington, Sullington and Washington Neighbourhood Plan. However, it appears that policy 1 of the Neighbourhood Plan is the actual policy referred to in the text of the Case Officer's report. As set out, this policy states that proposals outside of the built-up area of Washington will be supported within the area within and around Montpelier Gardens/Luckings yard or if it relates to the reuse of PDL outside of the South Downs National Park (and in accordance with other policies of the development plan).
- 5.57 In clarification of the above, the Case Officer's report states that the in principle support afforded to the re-use of PDL beyond the built-up area of Washington provides greater flexibility for development relative to other locations within the district. The report also

confirms that this flexibility *'follows from the comments of the independent Neighbourhood Plan examiner at paragraphs 74-78 of his report, where the independent examiner explains his reasons for regarding the London Road part of Washington as a sustainable location for residential development, the need to promote the use of previously developed land at paragraphs 66 and 79 and the wider significance of increased flexibility as part of wider housing delivery within the Parish at paragraph 162. The adopted Neighbourhood Plan reflects the recommended modification of the independent examiner at page 19'*.

- 5.58 The Case Officer's report also refers to an appeal (DC/18/2249 APP/Z3825/W/19/3230663 – The Chardonnay Restaurant, Old London Road, Washington) where the Inspector rejected the Council's submissions that residential development on PDL beyond the built-up area boundary of Washington would not result in conflict with the spatial provisions of the development plan, mainly as a result of the sustainable location of the appeal site and the nature of the proposal as an infill plot with a defensible boundary. The Case Officer's report notes that the appeal proposal involved a site in proximity of Vineyards/Luckings Yard but that Chanctionview is closer to the 'larder' shop referred to in the examiner's report in addition to the Spring Gardens farm shop (directly adjacent to the site) and bus-stops adjacent to Wiston Business Park close to the site. As a result, the Case Officer's report confirms that *'the future occupiers may have some access to services and amenities by means other than reliance on the private car, notwithstanding the increased distance to the settlement of Washington'*.
- 5.59 The Case Officer's report confirms that the principle of development is established by the definitions of the Neighbourhood Plan and that as a result *'no conflict would arise with the countryside management provisions of the HDPF at policies 2, 4 and 26'*. Given that Chanctionview is so close to the appeal site and the appeal proposal is also for the redevelopment of PDL with just one dwelling, the same assessment and policy justification should be applied to the appeal scheme.
- 5.60 A copy of the Examiner's report of the Storrington, Sullington and Washington Neighbourhood Plan (22 November 2018) is included at Appendix NJA/2 and the appeal at The Chardonnay Restaurant is included at Appendix NJA/3.

5.61 It is relevant to note that in The Chardonnay Restaurant appeal, the Planning Inspector found the following to apply:

- Former NPPF paragraphs 103 (now paragraph 105) and 78 (now 83) were considered.
- The Examiner of the Neighbourhood Plan specifically considered the suitability of the area around Old London Road for development with regard to accessibility to services and concluded that this area is within walking distance of Squires Garden Centre where a local farm shop provides a wide variety of stock which could meet some day-to-day needs and that the primary school at Washington is walkable.
- The Neighbourhood Plan notes that Washington is constrained due to its location in the South Downs National Park but that some development will be necessary to meet recognized local needs and to maintain the vitality of smaller villages. The proposed dwelling would contribute to meeting housing needs locally and to providing support for the local economy and services.
- The proposal would comprise sustainable development of rural areas as enabled by HDPF policy 26 and that it is in line with the objectives of the NPPF, HDPF policies 2 and 33 which priorities effective use of PDL.
- Whilst the proposal would conflict with some aspects of the development plan (specifically the requirement of HDPF policy 4 part 1 and the requirement of HDPF policy 26 for proposals outside of the built-up area boundaries to be 'essential' to a countryside location), the development would accord with the principles of Neighbourhood Plan policy 1 and would make effective use of PDL without detrimental impact on the rural character of the area. In addition, there would be no harm caused to the overall settlement pattern and function and that the development would provide a suitable location for housing having regard to accessibility of services and facilities and the provisions of the development plan including HDPF policies 2, 3, 4 and 26 and Neighbourhood Plan policy 1.

