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Appellants' Statement of Case

Land To The North of Warnham Lodge Farm
Mayes Lane
Warnham
West Sussex
RH12 3SG

On Behalf of
Mr & Mrs Sharpe

Prepared by
Clare Bartlett MRTPI PISEP
c.bartlett@batchellermonkhouse.com
01798 877555

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1. INTRODUCTION

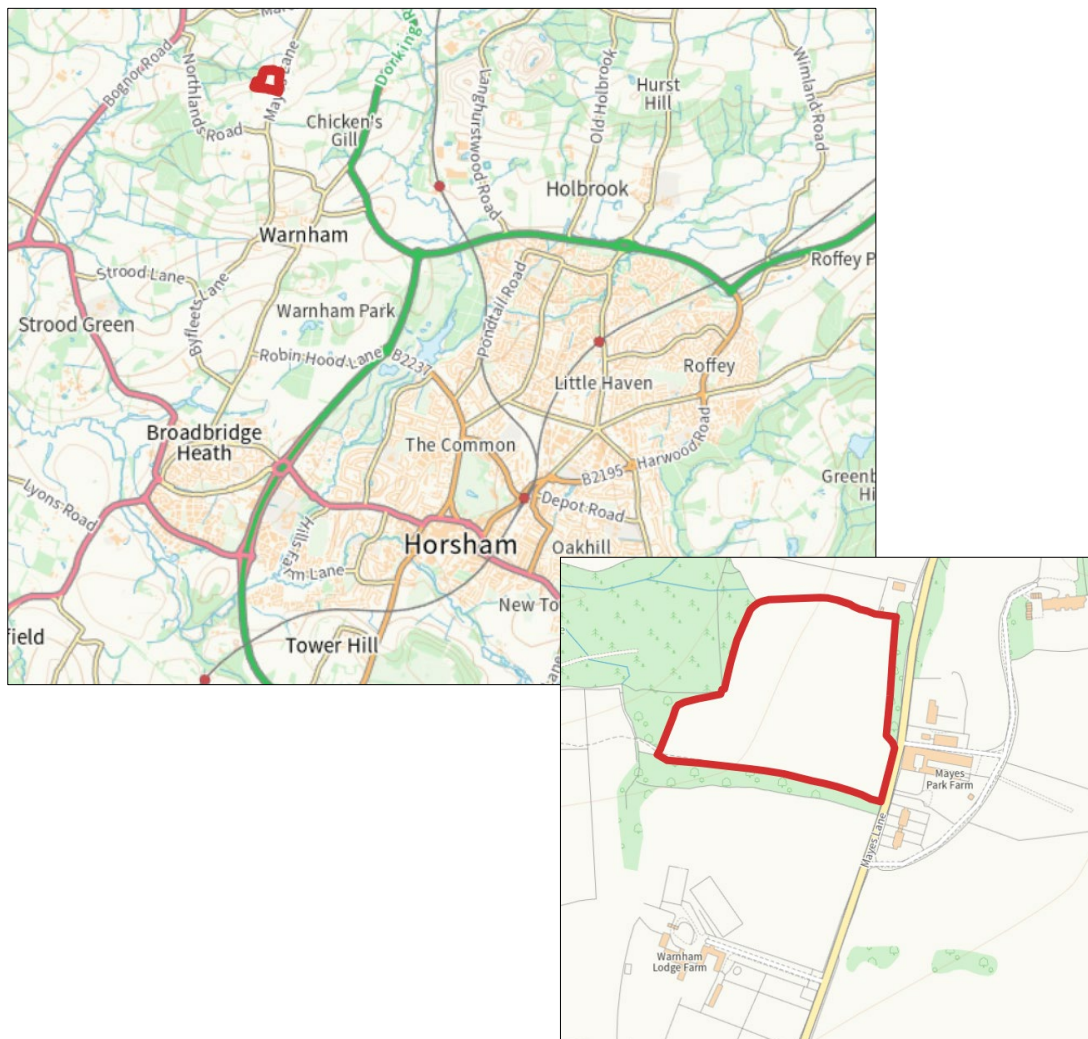
- 1.1 This Statement of Case is submitted in support of an appeal against Horsham District Council's refusal of planning permission for the erection of a self-building dwelling with associated landscaping at Land north of Warnham Lodge Farm, Mayes Lane, Warnham in West Sussex.
- 1.2 The appeal proposal comprises a single detached self-build dwelling together with ecological enhancements, landscaping, sustainable drainage infrastructure and associated access arrangements.
- 1.3 The Council refused planning permission for three reasons relating to:
- The principle of development in the countryside;
 - Alleged landscape harm; and
 - Insufficient ecological information regarding protected species.
- 1.4 The Appellants respectfully submit that the Council has failed to properly apply the presumption in favour of sustainable development contained within paragraph 11(d) of the National Planning Policy Framework (NPPF) and has overstated the extent of any landscape effects. Additional information is provided to confirm the proposal will not adversely affect protected species.

