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## Appeal Decision

Site visit made on 3 February 2026

**by J Heppell BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

**Decision date: 23rd March 2026**

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### **Appeal Ref: APP/Z3825/W/25/3375975**

#### **Land north of Cowfold Road, Coolham, Horsham RH13 8QJ**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
  - The appeal is made by Ms Rosie Barker on behalf of Devine Homes PLC against the decision of Horsham District Council.
  - The application Ref is DC/24/1966.
  - The development proposed is erection of 9no. 2-, 3- and 4-bedroom dwellings, including a mix of houses and bungalows, together with access from Cowfold Road, vehicle and cycle parking, landscaping and open space, and sustainable drainage.
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### **Decision**

1. The appeal is allowed and planning permission is granted for erection of 9no. 2-, 3- and 4-bedroom dwellings, including a mix of houses and bungalows, together with access from Cowfold Road, vehicle and cycle parking, landscaping and open space, and sustainable drainage at land north of Cowfold Road, Coolham, Horsham RH13 8QJ in accordance with the terms of the application, Ref DC/24/1966, subject to the conditions in the attached schedule.

### **Preliminary Matters**

2. The Horsham District Local Plan 2023-2040 (Regulation 19) (HDLP) has been submitted for examination, and following the appointment of a new Inspector, Hearings are scheduled to recommence on 21 April. Given the stage of plan preparation, it attracts a degree of limited weight.
3. Shaping Development in Horsham District Planning Advice Note (SDHD) was endorsed by the Council on 17 September 2025, after the determination of the planning application, and is a material consideration in decision-making.

### **Main Issues**

4. The main issues in this appeal are:
  - whether the appeal site would be a suitable location for the proposed development having regard to planning policy; and
  - the effect of the proposal on the character and appearance of the area.

## Reasons

### *Location*

5. The proposal is to erect dwellings in the countryside. Policies 1, 2, 3, 4 and 26 of the Horsham District Planning Framework November 2015 (HDPF) and Policy Ship HD1 of the Shipley Parish Neighbourhood Plan 2019-2031 (SPNP) together focus growth on Horsham and the built-up areas in order to maintain the district's unique rural character. Policy 3 of the HDPF identifies Coolham as an unclassified settlement, which is a settlement with few or no facilities or social networks and limited accessibility, that is reliant on other villages and towns to meet the needs of residents.
6. The emerging HDLP, whilst attracting only limited weight, would create an additional category known as secondary settlements. These are very small villages and hamlets that generally have some limited local employment, services and facilities, and/or evidence of a defined local community, with access to other services. Coolham would be classified as a secondary settlement, which reflects my observations of its size, accessibility and character.
7. Policy 4 of the HDPF identifies that outside built-up area boundaries, the expansion of settlements will be supported where: the site is allocated and adjoins an existing settlement edge; the level of expansion is appropriate to the scale and function of the settlement type; the development is demonstrated to meet the identified local housing needs; 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 and townscape character features are maintained and enhanced.
8. The SDHD addresses locational suitability and scale, and in so doing modifies the criteria in Policy 4 by removing the requirement for sites outside built-up area boundaries to be allocated, but continues to require sites to adjoin an existing settlement edge. The remaining criteria in Policy 4 are unchanged.
9. Against the first criterion in Policy 4 of the HDPF as modified by the SDHD, the appeal site does not adjoin an existing Built Up Area Boundary (BUAB), although the Inset Map in the emerging HDLP shows it abutting the settlement boundary of Coolham on two sides. The proposal represents an appropriate level of expansion having regard to the scale of the settlement and its social networks, which include a school, a village hall and a public house. Seven of the nine dwellings would have two or three bedrooms, thus meeting the local housing need set out in Policy Ship HD2 of the SPNP. The proposal would have no implications for comprehensive long term development. It would preserve the landscape setting of Coolham by virtue of being situated between the grounds of the school and a range of converted farm buildings and being well screened to both front and rear by existing trees and hedgerows.
10. Although not essential to its countryside location as required by Policy 26 of the HDPF, the proposal must satisfy the detailed criteria contained in that policy. Being limited to nine dwellings, and adjoining William Penn School and Home Farm on two sides and having existing natural screening on its other two sides, the proposal would be of a scale appropriate to its countryside character and location. Whilst there would be an increase in activity, the level of activity associated with nine dwellings would not be so great as to lead to a significant increase in the

overall level of activity in the countryside, given the activity already associated with the A272 and the settlement of Coolham. The site is currently open and the proposal would retain its landscaped boundaries, and would therefore conserve the key features and characteristics of the landscape area in which it is located.

11. Policy Ship HD1 of the SPNP applies a number of criteria to new housing development. The appeal site satisfies the first and second of them; it is an infill gap, albeit relatively wide, within the continuity of existing buildings; and it would not result in the outward extension of the settlements onto greenfield land as it would sit between the school and the converted farm buildings. The proposal would reflect the scale and density of existing development in the settlement, which consists of ribbons of detached dwellings, albeit the proposed gardens would be smaller than many existing gardens in Coolham. The scheme is well designed and picks up on the Shipley Parish Design Guidance, with its vernacular architecture, detailing and materials reflecting examples of local buildings. However, the proposal would not deliver affordable housing, which is a requirement of Policy Ship HD1.
12. Within walking distance of the appeal site there is a primary school, a village hall and a public house. Access to them is via the A272 which, whilst unlit, possesses a pavement. Although residents would be required to cross the A272 to reach the facilities, they would be aided by the fact that the road has a 20mph speed limit. Dropped kerbs and tactile paving are proposed along the route to aid pedestrians. There are bus stops within walking distance of the site, with an early morning and afternoon bus on weekdays to higher order facilities in Horsham and Storrington, and an irregular service during the day.
13. Having regard to the combination of a small range of local services and a limited bus service to higher order facilities, future occupiers would at least have the option of utilising alternative modes of transport, and consequently would not be wholly reliant on the private vehicle. In reaching this finding, I have had regard to the advice in paragraph 110 of the National Planning Policy Framework (the Framework) that opportunities to maximise sustainable transport solutions will vary between urban and rural areas.
14. A number of appeal decisions for dwellings in the countryside in Horsham have been brought to my attention. These proposals differ in the relative shortfall in housing land supply at the time each decision was made, the relationship of each site to the BUAB and available modes of transport, the number of units proposed and the impact on water neutrality. As none are directly comparable to the current proposal, I have attached limited weight to them.
15. Taking all of the above matters into account, the appeal site would not be a suitable location for the proposed development having regard to local planning policy, being in conflict with the relevant parts of policies 1, 2, 3, 4 and 26 of the HDPF, Policy Ship HD1 of the SPNP, and the SDHD, the aims of which I have outlined above.

### *Character and appearance*

16. The appeal site is undeveloped and located in the countryside. The Horsham District Landscape Character Assessment, which is a material consideration, places the site within the Broadford Bridge to Billingshurst Farmlands Character Area, which is characterised by flat to gently undulating landscape, scattered

woods and a small scale pattern of fields with a strong sense of enclosure. From my observations, the appeal site reflects these characteristics, being a small, relatively flat field with clear natural boundaries.

17. The appeal site is however located close to Coolham, and its character is significantly influenced by its proximity to the settlement. Whilst the appeal site forms a gap between the school and Home Farm, such that Home Farm is nominally outside the settlement, the compact form and domestic character of the converted farm buildings reflect the built-up area. The development of the site would not therefore be perceived as an encroachment into the countryside but rather as a consolidation of the settlement itself. Moreover, the strong existing boundary treatment around the site would limit the visual impact of the proposal when viewed from the countryside.
18. The development would be set back from both the A272 and from the countryside to the rear, with its front and rear building line broadly matching that of Home Farm. Whilst the majority of the dwellings would be two storeys high, contrasting with the mainly single storey buildings at Home Farm, the scheme's linked units and individual features such as catslide roofs would be suggestive of a range of farm buildings. The scheme's layout, built form and retained landscape features would not be overly formal or dense, but would instead respond positively to the character of the surrounding countryside. The overall scale of the proposal would appropriately reflect the size and form of the settlement.
19. I therefore find that the proposal would not have a harmful effect on the character and appearance of the countryside, and would accord with policies 25, 26, 32 and 33 of the HDLP, and Policy Ship HD3 of the SPNP. Together these policies seek to protect the rural character and undeveloped nature of the countryside and its landscapes from inappropriate development, and require new development to be of high quality design and to reflect locally distinctive character.

### **Other Matters**

20. The access to the site is existing and suitable visibility splays can be achieved. The proposal would give rise to low levels of traffic. There is no reason to conclude that the proposal would give rise to highway danger.
21. The site is located within Flood Zone 1, with a very low risk of fluvial flooding. A sustainable drainage system is proposed, with attenuated flows to the nearest watercourse. The proposal would not therefore give rise to increased flood risk.
22. The proposal would be a sufficient distance from the properties on Home Farm that their living conditions would not be adversely affected. The risk of light pollution could be controlled by condition.
23. The site is largely composed of neutral grassland and mixed scrub, which are common and widespread habitats. Appropriate mitigation would be undertaken in respect of protected species. Biodiversity enhancements could be controlled by condition.
24. No evidence has been put forward that local infrastructure, including healthcare and community facilities, would be overloaded by the proposal.
25. Each proposal is judged on its own specific merits, meaning that the decision would not set a precedent for additional housing developments elsewhere.

26. The ownership of the site has been confirmed on the appellant's application form, and there is no information to contradict this.