2. Land at Thornhill Stables, Billingshurst Road, Coolham – DC/24/1486 (Appendix NJA/4)

- 5.62 Planning permission was granted at appeal on 28 October 2025 for the construction of a two storey dwelling on land at Thornhill Stables, near Coolham.
- 5.63 The Planning Inspector did not find the appeal site to be in isolated countryside in the context of NPPF paragraph 84 but also did not consider the site to be in a suitable location having regard to local and national policy in respect of the accessibility of the site to services, facilities and employment opportunities.
- 5.64 However, when considering the proposal in the planning balance, the Planning Inspector found the following:

‘Balanced against the harm are a number of benefits. The overall housing supply remains significantly deficient, and the provision of an additional dwelling would make a meaningful contribution to addressing this shortfall. The Framework recognises that small sites can make an important contribution to housing supply and are often built out quickly. There would also be modest economic benefits during construction and through local spending, as well as a small contribution to housing diversity. While the scale of these benefits is modest given that only one dwelling is proposed, in the context of the current housing pressures, even a single additional home represents a valuable and positive contribution.

Taking all matters into account, the adverse impacts of granting planning permission would not significantly and demonstrably outweigh the benefits when assessed against the Framework as a whole. Consequently, the proposal benefits from the presumption in favour of sustainable development as defined in paragraph 11d of the Framework’.

3. Cowfold Lodge Cottage, Cowfold – DC/22/2250 (Appendix NJA/5)

- 5.65 Planning permission was granted at appeal for the construction of a log style dwelling at Cowfold Lodge Cottage, near Cowfold. Cowfold Lodge is located outside of the settlement boundary of Cowfold which is classed by HDPF policy 3 as a ‘Medium Village’ with a moderate level of services and facilities. The Planning Inspector found

that the site was not in isolated countryside and that the appearance of the dwelling (a log cabin design) would not be inappropriate to the rural area and close to other buildings.

5.66 Whilst the Planning Inspector found that there would be some harm to the character and appearance of the area by way of a reduction in the openness of the countryside (and thereby resulting in conflict with HDPF policies 25, 26, 32 and 33), as the site is not isolated and the dwelling would not be unduly prominent, this harm would be modest.

5.67 In respect of location, the Planning Inspector found that the site would not be in a suitable location when judged against the policies of the HDPF but gave weight to the Council's deficient housing land supply situation. The Planning Inspector found that the proposed dwelling would contribute towards the much needed supply of houses noting that:

'Small sites can often be built-out relatively quickly and in this case the appellant intends to occupy the dwelling. There would be economic benefits arising from construction to spend in the local economy. Although these benefits are tempered by the small contribution that one house would make in the economic context of the current circumstances the additional dwelling would be valuable' (paragraph 24).

5.68 Importantly and having regard to the provisions of NPPF paragraph 11 d), the Planning Inspector found that the adverse impacts of granting planning permission would not significantly or demonstrably outweigh the benefits of an additional dwelling when assessed against the policies of the NPPF taken as a whole. As a result, the Planning Inspector in applying the NPPF's presumption in favour of sustainable development found that planning permission should be granted.

4. Marlpost Meadows, Southwater – DC/22/0495 (Appendix NJA/6)

5.69 Planning permission was granted at appeal for the construction of a detached dwelling, outside of a built-up area boundary at Marlpost Meadows near Southwater.

5.70 Marlpost Meadows is located approximately 1.5km from the village centre of Southwater (a 'Small Town/Larger Village', as per HDPF policy 3). In noting the provisions of NPPF paragraph 11 d) and the lack of a five year supply of housing within the district, the Planning Inspector found the proposal to be acceptable in the planning balance.

5.71 Limited weight was given to HDPF policy 26 in respect of development outside of built-up area boundaries on the basis that the housing shortfall dictates that those boundaries are out of date. The Planning Inspector found that the site's location outside of a settlement boundary did not therefore constitute a reason for refusing planning permission and found the proposal to be acceptable for the following reasons:

'The proposal would increase the supply of housing in the District and help to address the identified shortfall in new homes. The benefits of a single dwelling are very modest, but cumulatively windfall sites have a significant influence on supply. The Framework explains that small and medium sized sites can make an important contribution to meeting the housing requirement of an area and are often built out relatively quickly. The land forms part of the curtilage of an existing dwelling in the countryside and it would qualify as previously developed land under the definition set out at Annex 2 of the Framework. The site has reasonably good accessibility to services and facilities within Southwater, despite its location outside of the built-up area' (paragraph 17).