2. THE APPEAL SITE AND CONTEXT

The Appeal Site

- 2.1 The site extends to 3.5 hectares and comprises a field historically used for sheep grazing. The site is located approximately 1.6km to the north of Warnham village centre.

Figure 2.1 – Site Location



- 2.2 The site is largely screened on all sides by established trees with only glimpses possible from the existing field access and through trees on Mayes Lane.
- 2.3 The site has an existing gated field access off Mayes Lane.
- 2.4 Running alongside the southern boundary but outside of the site is footpath no. 1420.

- 2.5 The site is located to the north of Warnham Lodge, which is a large property set in substantial grounds. To the east is Mayes Lane which features cottages, houses and converted former farm buildings. To the north is a residential property known as Little Tanners and to the west is woodland known as Hoopers Copse.
- 2.6 The nearest bus stops are located at Knob Hill Corner which is a 20 minute walk away. Warnham train station is 2 miles away.

3. PLANNING BACKGROUND

Planning History

- 3.1 The appeal site has no previous planning history. The land has remained in agricultural use as grazing pasture and has not previously been the subject of any planning applications or permissions. The surrounding area has, however, seen a limited amount of residential development, including the construction of replacement and new dwellings in the vicinity, demonstrating that carefully designed residential development has been accepted within the wider locality where appropriate.

Pre-Application Engagement

- 3.2 Prior to the submission of the planning application, the Appellants sought pre-application advice from Horsham District Council. A pre-application enquiry was submitted in June 2025 in respect of the erection of a detached dwelling with associated landscaping.
- 3.3 The Council's written response acknowledged that Horsham District Council was unable to demonstrate a five-year housing land supply, such that the presumption in favour of sustainable development contained within paragraph 11(d) of the National Planning Policy Framework ("the Framework") was engaged. Officers nevertheless advised that, because the site lies outside the defined Built-Up Area Boundary and does not adjoin the settlement edge, the proposal was unlikely to receive officer support in principle.
- 3.4 The pre-application advice also raised concerns regarding the architectural approach of the original concept, concluding that the proposed Georgian-style dwelling was not sufficiently reflective of the rural character of the area. Conversely, the Council raised no significant concerns in respect of residential amenity and indicated that the existing access appeared capable of serving the development, subject to consultation with the Local Highway Authority. Advice was also provided in relation to ecology, arboriculture, biodiversity enhancement and water neutrality.
- 3.5 The Appellants carefully considered the Council's advice and substantially amended the proposals prior to the submission of the planning application. In particular:

- the dwelling was comprehensively redesigned to adopt a more traditional rural form and materials reflecting the local vernacular;
- the layout was amended to increase separation from existing trees and ancient woodland, incorporating a substantial landscaped buffer;
- the landscape proposals were expanded to include significant habitat creation and biodiversity enhancements;
- the access arrangements were refined to retain the existing access width and incorporate no-dig construction techniques to safeguard tree roots; and
- the application was supported by a comprehensive suite of technical reports addressing landscape, ecology, arboriculture, drainage and flood risk.

3.6 The application therefore represented a significantly revised proposal that sought to positively address the matters raised through the pre-application process.

The Proposal

3.7 Planning permission was sought for the erection of a single detached self-build dwelling together with associated landscaping, access works and sustainable drainage infrastructure.

3.8 The proposed dwelling adopts a simple, traditionally proportioned form with a pitched roof and materials reflective of the established rural vernacular. It is positioned centrally within the wider landholding, set well back from Mayes Lane and enclosed by substantial existing vegetation, thereby limiting its visual presence within the wider landscape.

3.9 The proposal also incorporates a comprehensive landscape strategy across the site, including native tree and scrub planting, species-rich grassland, wetland habitat creation and sustainable drainage features. Collectively, these measures are intended to integrate the development into its surroundings whilst delivering long-term ecological enhancement over and above the site's existing agricultural use.