### **Appropriate Assessment**

27. The appeal site falls within an area identified as the Sussex North Water Supply Zone, where water abstraction has the potential to adversely affect the Arun Valley Special Protection Area (SPA), Special Area of Conservation (SAC) and Ramsar site. It is a European Designated Site afforded protection under the Conservation of Habitats and Species Regulations 2017 as amended (the Habitats Regulations). It is incumbent upon me as competent authority to consider whether the development is likely to have a significant effect on the integrity of the site.
28. The site supports rare and diverse plant, invertebrate and bird assemblages as qualifying features. It consists of low-lying grazing marsh, largely on alluvial soils. Variation in soils and water supply lead to a wide range of ecological conditions and hence a rich flora and fauna. Natural England has previously advised that due to the additional demand for water abstraction, it could not be concluded with the required degree of certainty that new development in this zone would not have an adverse effect on the integrity of the site.
29. Natural England's document entitled Withdrawal of Natural England's Water Neutrality Position Statement confirmed that, based on a voluntary licence reduction and a commitment to delivering a package of mitigation, Natural England was now satisfied that there was sufficient certainty that there would be no adverse impact on the integrity of the European Designated Site. From 1 November 2025, therefore, development could come forward without water neutrality restrictions. Natural England was consulted on the planning appeal and confirmed that following the withdrawal of the Water Neutrality Position Statement, the proposal will not result in a likely significant effect on the SPA, SAC and Ramsar site.
30. For the above reasons, I conclude that the proposal, either alone or in combination with other plans or projects, would not have a likely significant effect on the integrity of the SPA, SAC and Ramsar site. I therefore find that the development accords with the Habitats Regulations.

### **Planning Balance**

31. Housing is proposed, and the Council has confirmed that it cannot currently demonstrate a five year supply of housing, with its most recent Annual Monitoring Report 2024/25 showing a supply of 1.7 years. Therefore, paragraph 11(d) of the Framework applies. Although the development falls within the zone of influence of a European Designated Site, there would be no adverse impact on the qualifying features of the site, and therefore the application of policies in the Framework that protect areas or asset of particular importance do not provide a strong reason for refusing the development proposed. Consequently, the presumption in favour of sustainable development applies as set out in paragraph 11(d)ii and permission should be granted unless any adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole.
32. The HDPF sets out a clear strategy for focussing growth on Horsham and the built-up area. The SDHD modifies this strategy by supporting development adjacent to

built-up area boundaries. The harm I have identified as arising from the proposal relates to its countryside location in respect to the spatial strategy of the Council. However, whilst not abutting a BUAB, the appeal site adjoins the edge of the settlement of Coolham. I consequently attach moderate negative weight to the degree of conflict I have identified with the development plan.

33. The delivery of nine homes, seven of which would contain two or three bedrooms, would be a significant social benefit. The provision of open space and the use of sustainable construction techniques are benefits, whilst the proposal would enhance landscaping and biodiversity and minimise flood risk. Economic benefits would accrue from the construction phase and expenditure on goods and services by future occupiers, and from the new homes bonus and CIL receipts. Positively contributing to the Council's housing land supply is a particular benefit given the Council's 1.7 year housing land supply. I therefore attach moderate positive weight to the benefits that the scheme delivers.
34. Although the SPNP was 'made' on 23 June 2021 and is less than five years old, paragraph 4.2 of the Plan confirms that it does not allocate sites nor establish a housing target for the parish. Consequently, the guidance at paragraph 14 of the Framework, that the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits, does not apply.
35. Taking all matters into account, the adverse impacts of granting 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 11(d) of the Framework.

### **Conditions**

36. The Framework sets out that conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. I have assessed the suggested list of conditions on this basis.
37. It is necessary to confirm the standard time limit for the development, and to specify the approved plans and drawings, for the avoidance of doubt and in the interest of certainty.
38. To minimise nuisance and highway danger during construction, set-up details for the site should be approved and implemented. It is necessary for this to be a pre-commencement condition in order that the site set-up is undertaken at the outset.
39. To ensure that the site is suitably drained and to minimise flood risk, a detailed drainage strategy should be approved and implemented. This should be a pre-commencement condition so that the construction phase can incorporate the necessary mitigation measures.
40. To minimise the risk of contamination, the appellant's proposed mitigation measures should be fully implemented during the course of construction.
41. To protect the character and appearance of the area, existing trees and hedgerows which are to be retained should be fully protected during the course of construction.

42. In the interests of biodiversity, mitigation and enhancement measures should be implemented during the course of the development.
43. In the interests of the character and appearance of the area, the building materials, surface materials, boundary treatment and landscaping arrangements shown on the appellant's plans should be implemented in full.
44. To ensure appropriate living conditions, noise mitigation measures must be installed in the dwellings, and no external lighting installed except with the approval of the Council.
45. Water usage should be controlled and full fibre broadband connections provided, in accordance with Policy 37 of the HDPF.
46. In the interests of pedestrian safety, the proposed offsite enhancements, including dropped kerbs and tactile paving, should be implemented in full.
47. To facilitate highway safety and refuse collection, car and cycle parking and bin storage should be provided in accordance with the submitted plans and thereafter maintained. It is not necessary to condition the provision of electric vehicle charging since it is covered by the Building Regulations.
48. Given the countryside location of the site, it is appropriate to remove permitted development rights to extend the dwellings, so that future extensions can be controlled.

### **Conclusion**

49. The proposed development would conflict with the development plan. However, other material considerations, including the presumption in favour of sustainable development as defined in the Framework, indicate that a decision should be made other than in accordance with the development plan. I therefore conclude that the appeal should be allowed.

*J Heppell*

INSPECTOR

### **Schedule of Conditions**

1. The development hereby permitted shall begin before the expiration of three years from the date of this permission.
2. The development hereby permitted shall be carried out in strict accordance with the following list of approved plans:
  - 24064/P101F – Proposed Site Layout
  - 24064/P110A – Plots 1-3 Proposed Floor Plans & Elevations
  - 24064/P111A – Plots 4 & 5 Proposed Floor Plans & Elevations
  - 24064/P112A – Plot 6 Proposed Floor Plans & Elevations
  - 24064/P113A – Plot 7 Proposed Floor Plans & Elevations
  - 24064/P114B – Plot 8 Proposed Floor Plans & Elevations
  - 24064/P115 – Plot 9 Proposed Floor Plans & Elevations
  - 24064/P116B – Proposed Ancillary Buildings Floor Plans & Elevations
3. No development shall take place, including any works of demolition, until the following construction site set-up details have been submitted to, and approved in writing by, the Local Planning Authority.
  - i. the location for the loading and unloading of plant and materials, site offices, and storage of plant and materials, including any stripped topsoil.
  - ii. the provision of wheel washing facilities and dust suppression facilities.The approved details shall be adhered to throughout the construction period.
4. No development shall commence until a drainage strategy detailing the proposed means of surface water disposal has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.
5. The recommendations contained in the Desk Study Report prepared by Geo-Environmental shall be implemented in full throughout the course of the development.
6. The tree protection measures set out in the Arboricultural Method Statement prepared by Challice Consulting Ltd shall be in place throughout the construction phase.
7. The ecological mitigation and enhancement measures set out in the Preliminary Ecological Appraisal prepared by Ecology Partnership shall be implemented in full both during and after the construction phase.
8. Building and surface materials and boundary treatment shall be as shown in Drawing Nos 24064/P102B, 24064/P103C and 24064/P104C unless otherwise agreed with the Local Planning Authority.
9. The landscaping scheme shown in Drawing No CWLD-DH-CR-2451-01A shall be fully implemented in accordance with the approved details within the first planting season following the first occupation of any part of the development. Unless otherwise agreed as part of the approved landscaping, no trees or hedges on the site shall be wilfully damaged or uprooted, felled/removed, topped or lopped without the previous written consent of the Local Planning Authority until 5 years after completion of the development. Any proposed planting, which within a period of 5 years, dies, is removed, or becomes seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.
10. The noise mitigation measures in the Noise Impact Assessment prepared by Acoustic South East shall be installed in the dwellings hereby permitted and thereafter retained.

11. No external lighting or floodlighting shall be installed other than with the permission of the Local Planning Authority by way of formal application.
12. The dwellings hereby permitted shall meet the optional requirement of building regulation G2 to limit the water usage of each dwelling to 110 litres per person per day. The water limiting measures shall thereafter be retained.
13. Prior to the first occupation of any dwelling, the necessary in-building physical infrastructure and external site-wide infrastructure to enable superfast broadband speeds of 30 megabytes per second through full fibre broadband connection shall be provided to the premises.
14. Prior to the occupation of any of the dwellings hereby permitted, the offsite highway works shown in Drawing Nos 24064/P101F and 2407079-02 shall have been completed.
15. No dwelling hereby permitted shall be occupied until car and cycle parking and bin storage associated with that dwelling have been provided in accordance with the approved details. The areas of land so provided shall thereafter be retained for that purpose.
16. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (and/or any Order revoking and/or re-enacting that Order no development falling within Classes A, AA, B, C and E of Part 1 of Schedule 2 of the Order shall be erected, constructed or placed within the curtilages of the dwellings hereby permitted without express planning consent from the Local Planning Authority first being obtained.

End of schedule

Angela Moore  
SLR Consulting  
Mountbattan House  
1 Grosvenor Square  
Southampton  
SO15 2JU

Application Number: DC/24/1966

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

On behalf of: Luke Eldridge Devine Homes PLC

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

**Erection of 9no. 2-, 3- and 4-bedroom dwellings, including a mix of houses and bungalows, together with access from Cowfold Road, vehicle and cycle parking, landscaping and open space, and sustainable drainage**

**Land North of Cowfold Road Coolham West Sussex**

as shown on Plan and Application Number DC/24/1966 submitted to the Council on 08/01/2025. The reasons for the Council's decision to refuse to permit the above works are specified hereunder.