5.72 The Planning Inspector concludes that:

'In the overall planning balance, I conclude that there are no adverse impacts that would significantly and demonstrably outweigh the benefits. The proposal would therefore constitute an acceptable form of development in terms of the Framework, and this would be a material consideration sufficient to outweigh the conflict with the development plan arising from the location of development outside of settlement boundaries' (paragraph 18).

5. Wappingthorn Lodge, Steyning – DC/23/0627 (Appendix NJA/7)

5.73 Planning permission was granted at appeal for the extension and conversion of existing buildings at Wappingthorn Lodge, Steyning into a dwelling. The main issue (having

regard to the Council's reasons for refusal) related to whether the proposed development would provide a suitable location for housing having regard to the Council's spatial strategy.

- 5.74 The Planning Inspector found the proposal to conflict with the Council's spatial strategy in terms of the site's location but whilst future occupiers would have to travel by car to reach local services and facilities, the distance would be short. When considering the proposal in the planning balance, the Planning Inspector found that the level of harm and the level benefit carry a comparable level of weight and therefore (having regard to NPPF paragraph 11d), *'the adverse impacts of granting planning permission would not significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. Consequently, the proposal benefits from the presumption in favour of sustainable development as defined in paragraph 11d of the Framework and the similar provisions in Policy 1 of the HDPF'* (paragraph 36).

6. Hunters Oak, Faygate – DC/22/1775 (Appendix NJA/8)

- 5.75 In considering the proposed construction of 28 dwellings at Hunters Oak, Faygate (following the demolition of existing residential and light industrial buildings), the Planning Inspector concluded that:

'The location of the proposed development within the countryside would be contrary to the spatial strategy, and would conflict with policies 2, 3, 4 and 26 of the HDPF and the Facilitating Appropriate Development document. However, given the absence of a five-year HLS these policies may be considered out-of-date and the conflict attracts very limited weight'.

7. Horsham Golf Club, Denne Park – DC/23/1178 (Appendix NJA/9)

- 5.76 The Horsham Golf Club scheme proposed the development of a sports and leisure hub including up to 800 dwellings (outline proposal). The Planning Inspector states that the HDPF policies were out-of-date and should be given very limited weight, being inconsistent with the NPPF. The harm associated with non-compliance should be balanced against the NPPF's overall support for sustainable development and the policies to restrict development outside of the built-up area boundaries should be given very little weight.

Housing Mix

- 5.77 As set out, the proposed dwelling is a self-build dwelling. HDPF policy 16 requires development to provide for a mix of housing sizes, types and tenures to meet the needs of the district's communities. In addition to ensuring that the supply of a sufficient amount of new homes, the NPPF at paragraph 63 also requires the size, type and tenure of housing needed for different groups in the community to be assessed and reflected in planning policy. This includes *'people wishing to commission or build their own homes'*.
- 5.78 The Government's PPG acknowledges that self-build or custom build homes help to diversify the housing market and increase consumer choice. Self-build and custom housebuilders choose the design of their own home, and can be innovative in its design and construction. The provision of such homes is clearly supported by the Framework and which play an important role in helping to tackle the housing crisis, with projects cumulatively making an important contribution to meeting housing need (helping to speed up delivery) and increased choice and variety in the type of new homes.

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.

5.79 The Case Officer's report raises no objections to the design, appearance, siting, height scale and mass of the proposed dwelling or the density of development. The proposed dwelling is of a high-quality design which as set out will sit appropriately within the site and no harm will be caused to the character and appearance of the area including the visual amenities of the countryside landscape.

5.80 The proposed dwelling will be viewed in context of the surrounding built form, including the adjacent residential development on either side of the site. The siting of the proposed dwelling, set back from the lane respects the siting of the adjacent residential development and it will not appear as an unduly prominent addition to the street scene. The density of development is low with the majority of the site remaining undeveloped as existing with ample space retained to the side boundaries. Overall, the proposal complies with the design policies of the NPPF, HDPF policies 24 (Environmental Protection), 25 (District Character and the Natural Environment), 32 (The Quality of New Development) and 33 (Development Principles) and Neighbourhood Plan policy 4 (Design).