3.10 The planning application was accompanied by a comprehensive package of supporting information, including a Planning Statement, Design and Access Statement, Preliminary Ecological Appraisal, Arboricultural Assessment, Flood Risk

Assessment, Surface Water Drainage Strategy and Landscape Plan.

Determination of the Application

- 3.11 The application received the following consultee responses:
- 3.12 Southern Water – No objection and requested a pre-commencement condition relating to foul water drainage disposal, which the Appellants agreed to. Southern Water's comments regarding SuDS and soakaways were also acknowledged along with confirmation that further investigation would take place at the detailed design stage.
- 3.13 Warnham Parish Council – The Parish Council raised an objection on a number of grounds. In particular they suggested there was a conflict with local and national planning policy. The Appellants acknowledged the proposal is not in accordance with the District Council's spatial strategy by reason of the site's location outside of a defined built-up area. However, both the Local and Neighbourhood Plans are out of date and therefore the presumption in favour of sustainable development applies.

They also suggested there is a lack of need for the dwelling. The application was submitted as a self-build dwelling which is a form of development actively supported by Government policy through the Self-build and Custom Housebuilding Act 2015 and paragraph 70 of the NPPF, which encourages local authorities to support opportunities for individuals and families to build their own homes. National policy does not require applicants for self-build housing to demonstrate an essential functional or rural worker need. The Council has a statutory duty to have regard to the demand for self-build plots on its register , and the proposal provides an opportunity to contribute towards meeting this identified demand. It is the case that the Council has not been able to deliver enough self-build plots to meet demand. It is unlikely such plots will be delivered in greater numbers as part of larger housing schemes due to the logistics of a housebuilder managing these alongside a traditional build, and therefore it is very likely that such plots can only be delivered through sites such as this.

The Parish Council also suggested there would be harm to the rural character of the areas. The Appellants acknowledged that this is always a matter of opinion, however great care has gone into the design of not just the house but the wider field within which it would sit to ensure the scheme is appropriate for this part of Warnham.

They raised concerns about traffic that would be generated by the proposals. The Highways Authority did however confirm in their formal response that they have no concerns about the proposals, commenting that the level of traffic generated by a single dwelling would be minimal and would not result in a material increase in vehicle movements that could reasonably be considered harmful to highway safety.

Concerns were also raised in relation to impacts on ecology. The application was supported by appropriate ecological information proportionate to the scale of development proposed. The site is not subject to any statutory ecological designation. The development has been designed to avoid significant harm to biodiversity and provides the opportunity to secure significant ecological enhancements through landscaping and habitat improvements. The ecological value of the site is likely to be enhanced by the scheme, in comparison with the historical grazing use of the site. In addition, NatureSpace has confirmed the scheme can be covered by a district licence.

Finally, concerns were raised regarding precedent. However, it was confirmed that each planning application must be determined on its own merits having regard to the specific characteristics of the site and the relevant planning policy context. The approval of a sensitively designed single self-build dwelling in this location would not automatically justify other forms of development elsewhere in the countryside.

- 3.14 Arboricultural Officer – No objection subject to the curtilage being defined to ensure adequate protection to the Ancient Woodland. This was provided alongside a Tree Protection Plan.
- 3.15 Highways Authority – No objection
- 3.16 Rights of Way Officer – Sought confirmation that the bridleway running along the site's southern boundary would remain unaffected. The Appellants confirmed this to be the case.
- 3.17 Place Services (Landscape) – Objection raised on the basis of the proposals resulting in a substantial localised effect, although there was acknowledgement that the surrounding woodland and field boundaries enclose the site which would limit landscape character change to the site and immediate surroundings.

The officer helpfully provided some constructive recommendations for ways in which

the scheme would be improved. The Appellant confirmed agreement to making these changes, however no response was received prior to the application being refused, These changes have however now been made and an updated Landscape Plan is submitted with this appeal for the Inspector's consideration (Drg No. 0901-P03).