- 1 The development would be sited within an unsustainable location in the countryside, outside of a defined built-up area boundary, and on a site not allocated for housing development within the Horsham District Planning Framework, or a made Neighbourhood Plan. Furthermore, the proposed development is not essential to its countryside location. Notwithstanding the absence of a five-year land housing supply, and the provisions of the National Planning Policy Framework (2023) 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 Policies 1, 2, 3, 4 and 26 of the Horsham District Planning Framework (2015) and Policy Ship HD1 of the Shipley Parish Neighbourhood Plan 2019-2031.
- 2 The development as a result of the quantum, layout and resulting plot sizes, would represent an overtly formal and suburban form of development that would detract from the informal rural character of the site and surroundings. The proposed development would fail to protect, conserve, or enhance the landscape character and intrinsic qualities of the countryside setting, and as a result would fail to integrate well with the surroundings. The development would therefore be contrary to Policies 25, 26, 32 and 33 of the Horsham District Planning Framework (2015) and Policy Ship HD3 of the Shipley Parish Neighbourhood Plan 2019-2031.

**Schedule of plans/documents:**

| <b>Plan Type</b>       | <b>Description</b>                                                                     | <b>Drawing Number</b>    | <b>Received Date</b> |
|------------------------|----------------------------------------------------------------------------------------|--------------------------|----------------------|
| Plans                  | Swept Path Analysis Refuse Vehicle                                                     | 2407079-TK02 Rev A       | 11.04.2025           |
| Plans                  | Swept Path Analysis Refuse Vehicle                                                     | 2407079-TK01 Rev A       | 11.04.2025           |
| Site plan              | Coloured Site Layout                                                                   | 24064/C101B              | 11.04.2025           |
| Site plan              | Proposed Site Layout Roof Level                                                        | P101 F                   | 11.04.2025           |
| Plans                  | Proposed Landscaping Arrangements                                                      | CWLD-DH-CR-2451-01 Rev A | 11.04.2025           |
| Elevation & Floor plan | Proposed Ancillary Buildings Floor Plans & Elevations                                  | P116 B                   | 14.03.2025           |
| Plans                  | Proposed Offsite Highway Improvements                                                  | 2407079-02               | 05.02.2025           |
| Location plan          | Proposed Location Plan                                                                 | S101                     | 14.03.2025           |
| Site plan              | Existing Site Survey                                                                   | S102                     | 14.03.2025           |
| Plans                  | Coloured Streetscenes                                                                  | 24064/C102A              | 14.03.2025           |
| Site plan              | Proposed Site Layout Building Materials Plan                                           | P102 A                   | 14.03.2025           |
| Site plan              | Proposed Site Plan Surface Materials Plan                                              | P103 B                   | 14.03.2025           |
| Site plan              | Proposed Site Layout Boundary Treatment Plan                                           | P104 B                   | 14.03.2025           |
| Plans                  | Proposed Street Scene                                                                  | P105 A                   | 14.03.2025           |
| Elevation & Floor plan | Plot 7 Proposed Floor Plans & Elevations                                               | P113 A                   | 14.03.2025           |
| Elevation & Floor plan | Plot 6 Proposed Floor Plans & Elevations                                               | P112 A                   | 14.03.2025           |
| Elevation & Floor plan | Plot 9 Proposed Floor Plans & Elevations                                               | P115                     | 14.03.2025           |
| Elevation & Floor plan | Plot 8 Proposed Floor Plans & Elevations                                               | P114 B                   | 14.03.2025           |
| Elevation & Floor plan | Plots 4 & 5 Proposed Floor Plans & Elevations                                          | P111 A                   | 14.03.2025           |
| Elevation & Floor plan | Plots 1-3 Proposed Floor Plans & Elevations                                            | P110 A                   | 14.03.2025           |
| Supporting Statement   | TN01 - Water Neutrality Strategy by Motion dated 28 November 2024                      | 1dhcoo/2410016           | 17.12.2024           |
| Supporting Statement   | Reptile Presence/Likely Absence Survey 2024 by Ecology Partnership dated November 2024 | NONE                     | 17.12.2024           |
| Supporting Statement   | Transport Statement by Motion dated December 2024                                      | decool/2407079 V2        | 17.12.2024           |
| Supporting Statement   | Preliminary Ecological Appraisal by                                                    | NONE                     | 17.12.2024           |

|                      |                                                                                                                              |                        |            |
|----------------------|------------------------------------------------------------------------------------------------------------------------------|------------------------|------------|
|                      | Ecology Partnership dated November 2024                                                                                      |                        |            |
| Supporting Statement | Energy & Sustainability Statement by Doherty Energy dated 12 December 2024                                                   | E1471-ESS-00           | 17.12.2024 |
| Supporting Statement | Desktop Study by Geo-Environmental Services Limited dated 27.11.2024                                                         | GE22819/DSR/N OV24 1.0 | 17.12.2024 |
| Supporting Statement | Dormouse Study by The Ecology Partnership dated November 2024                                                                | NONE                   | 17.12.2024 |
| Supporting Statement | Flood Risk Assessment and Drainage Strategy by Motion dated 18.11.2024                                                       | 1dhcoo/2410016         | 17.12.2024 |
| Supporting Statement | PM2.5 Assessment by Omnia dated June 2025                                                                                    | C11247/AQ/1.1          | 05.06.2025 |
| Supporting Statement | TN03 - 2nd Response to HDC Comments on DC/24/1966 - 26 June 2025 by Motion dated 26 June 2025                                | 1dhcoo/2410016         | 27.06.2025 |
| Supporting Statement | Noise Impact Assessment by Acoustic South East dated 03.06.2025                                                              | J4031 Issue 2          | 05.06.2025 |
| Supporting Statement | TN02 - Response to HDC Comments on DC/24/1966 - 29 May 2025 by Motion dated 29 Msu 2025                                      | 1dhcoo/2410016         | 03.06.2025 |
| Supporting Statement | Flood Risk Assessment and Drainage Strategy by Motion dated 18 November 2024                                                 | 1dhcoo/2410016         | 25.02.2025 |
| Supporting Statement | Tree Survey Arboricultural Impact Assessment Arboricultural Method Statement by Chalice Consulting Ltd dated 15 October 2024 | AR5529                 | 17.12.2024 |

**Note To Applicant:**

Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received, in order to be able to, where possible, grant permission.



Emma Parkes  
Head of Development and Building Control

Date: 20/08/2025

## **ADDITIONAL INFORMATION**

### **Right of Appeals**

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

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

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

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

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

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



## **DELEGATED APPLICATIONS - ASSESSMENT SHEET**

### **APPLICATION NO./ADDRESS:**

DC/24/1966

Land North of , Cowfold Road, Coolham, West Sussex,

### **DESCRIPTION:**

Erection of 9no. 2-, 3- and 4-bedroom dwellings, including a mix of houses and bungalows, together with access from Cowfold Road, vehicle and cycle parking, landscaping and open space, and sustainable drainage

### **RELEVANT PLANNING HISTORY:**

SP/2/01

Vehicular access

Application Permitted on 06.03.2001

### **DESCRIPTION OF THE SITE**

The application site is located to the north of Coolham Road, outside of any designated built-up area boundary. The site is therefore located within the countryside in policy terms. The site is located to the east of the ribbon of development comprising the unclassified settlement of Coolham, which it is noted is proposed to be classified as a Secondary Settlement within the Draft Local Plan. The site would however remain outside of the boundaries of the Secondary Settlement, albeit bordering it in part to both the east and west.

The site comprises agricultural land bound by trees and hedgerows to the north, south and west. An access track is located to the east of the site, with a cluster of residential dwellings located further beyond. A pond is sited to the north-western of the site, with the wider surroundings comprising enclosed agricultural land and hedgerow belts.

### **DESCRIPTION OF THE APPLICATION**

The application site seeks full planning permission for the erection of 9no. residential dwellings, along with access from Cowfold Road and associated parking, landscaping, and open space.

The proposed dwellings would comprise a mix of single and two storey detached and link attached dwellings which would be arranged around a central access road. Each dwelling would benefit from private amenity space and parking spaces, including garages. Areas of open space would be provided to the north and south of the site, along with 2no. attenuation ponds.

### **RELEVANT PLANNING POLICIES**

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

#### **Horsham District Planning Framework (2015):**

Policy 1 - Strategic Policy: Sustainable Development

Policy 2 - Strategic Policy: Strategic Development

Policy 3 - Strategic Policy: Development Hierarchy

Policy 4 - Strategic Policy: Settlement Expansion

Policy 7 - Strategic Policy: Economic Growth

Policy 15 - Strategic Policy: Housing Provision

Policy 16 - Strategic Policy: Meeting Local Housing Needs

Policy 24 - Strategic Policy: Environmental Protection  
Policy 25 - Strategic Policy: The Natural Environment and Landscape Character  
Policy 26 - Strategic Policy: Countryside Protection  
Policy 27 - Settlement Coalescence  
Policy 31 - Green Infrastructure and Biodiversity  
Policy 32 - Strategic Policy: The Quality of New Development  
Policy 33 - Development Principles  
Policy 35 - Strategic Policy: Climate Change  
Policy 36 - Strategic Policy: Appropriate Energy Use  
Policy 37 - Sustainable Construction  
Policy 38 - Strategic Policy: Flooding  
Policy 40 - Sustainable Transport  
Policy 41 - Parking

**Shipley Neighbourhood Plan (2019-2031):**

Policy Ship HD1 – New Housing Development  
Policy Ship HD2 – Housing Mix  
Policy Ship HD3 – High Quality Design  
Policy Ship TT1 – Active Travel  
Policy Ship CO3 – Broadband and Mobile Reception

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

The Council is currently unable to demonstrate a five year supply of deliverable housing sites, with the supply currently calculated as being 2.9 years. The presumption in favour of development within Paragraph 11d) of the NPPF therefore applies in the consideration of all applications for housing development within the District (unless footnote 7 or Paragraph 14 applies to relevant applications), with Policies 2, 4, 15 and 26 now carrying only moderate weight in decision making.