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.

5.81 The planning application (and this appeal) was submitted with an Arboriculture/Root Protection Plan which sets out a schedule of existing trees and includes details of tree protection fencing and construction exclusion zones.

- 5.82 As noted above, all existing trees are to be retained (and protected during construction) and existing hedges maintained. New tree and hedgerow planting is proposed as shown on the submitted plans.
- 5.83 Trees and new landscaping has therefore been carefully considered to ensure that the proposed dwelling integrates appropriately into its surroundings. The Case Officer's report confirms that there are no objections in respect of trees and landscaping and as a result, the proposal accords with HDPF policy 33 (criterion 6) and Neighbourhood Plan policy 15 (Green Infrastructure & Biodiversity).

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.

- 5.84 The planning application submission considered the issue of archaeology within the Heritage Statement. The Council's Archaeology Consultant provided advice in respect of the proposal and as noted above, a program of archaeological monitoring and recording during the construction phase may be agreed and secured by planning condition. The proposal complies with the heritage requirements of the NPPF and HDPF policy 34 (Cultural and Heritage Assets).

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.

- 5.85 The Case Officer's report notes that the proposed dwelling is located a sufficient distance away from neighbouring dwellings and its orientation means that there would be no harmful impact upon neighbours; this includes in respect of any harmful loss of privacy, overbearing impact or overshadowing. As such, the proposed development complies with HDPF policy 33.

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.

- 5.86 The appeal site already benefits from an existing vehicle access from Spring Gardens and this will be retained and utilised to serve the proposed dwelling. In the WSCC Highways 'advice' note (included at Appendix NJA/10), it is confirmed that *'...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'.*
- 5.87 The WSCC comments made in respect of the location of the appeal site do not consider the nearby bus stop or the fact that there are walkable local amenities to meet day-to-day needs. The comments also do not take into account the decision at Chanctionview where the Case Officer's report for the proposal (at Appendix NJA/1) notes there to have been no highways objections.
- 5.88 For the reasons previously set out, the appeal site is in a sustainable and appropriate location to accommodate a single dwelling having regard to proximity and access to local services and facilities and public transport. It is nevertheless reiterated that NPPF paragraph 110 notes that whilst significant development should be focused on locations that are or can be made sustainable, opportunities to maximise sustainable transport solutions will vary between urban and rural areas and this should be considered. The proposed development for just one dwelling is not 'significant' and it will also not generate unsustainable levels of vehicle movements within the rural area.
- 5.89 The proposed development complies with the Council's policies in respect of vehicle access and car parking (HDPF policies 40 - Sustainable Transport and 41 – Parking) and no objections are raised in respect of these matters.

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.

- 5.90 The Case Officer's report confirms no objections in respect of ecology which has been appropriately considered within the Preliminary Ecological Appraisal. The proposal complies with HDPF policy 31 (Green Infrastructure and Biodiversity) and Neighbourhood Plan policy 15 (Green Infrastructure and Biodiversity).

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.

- 5.91 Due to the change in Natural England's Position Statement as explained above, the Council is not requiring the Appellant to demonstrate that the proposed development is water neutral via a Water Neutrality Statement and no objections are raised against the above stated regulations, the NPPF and HDPF policy 31.

Other Matters:

Noise:

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.

5.92 The Noise Impact Assessment confirms the details of a baseline noise survey undertaken that assessed on-site noise conditions, the identification of noise sources and determined noise levels affecting the proposed development. The Initial Risk Assessment found the majority of the site to fall into the medium risk category and the key points of the Full Assessment are noted below:

- The external building fabric proposals should be sufficient to control noise ingress to habitable spaces, providing glazing units to achieve a minimum sound insulation performance installed on the most exposed elevations.
- A 1.8m high fence to be installed (as proposed) to the rear garden to reduce daytime noise levels.
- Bedrooms on the most exposed elevations will require alternative ventilative solutions to provide suitable thermal comfort. The overheating control strategy for the least exposed elevation (south-west) will accept operable windows.