- 3.18 NatureSpace – Further information was requested to demonstrate that there will be no impact to great crested newts and/or their habitat. The consultation response was only made available the day prior to the decision notice being issued which left no time to respond. The Appellants have commissioned a report from NatureSpace, a copy of which is provided as part of this appeal. The report confirms the suitability of the site to rely on District Level Licensing. A condition to ensure a licence is applied for can be imposed on any planning permission.
- 3.19 Place Services (Ecology) – No objection subject to conditions which the Appellants are agreeable to.
- 3.20 Horsham District Council (Drainage) – No objection in principle but further investigation to inform the final drainage strategy is required.
- 3.21 Horsham District Council (Arboriculture) – No objection subject to the dwelling's curtilage being defined to ensure protection to the Ancient Woodland. A plan defining the curtilage was provided which also shows a 15m planted buffer alongside the Ancient Woodland.
- 3.22 There were no objections from local residents.
- 3.23 The application was subsequently refused planning permission under delegated powers for three reasons.
- 3.24 The first reason for refusal relates to the principle of development. The Council concluded that the site lies outside the built-up area boundary, is not allocated for development within the Horsham District Planning Framework and conflicts with the spatial strategy established by Policies 2, 3, 4 and 26 of the Horsham District Planning Framework and the Warnham Neighbourhood Development Plan. The Council considered that there were insufficient material considerations to justify a departure from the development plan.
- 3.25 The second reason for refusal concerns the effect of the proposal on the character

and appearance of the countryside. The Council considered that the scale of the development, together with the subdivision of the site and the proposed landscaping, would result in harm to the rural landscape character, contrary to Policies 25, 26, 32 and 33 of the Horsham District Planning Framework.

- 3.26 The third reason for refusal relates to ecology. The Council considered that insufficient information had been provided to demonstrate that the proposal would not adversely affect protected species, in particular great crested newts, and therefore concluded that the proposal conflicted with Policy 31 of the Horsham District Planning Framework and paragraphs 187 and 193 of the National Planning Policy Framework.
- 3.27 This Appeal Statement addresses each of these reasons for refusal in turn and demonstrates that the proposed development accords with the Development Plan when read as a whole, or alternatively that material considerations, including the presumption in favour of sustainable development contained within paragraph 11(d) of the Framework, clearly weigh in favour of allowing the appeal.

Appeal Documents

- 3.28 The following documents formed part of the original planning application:

Document Ref.	Document Title	Date
157_01	Location Plan	November 2025
000	Existing Site Plan	9 December 2025
157_02	Proposed Site Block Plan	November 2025
157_03	Proposed Floor Plans	November 2025
157_04	Proposed Roof Plan	November 2025
157_05	Proposed Elevations Plans	November 2025
157_06	Outbuilding	November 2025
157_07	Materials Schedule	November 2025

157_08	Proposed Sections	November 2025
DRA_0901_P01	Proposed Landscape Plan (SUPERSEDED BY Drg No. 0901_P03)	13 November 2025
001	Indicative Curtilage Plan	
	Landscape Design Strategy	February 2026
	Planning Statement	December 2025
	Design and Access Statement	December 2025
	Flood Risk Assessment and Outline Surface Water Drainage Strategy	December 2025
	Preliminary Ecological Assessment	15 June 2025
	Tree Survey & Arboricultural Impact Assessment	February 2026
	Application and CIL Forms	15 December 2025

3.29 The following documents have been submitted in support of this appeal:

Document Ref.	Document Title	Date
	NatureSpace Impact Plan	27 July 2026
	NatureSpace District Licence Report	29 July 2026
	Tree Protection Plan	April 2026
	Biodiversity Net Gain Assessment Report and Metric	17 July 2026
Drg No. 0901 P03	Proposed Landscape Plan	13 November 2025

4. THE DEVELOPMENT PLAN AND MATERIAL CONSIDERATIONS

The Development Plan

- 4.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 4.2 For the purposes of this appeal, the statutory Development Plan comprises:
- Horsham District Planning Framework 2011-2031 (HDPF) (adopted 2015); and
 - Warnham Neighbourhood Development Plan 2017-2031 (WNDP) (made 2019)
- 4.3 Both documents are now more than five years old.
- 4.4 The appeal site lies outside the defined Built-Up Area Boundary and is identified as being within the countryside. It is not subject to any statutory landscape designation, although it adjoins ancient woodland along part of its western boundary.
- 4.5 The principal policies of the Horsham District Planning Framework relevant to this
- Policy 1: Strategic Policy: Sustainable Development
 - Policy 2: Strategic Policy: Strategic Development
 - Policy 3: Strategic Policy: Development Hierarchy
 - Policy 4: Strategic Policy: Settlement Expansion
 - Policy 15: Strategic Policy: Housing Provision
 - Policy 16: Meeting Local Housing Needs
 - Policy 24: Strategic Policy: Environmental Protection
 - Policy 25: The Natural Environment and Landscape Character
 - Policy 26: Strategic Policy: Countryside Protection
 - Policy 31: Green Infrastructure and Biodiversity