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

**Horsham District Local Plan (2023-40) (Regulation 19):**

Strategic Policy 1: Sustainable Development  
Strategic Policy 2: Development Hierarchy  
Strategic Policy 3: Settlement Expansion  
Strategic Policy 6: Climate Change  
Strategic Policy 7: Appropriate Energy Use  
Strategic Policy 8: Sustainable Design and Construction  
Strategic Policy 9: Water Neutrality  
Strategic Policy 10: Flooding  
Strategic Policy 11: Environmental Protection  
Strategic Policy 12: Air Quality  
Strategic Policy 13: The Natural Environment and Landscape Character  
Strategic Policy 14: Countryside Protection  
Strategic Policy 15: Settlement Coalescence  
Strategic Policy 17: Green Infrastructure and Biodiversity  
Strategic Policy 19: Development Quality  
Strategic Policy 20: Development Principles  
Strategic Policy 24: Sustainable Transport  
Policy 25: Parking  
Strategic Policy 37: Housing Provision  
Strategic Policy 38: Meeting Local Housing Needs

Policy 39: Affordable Housing  
Policy 40: Improving Housing Standards in the District

**Supplementary Planning Guidance:**

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

**Shipley Parish Design Guidance**

**Planning Advice Notes:**

Facilitating Appropriate Development  
Biodiversity and Green Infrastructure

**REPRESENTATIONS AND CONSULTATIONS RESPONSES**

Where consultation responses have been summarised, it should be noted that Officers have had consideration of the full comments received, which are available to view on the public file at [www.horsham.gov.uk](http://www.horsham.gov.uk)

**Consultations:**

**INTERNAL CONSULTATIONS**

**HDC Arboricultural Officer:** No Objection: -

The direct arboricultural impacts are limited to the removal of hedging for access and sightlines. Indirect impacts associated with pressures for pruning/felling to improve light levels/separation to new housing would be within reasonable limits for greenfield development planning.

No significant arboricultural concerns subject to appropriate protection measures being implemented and maintained for the duration of development.

**HDC Drainage Engineer:** Comment: -

The total site area, with pre- and post- development permeable and impermeable areas have been provided. Supporting plans with calculations should also be provided to support this.

The drainage strategy restricts flow to 2l/s. The applicant should provide justification for the proposed flow rates through demonstrating an attempt to provide betterment to the existing greenfield rate with consideration of a practical orifice control size.

A detailed drainage layout plan is required that references all assets showing characteristics such as; pipe sizes and materials, gradients, and manhole type, depth, size, SuDS dimensions, materials and depths. This should correspond/cross reference with the drainage network model.

There is conflicting information shown on the Proposed Site Layout Surface Material Plan and the Drainage Strategy Plan. The area of tarmac on the Proposed Site Layout Surface Material Plan is shown as permeable paving with storage on the Drainage Strategy Plan. As this permeable paving provides surface water attenuation, this must be clarified as it directly impacts the drainage strategy. This relevant plan must be revised with the correct information.

The Drainage Strategy Plan does not show the incoming pipe to the southern SuDS basin, and it is unclear which area of the development drains to this pond. If this southern basin is proposed as offline storage, it must be clearly demonstrated. The incoming pipe should be clearly shown on the Drainage Strategy Plan and must align with the MicroDrainage model.

Technical drainage details must be provided at this stage or can be conditioned at the next stage. This is including but not limited to, detailed sections through the permeable paving, attenuation ponds, and flow control manhole.

As the outfall is to the northern watercourse, the design calculations must show consideration of a surcharged scenario and consider the expected water level of the receiving watercourse in the design event.

The existing pond located outside the site to the north west retains water by an area of raised land on the eastern side of the pond up to 17.75 mAOD, which is above the ground levels across part of the site. The surface water maps in the FRA use superseded EA data and should be updated with the new EA Risk of Flooding from Surface Water data (released January 2025). It is noted that there are existing flood risk concerns at the site, and it is recommended that the LLFA are consulted if required. A detailed foul water drainage layout is required, showing pipe sizes, materials, gradients, and outfall location.

Welcome the provision of above ground storage as this can provide amenity and biodiversity benefits.

**Drainage Consultant (Subsequent Response dated 08.07.2025):** Satisfied with the information provided. Condition recommended.

**HDC Environmental Health:** Objection: -

Road traffic noise from the heavily trafficked A272, located in close proximity to the site's southern boundary, was very noticeable. Where this is the case and residential development is proposed in close proximity to a predominant source of noise we would reasonably expect the application to be supported by a noise impact assessment which quantifies and assesses the impact of road traffic noise on residential amenity and, crucially, provides the LPA with confidence that noise levels, both internally and in proposed amenity spaces, are capable of being mitigated through conditions.

A report of the nature has not however been submitted with the proposals – it has therefore not been adequately demonstrated that road traffic noise will not give rise to adverse impacts on the amenity of future occupants of the proposed dwellings.

In addition to the above, given the close proximity of the A272 it is our expectation that the layout of the development is designed in accordance with ProPG: Planning & Noise. In particular that the dwellings have appropriate layout, both internally and externally, with amenity spaces suitably screened and bedrooms/living rooms not overlooking the A272. From reviewing the proposed layout we are however not convinced that the layout as currently proposed presents good acoustic design as detailed in ProPG.

Given the development proximity to the A272, and the PM2.5 Interim Planning Guidance published in October 2024, would like to request that that applicant provide evidence in that they have identified key sources of air pollution within their schemes and taken appropriate action to minimise emissions of PM2.5 and its precursors as far as is reasonably practicable.

Queries regarding the Water Neutrality Statement, specifically the rainwater harvesting system and proposed borehole.

Satisfied with the conclusions of the Geo-Environmental Services Ltd Desk Study Report dated 27.11.2024. Agree that a ground investigation should be undertaken to confirm ground conditions on the site and fully assess the risks to future site users.

During site clearance, preparation and construction there is the potential for local residents to experience adverse impacts from noise, dust and construction traffic movements. These should be minimised and controlled by the developer and a construction environmental management (CEMP) plan is recommended.

**HDC Environmental Health (Subsequent Response dated 09.07.2025):** No Objection subject to conditions: -

From reviewing the above report we note that with windows open internal noise levels in plots 1, 2 and 3 will be above the internal noise criteria detailed as in BS 8233: 2014 (Guidance on sound insulation and

noise reduction for buildings). Individual noise events in these plots is also likely to exceed 45 dB LMax more than 10 times a night which is also not compliant with the above mentioned guidance.

In order to achieve acceptable internal noise levels and prevent overheating windows on the façades of the above plots which face the A272 would need to be kept closed and ventilation systems would need to be installed and maintained for the lifetime of the development.

Given the comments above, are therefore not entirely convinced that the layout represents good acoustic design, as detailed in with ProPG – Planning and Noise. Looking at the layout of the site from a purely acoustic perspective there seems to be adequate space within the footprint of the development to reduce the size of plots 4 to 9 and then move plots 1 to 3 to the north so that they are not located in the noisiest part of the development. This would obviate the need for mitigation measures in the noise affected plots and the costs of maintaining these measures for the lifetime of the development. Conditions are however recommended.

Environmental Health have reviewed the Geo-Environmental Services Ltd Desk Study Report, dated 27.11.24. Satisfied that the preliminary risk from contamination to future site users have been adequately assessed. Agree with the conclusions in the above-mentioned report in that a ground investigation should be undertaken to confirm ground conditions on the site and fully assess the risks to future site users. These investigations can be subject of appropriately worded planning conditions.

During site clearance, preparation and construction there is the potential for local residents to experience adverse impacts from noise, dust and construction traffic movements. These should be minimised and controlled by the developer and a construction environmental management (CEMP) plan is recommended as a condition.

**HDC Landscape Architect (Initial Response):** Comment

Overall, judge that there is capacity to accommodate development within the application site owed to the surrounding context.

The application has not been supported by the submission of a Landscape and Visual Appraisal (LVA). Whilst an assessment of the landscape character and visual impacts are useful in informing the design decisions for the proposed development, we the site's location within the village of Coolham and the very limited potential visual receptors.

The only available viewpoint into the site is the south-eastern entrance from the A272 Cowfold Road, utilising an existing entrance and therefore reducing the potential effects on landscape features and views in.

The site connects the two neighbouring built-up area boundaries (BUAB) associated with Coolham, filling the 50m~ gap that resides between adjacent dwellings and William Pen School. Whilst not within the BUAB, the site would not be perceived as extending into the wider countryside. This reduces the potential landscape and visual effects of the proposed development.

**HDC Landscape Architect (Subsequent Response dated 28.03.2025):** Comment: -

The revised layout is less car dominant and has introduced changes including a shared use surface, additional tree planting, and more planting around the basis, which is welcomed.