5.93 The Case Officer's report notes that Environmental Health has raised no objections to the proposal and found the Noise Impact Assessment to be acceptable with conditions recommended.

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.

5.94 An Energy Statement was submitted with the planning application (and this appeal) and the Design and Access Statement confirms that the proposed dwelling will be built as follows:

- The design seeks to maximise all the sustainable potential of the site including waste minimalization and thermal performance.
- The orientation and size of the proposed windows/doors maximise passive solar gain.
- The working chimney will have a low air leakage wood burning stove.
- The dwelling will be built to the highest insulation standards, incorporating a mix of renewable energy technology including photovoltaic panels, batter back-up and an air source heat pump.
- Low water usage including aerated taps and shower heads and dual flush systems.
- Underfloor heating to the ground floor of the dwelling and heating provided via the air source heat pump. Hot water to be heated via the photovoltaic panels (with battery backup).
- Lighting to be LED energy efficient light fittings.
- All electrical appliances to be A rated with low energy and water consumption.
- Surface water from the roof/down pipes of the dwelling and stable building will be collected in water butts to provide water for the garden and drinking water for the horses.
- The dwelling has been designed so that it can be built using locally based skilled trades.

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.

- 5.95 The proposed dwelling is a self-build dwelling and as such it is exempt from needing to demonstrate a 10% BNG.

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.

5.96 As set out, the Council's HDPF is over five years old and the Council is unable to demonstrate a five-year suppl of housing as required by the NPPF. As a result, the tilted balance at NPPF paragraph 11 d) is engaged and the proposal should be considered against the presumption in favour of sustainable development. Subsequently, less weight should be given to the Council's policies in respect of the supply and location of new homes, including HDPF policies 2, 3, 4, 15 and 26.

5.97 Given that the presumption in favour of sustainable development applies to this proposal, and having regard to the three key objectives of sustainable development set out at paragraph 8 of the NPPF, the proposed development complies as follows:

- a) an economic objective – the proposal will make a small contribution to the local building industry and associated trades in constructing the new dwelling. Furthermore, occupiers of the new dwelling will help to support local services and facilities which is particularly important within rural areas (NPPF paragraph 83). The proposal complies with the economic objective of sustainable development.
- b) a social objective – the proposal provides a suitable site for the creation of a new dwelling in close proximity to local services and facilities including schools, public transport and work opportunities. The proposal will also make a modest but important contribution to the supply of new homes within the district. The proposal complies with the social objective of sustainable development.

- c) an environmental objective – the proposal makes efficient use of PDL and no harm will result to the visual amenities of the countryside landscape. The proposed dwelling is sustainably located and of a sustainable design, ecology is addressed within the Preliminary Ecological Appraisal and new tree planting and landscaping will be carried out.

5.98 In respect of 11 d) 'i', (and NPPF footnote 7) it is reiterated that there are no protected areas or assets of particular importance that provide a strong reason for refusing the development proposed (the site is outside of the National Park, there are no objections in respect of archaeology and the Council has raised no objections in respect of water neutrality).

5.99 In respect of 11 d) 'ii', the above and Statement overall demonstrates that there are no adverse impacts of granting planning permission that would significantly and demonstrably outweigh the benefits of the provision of a new home in a sustainable location, which makes effective use of previously developed land and which is well designed.

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.

5.100 The cumulative provision of new homes should not be underestimated as acknowledged by NPPF paragraph 73 and the long term, continued lack of housing land supply within the Horsham district undermines the Government's intention to significantly boost the supply of homes (NPPF paragraph 61).

5.101 The appeal decisions previously referred to demonstrate that Planning Inspectors have given weight to the importance of new individual homes in meeting the housing requirement of the district. In addition, in June 2024 under the same planning policies of the HDPF and similar policies of the NPPF (prior to it being updated in December 2024) the Council granted planning permission for the construction of a single dwelling at Chanctionview, also on Spring Gardens with weight given to the PDL status of the site and the Neighbourhood Plan.