- Policy 32: The Quality of New Development
- Policy 35: Climate Change
- Policy 36: Appropriate Energy Use
- Policy 37: Sustainable Design and Construction
- Policy 40: Sustainable Transport
- Policy 41: Parking

4.6 Within the Warnham Neighbourhood Development Plan, the most relevant policies are:

- Policy W1
- Policy W5

4.7 Whilst these policies form the starting point for decision-making, they must be considered in light of current national policy and the Council's housing land supply position.

Material Considerations

4.8 The most significant material consideration in the determination of this appeal is the National Planning Policy Framework (the Framework).

4.9 Paragraph 11 establishes the presumption in favour of sustainable development. Where the policies most important for determining an application are out of date, planning permission should be granted unless either:

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

4.10 The Horsham District Planning Framework was adopted in 2015 and is now more than five years old. Furthermore, Horsham District Council is unable to demonstrate

a five-year supply of deliverable housing sites. Consequently, the policies most important for determining applications for new housing are out of date and the presumption in favour of sustainable development, commonly referred to as the tilted balance, is engaged.

- 4.11 The Framework also places considerable emphasis on significantly boosting the supply of homes. Paragraphs 61 to 78 require local planning authorities to maintain an adequate supply of deliverable housing sites, while paragraph 73 recognises that small sites can make an important contribution towards meeting housing requirements and are often capable of being delivered quickly.
- 4.12 The proposal also attracts additional weight as a genuine self-build dwelling. Paragraph 63 of the Framework identifies people wishing to commission or build their own homes as a group whose housing needs should be addressed through planning policies. Local planning authorities also have statutory duties under the Self-build and Custom Housebuilding Act 2015 to grant sufficient suitable permissions to meet identified demand.
- 4.13 The number of entries on Horsham District Council's Self and Custom Build Register of Interest has increased from 129 in 2020/21 to 176 in 2025/26, with just 55 plots granted permission over that period. Most of those plots (44) came in a single year as a result of a single planning permission which delivered 40 plots on its own.

Horsham District Council Self and Custom Build Register of Interest Report February 2026

Base Period	Dates	Individuals	Cumulative Individuals	Non-Residents	Cumulative non-residents	Residents	Cumulative residents	No. of Planning Permissions	No of Plots granted	Application Reference Numbers
1	to 30 October 2016	4	4	0	0	4	4	0	0	0
2	31 Oct 16 to 30 Oct 17	7	11	4	4	3	7	0	0	0
3	31 Oct 17 to 30 Oct 18	11	22	1	5	10	17	1	30	DC/16/1677 (30)
4	31 Oct 18 to 30 Oct 19	32	54	10	15	22	39	0	0	0
5	31 Oct 19 to 30 Oct 20	30	84	9	24	21	60	0	0	0
6	31 Oct 20 to 30 Oct 21	45	129	14	38	31	91	1	4	DC/21/0057 (4)
7	31 Oct 21 to 30 Oct 22	20	149	6	44	14	105	2	5	DC/20/2607 (4) DC/22/0827 (1)
8	31 Oct 22 to 30 Oct 23	8	157	0	44	8	113	0	0	0
9	31 Oct 23 to 30 Oct 24	9	166	4	48	5	118	1	1	DC/24/1114 (1)
10	31 Oct 24 to 30 Oct 25	6	172	2	50	4	122	4	44	DC/24/1715 (1) DC/24/1787 (1) DC/24/1300 (2) DC/23/1178 (40)
11	31 Oct 25 to 31 Jan 26	4	176	1	51	3	125	1	1	DC/25/0765 (1)
	TOTAL	176		51		125		10	85	

- 4.14 The Appellants are both entered on the Register.
- 4.15 The Council's own evidence demonstrates a persistent mismatch between demand for self-build opportunities and the supply of permissions capable of meeting that

demand. Whilst the Self-Build Register has grown steadily, only a limited number of permissions have been granted and a substantial proportion of those derive from a single larger scheme. The appeal proposal would therefore provide a genuine and immediately deliverable self-build opportunity at a time when identified demand remains unmet.

