Planning Inspectorate

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

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.

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