Additional recommendations have not been included and should still be considered.

**HDC Landscape Architect (Subsequent Response dated 25.04.2025):** Comment: -

Welcome the additional area of footpath, improving pedestrian access between the shared use surfaces. Outstanding concerns with tree planting details and boundary treatment plan.

**HDC Waste Services:** No Objection, suggest bin collection point and drag line for each property.

## OUTSIDE AGENCIES

**WSCC Fire Services:** Comment and conditions recommended

**Ecology Consultant (Initial Response dated 24.04.2025):** Recommend Grant Permission subject to conditions.

Understand from the submitted documents that the site comprises grassland, bramble scrub, with a nearby pond and bordering hedgerows that provides suitable foraging and commuting habitat for bats. It is our understanding that only a small section of Bramble scrub will be removed to enable the proposals. Therefore, there will be no severance to the flight lines of foraging or commuting bats from The Mens SAC and habitat connectivity within the site will be maintained.

Believe there will therefore be no Likely Significant Effect on the designation features of the Sussex bat SACs.

Note the 2024 Dormouse Survey (Ecology Partnership, November 2024) has undertaken further Dormouse surveys and has identified Dormouse presence. As such work will need to be carried out under a European Protected Species Mitigation Licence and a copy of the licence submitted to the LPA as proof, secured by a condition of any consent. Satisfied with the outlined precautionary mitigation measures detailed within the 2024 Dormouse Survey (Ecology Partnership, November 2024) are appropriate and detail how this European Protected Species can be sufficiently mitigated and compensated for.

Have reviewed the Reptile Presence/Likely Absence Survey 2024 (Ecology Partnership, November 2024), which identified low populations of Grass Snake and Slow Worm. The document recommends creating a receptor site within the blue line boundary, which will require a localised translocation. Satisfied this is an appropriate strategy and recommend it is detailed within a reptile mitigation strategy and secured by a condition of any consent.

Satisfied that there is sufficient ecological information available to support determination of this application. This provides certainty for the LPA of the likely impacts on designated sites, protected and Priority species & habitats and, with appropriate mitigation measures secured, the development can be made acceptable.

The mitigation measures identified in the Preliminary Ecological Appraisal (Ecology Partnership, November 2024) should be secured by a condition of any consent and implemented in full. This is necessary to conserve and enhance protected and Priority species particularly those recorded in the locality.

If external lighting is required, support the recommendation that a Wildlife Friendly Lighting Strategy is implemented for this application (Preliminary Ecological Appraisal (Ecology Partnership, November 2024), to avoid impacts from light disturbance. This should be secured by a condition of any consent and implemented in full.

also support the proposed reasonable biodiversity enhancements for protected, Priority and threatened species, which have been recommended to secure net gains for biodiversity, as outlined under Paragraph 187d and 193d of the National Planning Policy Framework (December 2024). The reasonable biodiversity enhancement measures should be outlined within a separate Biodiversity Enhancement Strategy and should be secured by a condition of any consent. This will enable LPA to demonstrate its compliance with its statutory duties including its biodiversity duty under s40 NERC Act 2006 (as amended). Impacts will be minimised such that the proposal is acceptable, subject to the conditions below based on BS42020:2013. We recommend that submission for approval and implementation of the details below should be a condition of any planning consent.

**Natural England:** No Objection subject to appropriate mitigation being secured by condition

In order to mitigate these adverse effects and make the development acceptable, the following mitigation measures are required / or the following mitigation options should be secured:

- Measures to ensure that Heathtolt Farm reduces their reliance upon the mains water supply in perpetuity.
- On-site water efficiency measures

Advise that an appropriate planning condition or obligation is attached to any planning permission to secure these measures.

**Southern Water (Initial Response dated 24.02.2025):** Comment: -

There is currently adequate capacity in the local sewerage network to accommodate a foul flow of 0.008 l/s for the above development at manhole reference TQ12220805. Please note that no surface water flows (existing or proposed) can be accommodated within the existing foul sewerage system unless agreed by the Lead Local Flood Authority in consultation with Southern Water, after the hierarchy Part H3 of Building Regulations has been complied with.

**WSCC Highways (Initial Response):** Comment: -

The site is located in the small village of Coolham, and a new access will be created off the A272 Cowfold Road. Visibility splays of 2.4m x 43m in both directions are achieved within the highway, and these are acceptable given the road here has a 20mph speed limit.

The location of the new access currently serves as an access track to The West Wing at Home Farm (a cluster of converted farm buildings). The creation of the access for nine dwellings here will incorporate this track and give way markings are proposed to alert drivers to vehicles entering or exiting from this location.

Whilst its use is likely to be low WSCC would recommend any existing vegetation is removed to ensure visibility is good in all directions so that vehicles using the access to the West Wing can see if a car is emerging from the garden access. We are also of the view that visibility between the existing access at The West Wing and the garden access will be improved by the changes.

Due to the low level of movements from both proposed and existing uses and that speeds will be low due to the 20mph speed limit on the A272 Coolham Road, WSCC raise no issues with this access.

WSCC are satisfied with the use of TRICS data and raise no issues with the increase in trips generated by this development on the operation of the highway network. Given that Coolham Village does not have much to offer in the way of amenities it is felt that the number of person trips (quoted at 74 two-way) may be lower as a result, however the applicant should ensure safe access to the village amenities from the site is made available.

The site will provide a footway on the western side of the access and will transfer into a shared surface layout. Given the small number of movements WSCC are supportive of this. From the site access a small section of footway is provided on the A272, and an informal crossing point is provided with dropped kerbs and tactile paving to link to the existing footway on the southern side of the road. This provides a route into the centre of Coolham where there is a pub, school, car garage, barbers, and village hall.

Whilst the Applicant provides an informal crossing outside the site there is no assistance provided at the crossroads such as dropped kerbing or tactile paving to provide a safe crossing point to the local school. Should families move into the new homes this would not be very sustainable. Whilst the village does not offer much in the way of amenities a safe route to the school should be a priority and we would expect to see some additional off-site works, such as dropped kerbs and tactile paving provided as described above.

**WSCC Highways (Subsequent Response dated 24.02.2025):** Comment: -

An off-site highway works plan to include informal crossing points on the A272 and B2129, had been submitted. Plan 2407079-02 – proposed offsite highway improvements provided by Motion for Devine Homes PLC can be covered by a suitable worded condition and delivered via the s278 process.

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The site will provide a footway on the western side of the access and will transfer into a shared surface layout. Given the small number of movements WSCC are supportive of this. From the site access a small section of footway is provided on the A272, and an informal crossing point is provided with dropped kerbs and tactile paving to link to the existing footway on the southern side of the road. This provides a route into the centre of Coolham where there is a pub, school, car garage, barbers, and village hall.

Whilst trips will be low please can the applicant ensure details of site set up are presented to the LPA to ensure the site construction traffic is managed within the site.

#### **WSCC Highways (Subsequent Response dated 25.03.2025): Comment**

The swept path diagrams of a refuse and fire vehicle needs to be updated to show it can work with these changes. Please provide an updated swept path to the LPA. WSCC has also noticed that the proposed pedestrian footway on the western side of the development currently stops before the shared surface on the main access road.

This would mean that pedestrians are walking in the road at this point and whilst it is only a small development and vehicle movements will be low, this could be difficult for mobility impaired people. To make the site more inclusive the applicant needs to consider how a mobility or visually impaired person would be able to navigate the change in surfacing from tarmac to shared surface.

WSCC would recommend the footway extends across the driveway of the first access on the left so that pedestrians have right of way here and continue a short section alongside the carriageway next to plot 1, before dropping into the shared surface behind the rumble strips or similar surface.

#### **WSCC Lead Local Flood Authority: No Comment**

**NatureSpace:** It is considered that the proposed development is unlikely to have an impact on / would present a low risk to great crested newts and/or their habitats. However, as the development is within the red Impact Risk Zone, as modelled by district licence mapping, if approved an informative is recommended.

#### **Representations:**

45 letters of Objection have been received from 29 separate addresses, objecting to the application on the following grounds:

- Overdevelopment of the site
- Flood risk
- Unclear ownership
- Inappropriate development
- Contrary to Neighbourhood Plan
- Increased traffic and safety concerns
- Setting a precedent for additional housing developments
- Noise pollution
- Light pollution
- Issues with sewerage and drainage
- Distance from amenities
- Detrimental impact on natural environment
- Inadequate drainage
- Loss of wildlife and habitats
- Overlooking and loss of privacy
- Loss of green space and biodiversity
- Unsustainable location
- Out of keeping with the small hamlet

Parish Comments:

**Shipley Parish Council:** Objection: -

Members noted that the flood report was carried out in the summer. Local records and evidence from residents support the view that the site is severely flooded in the winter often flooding the local school. Bar the summer, this field is wet for 9 months of the year and would require a swale or similar. Inadequate flood relief plans have been submitted by the applicant that might alleviate the known issues. There is a ditch to the northern boundary but this is designed for limited run off from the field alone, and drains into the neighbours pond at Home Farmhouse. In the winter this pond burst its banks and cannot cope with any more surface water.

The Shipley Neighbourhood Plan (NHP) acknowledges that modest "in-fill" development could be consider as follows "This means our approach to planning positively for development will be through encouraging and supporting modest windfall proposals that can be satisfactorily accommodated, without undermining the quality of life for local people". This is an urbanised, large scale development that would have serious impact on the quality of life for local residents. In addition, the HDC's 2018 SHLAA notes the site is classified as "un-developable" as follows "Unless allocated for development or similar through the review of the Horsham District Planning Framework (HDPF) or via a made Neighbourhood Plan, it is considered development would be contrary to Policies 1 to 4 and 26 of the HDPF. The site is therefore assessed as 'Not Currently Developable'.