- 4.16 Other material considerations include the Council's Shaping Development in Horsham District guidance. Whilst this document provides guidance on the assessment of speculative housing proposals during the current housing land supply shortfall, it does not form part of the statutory Development Plan and cannot override the provisions of the National Planning Policy Framework. It is therefore a material consideration to which appropriate, but limited, weight should be afforded.
- 4.17 The Warnham Parish Design Statement is also a material consideration. It promotes high-quality design which reflects local vernacular, retains important landscape features and preserves the rural character of the Parish. As demonstrated elsewhere within this Statement, the appeal proposal has been specifically designed to respond to these objectives through its traditional architectural form, restrained siting, retention of existing landscape features and comprehensive ecological and landscape enhancements.
- 4.18 Finally, recent appeal decisions within Horsham District are also capable of attracting material weight where they address similar planning circumstances. A number of recent decisions have recognised that, in the context of the Council's substantial housing land supply shortfall, conflict with the spatial strategy does not automatically justify refusal where the proposal represents sustainable development and the adverse impacts do not significantly and demonstrably outweigh the benefits. These decisions are considered later in this Appeal Statement.

5. RELEVANT PLANNING HISTORY

5.1 Recent appeal decisions within Horsham District have recognised that modest countryside locations can still represent sustainable development where housing supply deficiencies exist and where some alternative transport opportunities are available.

5.2 The following examples are of appeal decisions relating to single dwelling proposals issued within the Horsham District in the last 3 years:

- APP/Z3825/W/25/3361339 – Land at Thornhill Stables, Coolham

The Inspector accepted that the proposal conflicted with the Horsham District Planning Framework's spatial strategy, being located outside the built-up area boundary and in an unsustainable countryside location where future occupiers would be largely reliant on the private car. Nevertheless, the Inspector concluded that Horsham District Council's significant housing land supply shortfall (2.9 years at the time of the decision) engaged the presumption in favour of sustainable development. Whilst the adverse effects arising from the rural location attracted moderate weight, they were outweighed by the benefits of delivering an additional dwelling. The Inspector emphasised that, in the context of the Council's acute housing shortage, even a single dwelling represents a meaningful contribution to housing supply, and accordingly allowed the appeal on 28 October 2025. The decision is attached at Appendix A.

- APP/Z385/W/24/3353401 – Wappingthorn Lodge, Steyning

In this case, the main issue, having regard to the Council's reasons for refusal, related to whether the proposed development would provide a suitable location for housing having regard to the Council's spatial strategy. The Planning Inspector found the proposal to conflict with the Council's spatial strategy in terms of the site's location. However, whilst future occupiers would have to travel by car to reach local services and facilities, the distance would be short. When considering the proposal in the planning balance, the Planning Inspector found that the level of harm and the level benefit carry a comparable level of weight and therefore (having regard to NPPF paragraph

11d), 'the adverse impacts of granting planning permission would not significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. Consequently, the proposal benefits from the presumption in favour of sustainable development as defined in paragraph 11d of the Framework and the similar provisions in Policy 1 of the HDPF' (paragraph 36). The appeal decision is attached at Appendix B.

- APP/Z3825/W/23/3325926 - Cowfold Lodge Cottage, Cowfold

The Inspector found that the proposal conflicted with the development plan because it was located outside the built-up area boundary and would result in some harm to the openness of the countryside. However, the Inspector concluded that this harm was modest, noting that the site was adjacent to existing development, the dwelling would be of a low-profile design and would not appear unduly prominent in the landscape. Importantly, in the context of Horsham District Council's housing land supply shortfall, the Inspector applied the presumption in favour of sustainable development under paragraph 11(d) of the NPPF and concluded that the adverse impacts did not significantly and demonstrably outweigh the benefits of providing an additional dwelling. The appeal was therefore allowed and the decision notice is attached Appendix C.