5.102 Local Planning Authorities have a duty to determine planning applications in a fair and consistent way. However, in the appeal scheme, unlike at Chanctionview, no assessment (and therefore no weight) is given to the PDL status of the site. Furthermore, there is no mention of the Chanctionview decision at all within the Case Officer's report for the appeal scheme despite the fact it is mentioned in the Appellant's Design and Access Statement. There is no apparent reason as to why the Chanctondown site was found to be in an appropriate location to accommodate a new dwelling, but the appeal site was not. The same policies of the HDPF and Neighbourhood Plan apply to both proposals and the Council still is unable to demonstrate a five-year supply of housing.

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.

5.103 The Council's SD PAN document has been previously considered within this Statement together with the spatial strategy of the HDPF. Whilst the appeal site does not adjoin a settlement boundary, this does not mean to say that it should be automatically assumed that the site's location is unsustainable. In this case, the appeal site is not located within isolated countryside and it is clearly not remote from local services and facilities and other development including residential and commercial built form.

6.0 PLANNING POLICY COMPLIANCE

- 6.1 This section of the Statement of Case Statement provides an analysis of the development proposal against only the policies cited within the recommended reasons for refusal.

National Planning Policy Framework (NPPF) 2024

- 6.2 The Council's reasons for refusal refer only to paragraph 11 d) and the NPPF which (together with other relevant parts of the Framework) has been fully addressed at Section 5 of this Statement.

Horsham District Planning Framework (2015)

- 6.3 The Council's reasons for refusal refer to HDPF policy 1 (Sustainable Development), policy 2 (Strategic Development), policy 4 (Settlement Expansion) and policy 26 (Countryside Protection). Whilst these policies have been previously addressed, this sections provides a summary appraisal.

Policy 1

Strategic Policy: Sustainable Development

When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will always work pro-actively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

Planning applications that accord with the policies in this Local Plan (and, where relevant, with policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise.

Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission, unless material considerations indicate otherwise – taking into account whether:

- Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or
- Specific policies in that Framework indicate that development should be restricted.

- 6.4 This Statement sets out that the presumption in favour of sustainable development applies in this case there are no adverse impacts of granting planning permission that would significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework taken as a whole. The matter of the site's location outside of a built-up area boundary in this case does not preclude the proposed development given the 1.) sustainable location of the appeal site and 2.) the Council's housing land supply status, less than five years supply. The proposal complies with HDPF policy 1.

Policy 2

Strategic Policy: Strategic Development

To maintain the district's unique rural character whilst ensuring that the needs of the community are met through sustainable growth and suitable access to services and local employment, the spatial strategy to 2031 is to:

- 1. Focus development in and around the key settlement of Horsham, and allow for growth in the rest of the district in accordance with the identified settlement hierarchy.**
- 2. Recognise and develop Horsham town's role as the primary town for the District, promoting its historic function as a market town and safeguarding its compact and attractive character, and complemented by rationalisation and redevelopment at Broadbridge Heath Quadrant.**
- 3. Bring forward three strategic development areas of at least 2,500 dwellings immediately to the north of Horsham Town, around 600 dwellings West of Southwater, and around 150 dwellings South of Billingshurst to meet the strategic requirement for new homes, and to provide access to new employment, health, educational and recreational opportunities.**
- 4. Bring forward a strategic mixed used opportunity at the former Novartis site in Horsham for employments, education and specialist housing at the equivalent of around 200 units.**
- 5. Continue to support in principle the sustainable development of settlements through an appropriate scale of development which retains the existing settlement pattern over the plan period.**
- 6. Manage development around the edges of existing settlements in order to prevent the merging of settlements and to protect the rural character and landscape.**
- 7. Guide development form and provide access to strategic green space and recreational opportunities in and around the built-up urban areas.**
- 8. Encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value.**
- 9. Identify existing sites of important employment use, and to safeguard their function through flexible policies and designation of Key Employment Areas, together with supporting the rural economy, to allow people the opportunity to work close to where they live.**
- 10. Provide for the varied housing needs of the community in terms of tenure, affordability, care and other support needs and the specific temporary**

and permanent needs of the Gypsy and Travellers and Travelling Showpeople.