The site would impair the visual amenity enjoyed by the current neighbours and residents. The development would see several local houses overlooked and have a significant impact on their privacy.

The justification statement is unrealistic and lacks sufficient evidence to prove the site would be water neutral. For example, the applicant's statement suggests a water usage of just 84 litres per day - this is unrealistic for a modern family and has yet to be evidenced by any local authority as achievable.

The application conflicts with the Shipley NHP Policy Ship HD1: New housing development - "The proposed development delivers new affordable housing". The proposals fall short in meeting this key Policy.

The application conflicts with the Shipley NHP Sustainable Development.  
No commitment to ecological design or solutions is offered.

HUMAN RIGHTS AND EQUALITY:

The application has been considered having regard to Article 1 of the First Protocol of the Human Rights Act 1998, which sets out a person's rights to the peaceful enjoyment of property and Article 8 of the same

Act, which sets out their rights in respect to private and family life and for the home. Officers consider that the proposal would not be contrary to the provisions of the above Articles.

The application has also been considered in accordance with Horsham District Council's public sector equality duty, which seeks to prevent unlawful discrimination, to promote equality of opportunity and to foster good relations between people in a diverse community, in accordance with Section 149 of the Equality Act 2010. In this case, the proposal is not anticipated to have any potential impact from an equality perspective.

## PLANNING ASSESSMENT:

### **Principle of Development:**

The application site is located outside of any defined built-up area boundary and is therefore within the countryside in policy terms. The site is located approximately 4km from the built-up area of Billingshurst, which is defined as a Small Town and Larger Village under Policy 3 of the Horsham District Planning Framework (HDPF). These are settlements with a good range of services and facilities, strong community networks and local employment provision, together with reasonable rail and/or bus services. The settlements act as hubs for smaller villages to meet their daily needs, but also have some reliance on larger settlements/each other to meet some of their requirements.

Policy 2 of the Horsham District Planning Framework (HDPF) states that sustainable growth of the District will be met by focusing development in and around the key settlement of Horsham and allowing for growth in the rest of the District in accordance with the identified settlement hierarchy. This includes continuing 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, and managing development around the edges of existing settlements in order to prevent the merging of settlements and to protect the rural character and landscape.

Policies 3 and 4 of the HDPF direct growth within the District and define the settlement hierarchy. Policy 3 outlines that development will be permitted within towns and villages which have defined built-up areas. Any infilling and redevelopment will be required to demonstrate that it is of an appropriate nature and scale to maintain characteristics and function of the settlement in accordance with the settlement hierarchy. Policy 4 directs the growth of settlements outside of the built-up areas, and states that the expansion of settlements will be supported where: the site is allocated in the Local Plan or in a Neighbourhood Plan and adjoins an existing settlement edge; the level of expansion is appropriate to the scale and function of the settlement type; the development is demonstrated to meet the identified local housing need; 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 the development is contained within an existing defensible boundary and the landscape and townscape character features are maintained and enhanced.

In addition, Policy 26 of the HDPF outlines that 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: support the needs of agriculture or forestry; enable the extraction of minerals or the disposal of waste; provide for quiet informal recreational use; or 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 in which it is located.

Policy Ship HD1 of the Shipley Parish Neighbourhood Plan states that applications for housing developments within Shipley and Coolham villages, and Dragons Green and Brooks Green hamlets, will be considered favourably where the proposals meet all of the following criteria:

1. The proposed development is for an infill gap, or on previously developed land, within the continuity of existing buildings.

2. The proposed development will not result in the outward extension of the villages or hamlets onto greenfield land.
3. The proposed development delivers new affordable housing.
4. The proposed development reflects the scale and density of existing development in the village or hamlet where it is located.
5. The proposal development responds to Shipley Parish Design Guidance.

Policy Ship HD2 of the Shipley Parish Neighbourhood Plan states that applications for new housing in Shipley Parish should respond to the most up-to-date local housing need wherever possible, including two and three-bedroom homes as well as new affordable housing contributing to a balanced mix of housing in the Plan area.

Paragraph 82 of the NPPF states that “in rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs, including proposals for community-led development for housing. Local planning authorities should support opportunities to bring forward rural exception sites that will provide affordable housing to meet identified local needs, and consider whether allowing some market housing on these sites would help to facilitate this.”

Paragraph 83 of the NPPF continues 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 continues 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.

The term “isolated” is not defined within the National Planning Policy Framework, but case law has confirmed that it should be given its ordinary objective meaning of remote and far away from other places, buildings and people, and separate or remote from a settlement, services, and facilities. It was concluded in the Braintree Judgement that a settlement would not necessarily exclude a cluster of dwellings. The application site is located within close proximity to a number of residential dwellings and other buildings, and given this spatial context is not considered to be “isolated” in its truest sense, and does not therefore engage the considerations of paragraph 84.

The proposed development would be in conflict with the spatial strategy for housing within the development plan as set out in Policies, 2, 3, and 4 of the HDPF. In addition, the proposal would not meet any of the exceptions as identified within Policy 26 of the HDPF. The development would therefore be unacceptable in principle. It is however recognised that the Council are currently unable to demonstrate a five-year housing land supply, where the presumption in favour of sustainable development applies. The weight to be afforded the tilted balance and all other material considerations is considered in the Planning Balance and Conclusions section below.

### **Design and Appearance:**

Policies 25, 32, and 33 of the HDPF promote development that protects, conserves and enhances the

landscape and townscape character from inappropriate development. Proposals should take into account townscape characteristics, with development seeking to provide an attractive, functional and accessible environment that complements the locally distinctive character of the district. Buildings should contribute to a sense of place, and should be of a scale, massing, and appearance that is of a high standard or design and layout which relates sympathetically to the landscape and built surroundings.

Policy Ship HD1 states that applications for housing developments within Shipley and Coolham villages will be considered favourably where the proposals meet all of the following criteria, including that the proposed development will not result in the outward extension of the villages or hamlets onto greenfield land, and the proposed development reflects the scale and density of existing development in the village or hamlet where it is located. Policy Ship HD3 continues that all proposals for development in Shipley Parish are expected to respond positively to local design characteristics and features as set out in the Shipley Parish Design Guidance. New development should be of a size and scale which respects, and where possible, enhances the character of the area or locality, using materials typical of the area.

The application site comprises an undeveloped parcel of agricultural land sited to the east of the ribbon of development comprising the unclassified settlement of Coolham and to the west of the former farmstead known collectively as Home Farm. The site is surrounded by trees to the north and west, with hedgerows dividing the site to the south and east. The wider area is characterised by enclosed agricultural fields, with woodland and tree belts within the wider area.

The site is located within the J2 Broadford Bridge to Billingshurst Farmlands Landscape Character Area. The key characteristics of this Character Area include flat to gently undulating landscape drained by small tributary streams of the Adur and Arun; many scattered woods and copses; mostly small scale patterns of fields with a strong sense of enclosure, larger arable fields in parts; mostly strong network of hedgerows/shaws with mature oak standards although there has been some loss of these trees; narrow lanes; field ponds; small historic farms and some small scale ribbon development along lanes; local mix of traditional building materials, including some sandstone and Horsham stone roofing, brick and tile, and weatherboarding. Sensitivity to change in the Character Area is moderate, reflecting moderate intervisibility and moderate intrinsic landscape qualities. Key sensitivities are to any large scale housing or commercial development; large scale farm buildings; small scale incremental changes eroding character; conserve the mostly rural character of the area; ensure any new development responds to the historic settlement pattern and local design and materials; development should be well integrated with the surrounding landscape by setting it within the existing pattern of small native woodlands, hedgerows and shaws; encourage landscape improvements along the A24; conserve existing woodlands, shaws and mature hedgerow trees.

The wider built surroundings are characterised by ribbons of development fronting the public highway and positioned in close proximity to the roadway. It is recognised that there is an example of a former farmstead to the east of the application site, with an estate house and associated buildings located to the south of the application site. These properties are positioned away from the main cluster of development and are considered to be located within a transitional space that is more reflective of the informal countryside than the more suburban built development of the unclassified settlement. Given this context, the application site is considered to relate more strongly to the informal countryside character, where this is reinforced by the strong rural character of the site.

The proposed development would comprise a mix of two storey and single storey link attached and detached dwellings which would be arranged to the east and west of a central access road. The build pattern would contrast that of the immediate surroundings, with the proposed plot sizes noticeably smaller than those of nearby residential properties. The proposal would result in a formalised and urban form of development, with the quantum and scale of the development considered to detract from the informal rural character of the site and surroundings, particularly given its siting within the transitional space. The proposal would fail to protect, conserve, or enhance the landscape character of the area, where the Landscape Character Assessment emphasises the importance of responding to the historic settlement pattern, ensuring development is well integrated with the surrounding landscape. The proposal would therefore fail to protect and/or conserve and/or enhance the key features and characteristics of the landscape character area, contrary to Policies 25, 32, and 33 of the Horsham District Planning Framework (2015) and Policy Ship HD1 and HD2 of the Shipley Neighbourhood Plan 2019-2031.

## **Residential Amenity:**

Policy 32 of the HDPF states that development will be expected to provide an attractive, functional, accessible, safe, and adaptable environment that contribute a sense of place both in the buildings and spaces themselves. Policy 33 continues that development shall be required to ensure that it is designed to avoid unacceptable harm to the amenity of occupiers/users of nearby property and land.