- APP/Z3825/W/22/3303603 - Marlpost Meadows, Southwater

The appeal was allowed and considered at a time when the Council could only demonstrate a 4 year housing land supply, described by the Inspector as a 'significant shortfall'. The Inspector agreed that, due to the housing shortfall the fact a site lies outside of a build-up area boundary does not in itself constitute a reason to refuse planning permission. In that instance the site formed part of an existing property's garden and the Inspector considered it to have good enough accessibility to facilities within Southwater which were 0.9 miles away, and commented:

'This area, centred around Lintot Square, contains a wide range of services and facilities which include shops, a public house, library and health centre. The trip takes less than 3 minutes by car and slightly longer by bicycle. Although it would be possible for residents of the proposed dwelling to make the journey on foot, the lack of pavements and street lighting along Bonfire Hill and Church Lane

would function as a deterrent, notwithstanding the option to use the Downs Link and other public rights of way as an alternative.

There can be no doubting that the proposal would lead to some additional vehicle journeys. However, the harm in this regard would be tempered by the short distance to the village centre. There would be options to use more sustainable transport modes. The poor provision for pedestrians weighs against the proposal, but walking remains a realistic possibility in daylight and good weather. Overall, I consider that occupants of the proposed dwelling would have reasonably good access to services and facilities in a higher order settlement.'

A copy of the decision notice is attached at Appendix D.

- 5.3 We are aware of one appeal where a proposed dwelling in the countryside was refused permission (APP/Z3825/W/25/3366188 – decision notice attached at Appendix E) and dismissed at appeal, with the main issue being the suitability of the location for a dwelling. In that instance the A272 provided the only means of accessing the nearest settlement where services are located. The A272 is a 50mph busy road not conducive to cycling or walking, and therefore occupiers would have been reliant on their private car. It is a very different highway to Mayes Lane which is a quiet country lane used by walkers, horse-riders and occasional vehicles.

6. GROUNDS OF APPEAL

6.1 The principal issues are considered to be:

- Principle of development
- Location and suitability
- Landscape character
- Ecology
- Planning balance

Principle Of Development

6.2 The site lies outside the built-up area boundary of Warnham and therefore conflicts with the spatial strategy contained within Policies 2, 3, 4 and 26 of the Horsham District Planning Framework (HDPF).

6.3 However, the Council accepts that it cannot demonstrate a five-year housing land supply. The extent of the shortfall is not marginal. The Council can presently demonstrate only approximately one year of housing land supply against a requirement for five years. This represents one of the most severe housing land supply deficits in England and attracts substantial weight in favour of proposals capable of delivering additional homes in the short term.

6.4 As a consequence, the policies most important for determining this application are out-of-date and paragraph 11(d) of the NPPF is engaged.

6.5 In these circumstances planning permission should be granted unless:

- i. Policies protecting areas or assets of particular importance provide a clear reason for refusal; or
- ii. The adverse impacts of granting permission would significantly and demonstrably outweigh the benefits when assessed against the Framework as a whole.

6.6 Neither test is met in this case.

6.7 The appeal site is not subject to any national landscape designation, Green Belt

designation, heritage designation, flood risk constraint or other footnote 7 designation capable of disapplying the tilted balance.

- 6.8 The proposal would deliver an additional dwelling at a time of acute housing need and would contribute towards addressing the recognised housing supply deficit within Horsham District.

Self-Build Housing Benefits

- 6.9 The appeal proposal would deliver a genuine self-build dwelling.
- 6.10 Paragraph 63 of the NPPF specifically identifies people wishing to commission or build their own homes as a group whose housing needs should be addressed through planning decisions.
- 6.11 Horsham District Council maintains a self-build register and has acknowledged significant unmet demand.
- 6.12 Evidence submitted with the application demonstrated that approximately 172 individuals were registered whilst only around 70 permissions had been granted.
- 6.13 The proposal would therefore make a direct contribution towards assisting the Council in meeting its statutory obligations under the Self-build and Custom Housebuilding Act 2015.
- 6.14 Significant weight should therefore be attached to this benefit.

Location And Sustainability

- 6.15 The site cannot reasonably be described as isolated.
- 6.16 Warnham village contains a range of everyday facilities including a primary school, village shop, public house, village hall, sports facilities and public transport services.
- 6.17 Warnham railway station lies approximately 2 miles from the site and is accessible by bicycle.
- 6.18 Whilst future occupiers would inevitably make use of private vehicles, this is characteristic of many rural locations and does not render the proposal unsustainable.