- 11. Support the provision of rural housing which contributes towards the provision of affordable housing where there is a demonstrable need.**
- 12. Retain and enhance natural environmental resources, including landscapes and landscape character, biodiversity, and retaining and enhancing environmental quality including air, minimises energy and resource use and provides flood mitigation.**
- 13. Support development which protects, conserves and enhances the District's built heritage whilst ensuring that new development is safe, well designed, adapts to climate change and helps to reduce the District's carbon emissions.**
- 14. Monitor delivery of the Strategy and associated infrastructure in conjunction with partner organisations, developers and landowners.**

6.5 Whilst HDPF policy 2 seeks to focus new development in and around the key settlement of Horsham, it also allows for growth within the rest of the district in accordance with the identified settlement hierarchy (set out in HDPF policy 3). The appeal site is close to a number of settlements, including Ashington, a 'Medium' village as per HDPF policy 3 where, as set out, there are a number of local services and facilities to meet the day-to-day needs of the occupiers of the proposed dwelling and which are accessible via public transport. In addition, occupiers of the proposed dwelling will also be able to walk to the adjacent farm shop and the shop at Squires garden centre.

6.6 Criterion 8 of HDPF policy 2 encourages the effective use of PDL (including the appeal site) and overall, the proposed development does not conflict with the relevant listed criteria of the policy particularly having regard to the sustainable location of the appeal site which as a result, does not result in any significant, or harmful conflict with the spatial strategy of the HDPF particularly having regard to the fact that the tilted balance of NPPF paragraph 11 d) is engaged.

Policy 4**Strategic Policy: Settlement Expansion**

The growth of settlements across the District will continue to be supported in order to meet identified local housing, employment and community needs. Outside built-up area boundaries, the expansion of settlements will be supported where;

- 1. The site is allocated in the Local Plan or in a Neighbourhood Plan and adjoins an existing settlement edge.**
- 2. The level of expansion is appropriate to the scale and function of the settlement type.**
- 3. The development is demonstrated to meet the identified local housing needs and/or employment needs or will assist the retention and enhancement of community facilities and services.**
- 4. The impact of the development individually or cumulatively does not prejudice comprehensive long term development, in order not to conflict with the development strategy; and**
- 5. The development is contained within an existing defensible boundary and the landscape and townscape character features are maintained and enhanced.**

6.7 HDPF policy 4 should be read in conjunction with the Council's SD PAN (published as a result of the under supply of housing within the district) which provides updated advice and policy which essentially follows the same requirements of HDPF policy 4 but without the need for a site to be allocated in the Local Plan or a Neighbourhood Plan.

6.8 Whilst it is acknowledged that the site does not adjoin an existing settlement edge, this does not prevent the proposal from being an acceptable type of development when considered against the relevant provisions of the NPPF and again, in respect of paragraph 11 d). Given the age of the HDPF and the persistent lack of a five year supply of housing within the district it is reiterated that the Council's policies in respect of the supply and location of new homes are out-of-date and should be given less weight in the decision making process. As such, any conflict with criterion 1 of HDPF does not mean to say that the proposal is unacceptable when considered against the policies of the NPPF (and HDPF) taken as a whole and when considered in the planning balance.

- 6.9 Nevertheless, in respect of the remaining criteria of HDPF policy 4, and as set out, the level of 'expansion' is small (just one individual dwelling on PDL, similar to the development permitted at Chanctionview) and is wholly appropriate to the scale and function of the nearest settlement, Ashington. For the same reasons, the proposal will neither individually or nor cumulatively prejudice any long term development and the proposal will meet an identified local housing need given the lack of a five year supply of housing. Furthermore, the proposed development is wholly contained within a site with an existing defensible boundary and all important landscape features will be retained and enhanced as described. The proposal therefore complies with criteria 2 – 5 of HDPF policy 4.

Policy 26

Strategic Policy: Countryside Protection

Outside built-up area boundaries, the rural character and undeveloped nature of the countryside will be protected against inappropriate development. Any proposal must be essential to its countryside location, and in addition 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.**

In addition, proposals must be of a scale appropriate to its countryside character and location. Development will be considered acceptable where it does 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 in which it is located, including;

- 1. The development pattern of the area, its historical and ecological qualities, tranquillity and sensitivity to change;**
- 2. The pattern of woodlands, fields, hedgerows, trees, waterbodies and other features; and**
- 3. The landform of the area.**

- 6.10 The NPPF and the Neighbourhood Plan recognise the importance of the provision of rural housing which can help to support local communities and the vitality and viability of services and facilities. As such, the provision of such homes in appropriate locations

such as the appeal site enable the sustainable development of rural areas in accordance with NPPF policy 26. In addition, the proposal is small in scale which will not lead to any significant increase in activity and the proposed dwelling is of an appropriate design, having regard to the countryside character and location. Key features of the site will be protected and enhanced and overall (and for the reasons described), no harm will be caused to the visual amenities of the countryside landscape. The proposal complies with the overall intentions of HDPF policy 26 to protect the countryside from inappropriate development.