The proposed development would be located to the east of a cluster of residential dwellings comprising a former farmstead. The development would be separated from these nearest residential dwellings by private amenity space and a parking area. The two nearest proposed dwellings would be single storey, with the distance between the proposed dwellings and the nearby residential properties considered sufficient to limit overlooking, loss of privacy, loss of natural light, and overbearing impact.

In addition, it is considered that the layout of the proposal has been designed to provide sufficient spacing and appropriate orientation to limit impact on future occupiers of the development through overlooking, loss of privacy, loss of natural light, and overbearing impact.

For these reasons, it is considered that the proposed development would result in no adverse harm to the amenities of neighbouring properties and users of land, in accordance with the above policies.

## **Highways Impacts:**

Policies 40 and 41 of the HDPF promote development that provides safe and adequate access, suitable for all users.

The proposed development seeks to install a new access onto Cowfold Road, which would extend centrally into the site. Each dwelling would benefit from 2no. parking spaces, along with cycle storage. The access arrangements have been amended over the course of the application to address concerns raised by the Local Highways Authority in respect of access for refuse and emergency vehicles and pedestrian access. Should the application have been considered acceptable in all other regards, these matters would have been further addressed.

## **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.

Circular 06/2005 identifies that the presence of protected species is a material consideration when considering a development proposal that, if carried out, would be likely to result in harm to the species or its habitat. Therefore, it is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed application, is established before planning permission is granted. Information on biodiversity impacts and opportunities should inform all stages of development, and an ecological survey is usually necessary where the type and location of development are such that the impact on biodiversity may be significant and existing information is lacking or inadequate.

The Applicant has submitted a Preliminary Ecological Appraisal by the Ecology Partnership dated November 2024, a Reptile Presence/Likely Absence Survey 2024 by the Ecology Partnership dated November 2024, and a Dormouse Survey by the Ecology Partnership dated November 2024.

Following consultation with the Council's Ecologist, it is considered that there is sufficient ecological information to support the determination of the application. The site lies approximately 9.3km east of The Mens Special Area of Conservation (SAC) and therefore lies within the 12km Wider Conservation Area for the SAC. There are no records of Barbastelle bats within 2km of the site. Only a small section of Bramble scrub would be removed to enable the proposal, and no severance to the flight lines of foraging or commuting bats from The Mens SAC would take place and habitat connectivity within the site would be maintained. It is therefore considered that no likely significant effect on the designation features of the SAC. The outlined precautionary mitigation measures detailed within the Dormouse Survey are

considered appropriate, sufficiently detailing mitigation and compensation measures. The Reptile Presence/Likely Absence Survey identified low populations of Grass Snake and Slow Worm. The document recommends creating a receptor site within the blue line boundary which will require a localised translocation. The Ecologist is satisfied this is an appropriate strategy.

Should the application be considered acceptable in all other regards, conditions would be recommended to secure the mitigation, compensation and enhancement measures as contained within the reports. Subject to such conditions, no ecology concerns are raised.

### **Water Neutrality:**

The application site falls within the Sussex North Water Supply Zone as defined by Natural England which draws its water supply from groundwater abstraction at Hardham. Natural England has issued a Position Statement for applications within the Sussex North Water Supply Zone which states that it cannot be concluded with the required degree of certainty that new development in this zone would not have an adverse effect on the integrity of the Arun Valley SAC, SPA and Ramsar sites.

Natural England advises that plans and projects affecting sites where an existing adverse effect is known will be required to demonstrate, with sufficient certainty, that they will not contribute further to an existing adverse effect. The received advice note advises that the matter of water neutrality should be addressed in assessments to agree and ensure that water use is offset for all new developments within the Sussex North Water Supply Zone.

The Applicant has submitted a Water Neutrality Statement which accepts that the existing water demand on the site is nil. The development would comprise 3no. 2-bed dwellings, 4no. 3-bed dwellings, and 2no. 4-bed dwellings. Based upon the average occupancies for these dwelling sizes, and a water demand of 84.85 litres per person per day, the development would result in an overall water demand of 1.793.27 litres per day.

The Water Neutrality Statement outlines that water credits would be purchased from a development within the water supply zone at Heathtolt Farm. It has been demonstrated that there are sufficient credits available through this scheme to address the demand arising from the development. Following consultation with Natural England, it is considered that the proposed water strategy would be sufficient to address the water demand of the development. Should the development be considered acceptable in all other regard, the water strategy would be secured through a s106 legal agreement.

### **Drainage and Flood Risk:**

Policy 38 of the HDPF states that development proposals will follow a sequential approach to flood risk management, giving priority to development sites with the lowest risk of flooding and making required development safe without increasing flood risk elsewhere. Development should, among other things, utilise drainage techniques that mimic natural drainage patterns and manage surface water as close to its source as possible.

The Applicant has submitted drainage information in the form of a Flood Risk and Drainage Strategy and additional information. Following consultation with the Council's Drainage Consultant, further information is considered necessary. Having reviewed this response, it is considered that this additional information could have been secured by condition had the development been considered acceptable in all other regards.

### **Other Matters:**

#### **Contaminated Land:**

Policy 24 of the HDPF states that developments will be expected to minimise exposure to and the emission of pollutants including noise, odour, air, and light pollution, and ensure that they address land contamination by promoting the appropriate re-use of sites and requiring the delivery or appropriate remediation.

Paragraph 187 of the NPPF states that planning decisions should contribute to and enhance the natural and local environment by preventing new and existing development from contributing to, being put at risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should remediate and mitigate despoiled, degraded, derelict, contaminated and unstable land, where appropriate. Paragraph 196 continues that planning decisions should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination.

The Applicant has submitted a Desktop Contamination Study by Geo-Environmental Services Ltd dated 27.11.2024. Following review by the Environmental Health team, it is considered that the preliminary risk from contamination to future site users has been adequately addressed. The conclusions of the Report are accepted, in that a ground investigation should be undertaken to confirm ground conditions on the site and fully assess the risks to future site users. Should the application have been considered acceptable in all other regard, this would have been secured by condition.

### Noise Impact

Policy 32 of the HDPF states that development will be expected to provide an attractive, functional, accessible, safe, and adaptable environment.

Paragraph 198 of the NPPF states that planning decisions should ensure that new development is appropriate for its location, taking into account the likely effects (including cumulative effects) of pollution on health, living conditions, and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so, they should mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development, and avoid noise giving rise to significant adverse impacts on health and the quality of life.

It is noted that the Environmental Health team have raised some concerns with regard the noise levels to Plots 1, 2, and 3, which from the information submitted within the Noise Impact Assessment, would exceed the internal noise criteria detailed within BS 8233: 2014 (Guidance on Sound Insulation and Noise Reduction for Buildings). Individual noise events in these plots is also likely to exceed 45 dB LMax more than 10 times a night, which would also not be compliant with the above mentioned guidance. Had the development been considered acceptable in all other regards, it is considered that this matter could have been addressed by condition.

### 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.

Should the application be considered acceptable, the following measures to build resilience to climate change and reduce carbon emissions would be secured by condition:

- Securing of SUDS and protection/improvement of green infrastructure
- Requirement to provide full fibre broadband site connectivity
- Refuse and recycling storage
- Biodiversity mitigation and enhancement
- Cycle parking facilities
- Electric vehicle charging points

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

## **Biodiversity Net Gain (BNG):**

Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) mandates that every development must achieve at least a 10% Biodiversity Net Gain (BNG). 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 and significant on-site enhancements will be secured over this period by way of a Legal Agreement.

The Applicant has submitted a Biodiversity Metric which demonstrates that there would be a loss of biodiversity units on the site overall, albeit that enhancements are proposed on-site. In order to achieve an acceptable percentage of net gain, the information submitted confirms that biodiversity units would be purchased through a Habitat Bank. Should the application be considered acceptable, this would be secured by the statutory condition.

## **Planning Balance and Conclusions:**

The application site is located outside of any designated built-up area boundary and is therefore within the countryside in policy terms. The proposed development would be contrary to the overarching spatial strategy expressed through Policies 3 and 4 of the HDPF, and would not be considered essential nor meet any of the defined criteria under Policy 26 of the HDPF.

The Council cannot however currently demonstrate a 5-year housing land supply, where paragraph 11 of the NPPF dictates that the tilted balance applies.

Paragraph 11 of the NPPF states that decisions should apply a presumption in favour of sustainable development. For decision making 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 permission unless:
  - i. the application or policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or
  - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

Paragraph 12 of the NPPF states that “the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.”

Paragraph 13 of the NPPF continues that the application of the presumption has implications for the way communities engage in neighbourhood planning. Neighbourhood plans should support the delivery of strategic policies contained in local plans or spatial development strategies; and should shape and direct development that is outside of these strategic policies. Paragraph 14 continues that in situations where the presumption applies to applications involving the provision of housing, the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits, provided the following apply:

- a) the neighbourhood plan became part of the development plan five years or less before the date on which the decision is made; and

- b) the neighbourhood plan contains policies and allocations to meet its identified housing requirement.

Shingley Neighbourhood Plan was made in June 2021 and therefore became part of the development plan less than five years from the date in which the decision would be made. The Neighbourhood Plan does not however include allocations to meet its identified housing requirement.