Landscape Character

- 6.19 The Council's second reason for refusal alleges harm arising from the scale of the proposal, subdivision of the site and landscaping. The Council's Landscape Advisor did however confirm in their consultation response that *'the surrounding woodland and field boundaries enclose the site which would limit landscape character change to the site and immediate surroundings'*. The Council did therefore accept that any landscape effects would be localised and confined to the site and its immediate surroundings.
- 6.20 The Appellant has however considered their detailed comments and has amended the proposals to show the following:
- additional tree planting to supplement the proposed scrub planting alongside the bridleway across the southern boundary
 - removal of some scattered tree planting
 - addition of infill woodland planting within the south-western corner
 - removal of some ornamental garden elements
- 6.21 These changes are shown in Drg No. 0901-P03
- 6.22 In relation to the impact of the scheme on the wider landscape, the site comprises a well-contained field enclosed by mature vegetation and woodland. Visibility from the wider public realm is extremely limited.
- 6.23 No landscape designation applies to the site.
- 6.24 The proposed dwelling occupies only a small proportion of the overall landholding and is positioned centrally within the site with substantial offsets from boundaries.
- 6.25 Existing trees, hedgerows and woodland are retained.
- 6.26 Additional native planting, species-rich grassland, scrub habitats and wetland features would strengthen the site's landscape structure and ecological value.
- 6.27 The development would therefore conserve the key characteristics of the Warnham and Rusper Wood Ridge Landscape Character Area and would not result in material

harm to the wider rural landscape.

- 6.28 Any visual effects would be highly localised and limited in extent.

Ecology

- 6.29 The Council's third reason for refusal relates primarily to concerns regarding great crested newts.
- 6.30 A Preliminary Ecological Appraisal accompanied the application.
- 6.31 The survey concluded that the site is dominated by species-poor improved grassland and identified no evidence of great crested newts within the site itself.
- 6.32 Whilst suitable habitat exists in the wider landscape, the submitted ecological evidence did not identify any impacts that would render the development unacceptable in principle.
- 6.33 Nevertheless, and as previously mentioned, NatureSpace has confirmed that the proposal is suitable for inclusion within the District Level Licensing Scheme and that a District Licence can be secured by condition.
- 6.34 In addition, since the submission of the application the self-build exemption from Biodiversity Net Gain (BNG) has been replaced with a small site exemption. As this site is above the size threshold, a BNG Metric and accompanying report have been prepared and submitted in support of this appeal. These demonstrate that the proposed development would deliver a biodiversity net gain of 50.6%, significantly exceeding the statutory requirement of 10%. The proposed ecological enhancements across the wider site make a substantial contribution to this outcome and ensure that the development would result in a clear net benefit for biodiversity.

Planning Balance

- 6.35 The proposal would deliver the following benefits:
- A new dwelling within a district experiencing a severe housing land supply shortfall;

- A genuine self-build opportunity;
- Assistance towards meeting statutory self-build duties;
- Economic benefits arising from construction activity and local expenditure;
- Biodiversity enhancements;
- Ecological habitat creation;
- Sustainable drainage infrastructure;
- Additional support for local services and facilities.

6.36 Against these benefits, the Council identifies conflict with countryside policies and alleged landscape impacts.

6.37 Given the acknowledged housing supply position, reduced weight must be attached to the restrictive spatial policies relied upon by the Council.

6.38 Any landscape effects would be limited and localised.

6.39 Ecological matters are capable of resolution through planning conditions and mitigation.

6.40 The adverse impacts identified by the Council do not significantly and demonstrably outweigh the substantial benefits of the proposal when assessed against the Framework as a whole.

Table 6.1 - Planning Balance

Benefits	Weight
One additional dwelling in district with 1-year housing supply	Substantial
Self-build dwelling	Moderate to substantial
Contribution to self-build register demand	Moderate
Biodiversity Net Gain (50.6%)	Significant
Habitat creation and woodland enhancement	Moderate
Economic benefits	Limited

Harm	Weight
Conflict with spatial strategy	Limited
Landscape effects	Limited
Ecology	Neutral (resolved)

7. CONCLUSION

- 7.1 The appeal proposal represents sustainable development for the purposes of the NPPF.
- 7.2 The Council's housing land supply position engages the tilted balance in favour of granting permission.
- 7.3 The proposal would deliver a valuable self-build dwelling, contribute to housing supply, enhance biodiversity and avoid unacceptable environmental impacts.
- 7.4 The conflict with the development plan is outweighed by material considerations, particularly the acute housing need and self-build benefits.
- 7.5 The Appellants respectfully request that the Inspector allows the appeal and grants planning permission subject to any conditions considered necessary.