7.0 CONCLUSIONS

- 7.1 This Statement supports the proposal for the construction of a detached dwelling on Spring Gardens, Washington. Planning application DC/26/0035 was refused by the Council on 09 April 2026 for one reason only in respect of the site's location outside of a defined built-up area boundary.
- 7.2 Case law confirms when considering whether a proposal complies with a development plan, it is not necessary to say that it must accord with every policy of the development plan and the question is whether it accords with the development plan overall. In addition, paragraph 3 of the NPPF confirms that the Framework should be read as a 'whole' and the Government's Planning Policy Guidance (PPG) states that any conflicts between the development plan should be considered in light of all material planning considerations including local priorities and needs, as guided by the NPPF.
- 7.3 Therefore whilst the site is located outside of a built-up area boundary, it is necessary to consider the following aspects of the proposal in the planning balance:
- The Council's HDPF is over five years old and the Council is unable to demonstrate a five year supply of housing as required by the NPPF. As a result, the Council's policies in respect to the supply and location of new homes are out-of-date (including HDPF policies 2, 3, 4, 15 and 26) and the provisions of NPPF paragraph 11 d) and the tilted balance are engaged. This requires the proposal to be considered against the presumption in favour of the proposed development.
 - The proposal will make a small but important contribution towards windfall housing provision within the district. The cumulative provision of individual homes should not be under estimated as acknowledged by NPPF paragraph 73. The long term, continued lack of housing supply within the district undermines the Government's intentions to **'significantly boost'** the supply of new homes (NPPF paragraph 61).
 - NPPF paragraph 83 encourages the sustainable development of rural areas and sets out that housing should be located where it will enhance or maintain the vitality of rural communities. Occupiers of the proposed dwelling will help to support local services and facilities within the rural community. The provision of homes within the rural area

is also supported by the Neighbourhood Plan as acknowledged in the case of Chanctionview where the Council granted planning permission in 2024 for the construction of a detached dwelling, very close to the appeal site.

- NPPF paragraph 110 makes it clear that whilst the planning system should actively manage patterns of growth (and *significant* development should be focused on locations which are or can be made sustainable), opportunities to maximise sustainable transport solutions will vary between urban and rural areas. This should be taken into account in both plan-making and decision-making. The proposal is not for significant development and neither will it generate significant levels of vehicle movements.
- The application site is not located within isolated countryside the proposal will not result in unsustainable modes of travel, out of keeping with the character of the area. The new dwelling will not be remote from a settlement or other built form - it is very close to Ashington (and other settlements) where there is a wide range of local services and facilities which can be accessed via public transport without reliance upon the private vehicle.
- The proposed dwelling has been carefully designed to ensure that it is of a high quality construction and appearance and of an appropriate height, scale and mass. As a result of the siting and scale of the proposed dwelling and boundary screening, there will be no significant or harmful impact upon countryside views. Whilst the proposed dwelling would be visible from the street scene, it will be an acceptable addition particularly having regard to the context of the site adjacent to other residential (and commercial) development. The proposal does not conflict with HDPF policy 26 in this regard which seeks to protect the countryside from inappropriate development.
- The proposal makes effective use of PDL as encouraged by the HDPF and NPPF, no harm will be caused to neighbouring residential amenity and ecology/biodiversity is appropriately considered.

7.4 This Statement demonstrates that there are no adverse impacts of granting planning permission that would significantly and demonstrably outweigh the benefits of a new home in a sustainable location which will make a small but important contribution towards the supply of much needed new homes within the district. Therefore, in

accordance with paragraphs 11 and 39 of the NPPF and HDPF policy 1, planning permission should be granted for the sustainable development proposed.