The Council have published a Facilitating Appropriate Development document which sets out the weight that can be given to current and emerging policy within the context of current legislation, national policy and guidance. This document outlines that Policies 3 and 4 of the HDPF, which set out the Council's development hierarchy and approach to settlement expansion, are still relevant and are supported by paragraph 20 of the NPPF which seeks to ensure that strategic policies identify an overall strategy for the pattern and scale of development, as well as paragraphs 83 and 84 which seek to promote sustainable development in rural areas and prevent isolated homes in the countryside. As such, and as set out in Policy 3 of the HDPF, the Council will generally support applications within built-up area boundaries where the nature and scale of development proposed does not affect the settlement's characteristics and function.

The Council recognises that it is likely to receive applications outside of defined built-up area boundaries and on unallocated sites as it is unable to demonstrate a five-year housing land supply. Given this position, and the principles behind Policy 4 of the HDPF, the Council will consider applications that meet all of the following criteria:

- The site adjoins the existing settlement edge as defined by the built-up area boundary;
- The level of expansion is appropriate to the scale and function of the settlement the proposal relates to;
- The proposal demonstrates that it meets local housing needs or will assist the retention and enhancement of community facilities and services;
- The impact of the development individually or cumulatively does not prejudice comprehensive long-term development; and
- The development is contained within an existing defensible boundary and the landscape character features are maintained and enhanced.

The Council's FAD document confirms that the Council's approach to meeting local housing needs is set out in Policy 16 of the HDPF. This sets out that the latest Strategic Housing Market Assessment should be used in establishing the housing mix provided in a new development, and that the mix should also take account established character and density of a site, as well as the viability of a scheme.

The proposed development would not however meet all of the above criteria, where the development would result in inappropriate development within the countryside. The proposal would therefore remain unacceptable in principle.

There are also concerns with regard the number of dwellings proposed and the resulting impact on the landscape character and visual amenity of the countryside location. The proposed development would comprise a mix of two storey and single storey link attached and detached dwellings which would be arranged to the east and west of a central access road. The build pattern would contrast that of the immediate surroundings, with the proposed plot sizes noticeably smaller than those of nearby residential properties. The proposal would result in a formalised and urban form of development, with the quantum and scale of the development considered to detract from the informal rural character of the site and surroundings, particularly given its siting within the transitional space. The proposal would fail to protect, conserve, or enhance the landscape character of the area, where the Landscape Character Assessment emphasises the importance of responding to the historic settlement pattern, ensuring development is well integrated with the surrounding landscape. The proposal would therefore fail to protect and/or conserve and/or enhance the key features and characteristics of the landscape character area.

It is acknowledged that the proposal would make a contribution to the housing supply, where this would be afforded weight in the planning balance. While the Council are unable to demonstrate a 5-year housing land supply, where the development would make a modest contribution to the housing supply, it is considered that this benefit would not outweigh the harm to the landscape character and amenity of the

countryside setting. It is therefore considered that the harm to the character and intrinsic qualities of the countryside setting would not be outweighed by the modest benefits arising to the housing supply. The proposal would be contrary to Policies 1, 2, 3, 4, 25, 26, 32, and 33 of the Horsham District Planning Framework (2015).

### **Recommendation: Application Refused**

#### **Reason(s) for Refusal:**

- 1 The development would be sited within an unsustainable location in the countryside, outside of a defined built-up area boundary, and on a site not allocated for housing development within the Horsham District Planning Framework, or a made Neighbourhood Plan. Furthermore, the proposed development is not essential to its countryside location. Notwithstanding the absence of a five-year land housing supply, and the provisions of the National Planning Policy Framework (2023) 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 Policies 1, 2, 3, 4 and 26 of the Horsham District Planning Framework (2015) and Policy Ship HD1 of the Shipley Parish Neighbourhood Plan 2019-2031.
  
- 2 The development as a result of the quantum, layout and resulting plot sizes, would represent an overtly formal and suburban form of development that would detract from the informal rural character of the site and surroundings. The proposed development would fail to protect, conserve, or enhance the landscape character and intrinsic qualities of the countryside setting, and as a result would fail to integrate well with the surroundings. The development would therefore be contrary to Policies 25, 26, 32 and 33 of the Horsham District Planning Framework (2015) and Policy Ship HD3 of the Shipley Parish Neighbourhood Plan 2019-2031.

#### **POSITIVE AND PROACTIVE STATEMENT**

Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received, in order to be able to, where possible, grant permission.

#### **Plans list for: DC/24/1966**

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

| <b>Plan Type</b>       | <b>Description</b>                                    | <b>Drawing Number</b>        | <b>Received Date</b> |
|------------------------|-------------------------------------------------------|------------------------------|----------------------|
| Plans                  | Swept Path Analysis Refuse Vehicle                    | 2407079-TK02<br>Rev A        | 11.04.2025           |
| Plans                  | Swept Path Analysis Refuse Vehicle                    | 2407079-TK01<br>Rev A        | 11.04.2025           |
| Site plan              | Coloured Site Layout                                  | 24064/C101B                  | 11.04.2025           |
| Site plan              | Proposed Site Layout Roof Level                       | P101 F                       | 11.04.2025           |
| Plans                  | Proposed Landscaping Arrangements                     | CWLD-DH-CR-<br>2451-01 Rev A | 11.04.2025           |
| Elevation & Floor plan | Proposed Ancillary Buildings Floor Plans & Elevations | P116 B                       | 14.03.2025           |
| Plans                  | Proposed Offsite Highway Improvements                 | 2407079-02                   | 05.02.2025           |
| Location plan          | Proposed Location Plan                                | S101                         | 14.03.2025           |

|                        |                                                                                               |                        |            |
|------------------------|-----------------------------------------------------------------------------------------------|------------------------|------------|
| Site plan              | Existing Site Survey                                                                          | S102                   | 14.03.2025 |
| Plans                  | Coloured Streetscenes                                                                         | 24064/C102A            | 14.03.2025 |
| Site plan              | Proposed Site Layout Building Materials Plan                                                  | P102 A                 | 14.03.2025 |
| Site plan              | Proposed Site Plan Surface Materials Plan                                                     | P103 B                 | 14.03.2025 |
| Site plan              | Proposed Site Layout Boundary Treatment Plan                                                  | P104 B                 | 14.03.2025 |
| Plans                  | Proposed Street Scene                                                                         | P105 A                 | 14.03.2025 |
| Elevation & Floor plan | Plot 7 Proposed Floor Plans & Elevations                                                      | P113 A                 | 14.03.2025 |
| Elevation & Floor plan | Plot 6 Proposed Floor Plans & Elevations                                                      | P112 A                 | 14.03.2025 |
| Elevation & Floor plan | Plot 9 Proposed Floor Plans & Elevations                                                      | P115                   | 14.03.2025 |
| Elevation & Floor plan | Plot 8 Proposed Floor Plans & Elevations                                                      | P114 B                 | 14.03.2025 |
| Elevation & Floor plan | Plots 4 & 5 Proposed Floor Plans & Elevations                                                 | P111 A                 | 14.03.2025 |
| Elevation & Floor plan | Plots 1-3 Proposed Floor Plans & Elevations                                                   | P110 A                 | 14.03.2025 |
| Supporting Statement   | TN01 - Water Neutrality Strategy by Motion dated 28 November 2024                             | 1dhcoo/2410016         | 17.12.2024 |
| Supporting Statement   | Reptile Presence/Likely Absence Survey 2024 by Ecology Partnership dated November 2024        | NONE                   | 17.12.2024 |
| Supporting Statement   | Transport Statement by Motion dated December 2024                                             | decool/2407079 V2      | 17.12.2024 |
| Supporting Statement   | Preliminary Ecological Appraisal by Ecology Partnership dated November 2024                   | NONE                   | 17.12.2024 |
| Supporting Statement   | Energy & Sustainability Statement by Doherty Energy dated 12 December 2024                    | E1471-ESS-00           | 17.12.2024 |
| Supporting Statement   | Desktop Study by Geo-Environmental Services Limited dated 27.11.2024                          | GE22819/DSR/N OV24 1.0 | 17.12.2024 |
| Supporting Statement   | Dormouse Study by The Ecology Partnership dated November 2024                                 | NONE                   | 17.12.2024 |
| Supporting Statement   | Flood Risk Assessment and Drainage Strategy by Motion dated 18.11.2024                        | 1dhcoo/2410016         | 17.12.2024 |
| Supporting Statement   | PM2.5 Assessment by Omnia dated June 2025                                                     | C11247/AQ/1.1          | 05.06.2025 |
| Supporting Statement   | TN03 - 2nd Response to HDC Comments on DC/24/1966 - 26 June 2025 by Motion dated 26 June 2025 | 1dhcoo/2410016         | 27.06.2025 |

|                      |                                                                                                                              |                |            |
|----------------------|------------------------------------------------------------------------------------------------------------------------------|----------------|------------|
| Supporting Statement | Noise Impact Assessment by Acoustic South East dated 03.06.2025                                                              | J4031 Issue 2  | 05.06.2025 |
| Supporting Statement | TN02 - Response to HDC Comments on DC/24/1966 - 29 May 2025 by Motion dated 29 Msu 2025                                      | 1dhcoo/2410016 | 03.06.2025 |
| Supporting Statement | Flood Risk Assessment and Drainage Strategy by Motion dated 18 November 2024                                                 | 1dhcoo/2410016 | 25.02.2025 |
| Supporting Statement | Tree Survey Arboricultural Impact Assessment Arboricultural Method Statement by Chalice Consulting Ltd dated 15 October 2024 | AR5529         | 17.12.2024 |

**DELEGATED**

Authorising Officer sign/initial Guy Everest Date: 20.08.2025



Coloured Site Layout  
Land North of Cowfold Road, Coolham

**24064 / C101B**

Scale 1:500 @ A2 April 2025