

TOWN & COUNTRY PLANNING ACT 1990

CLYST HAYES, BROOK LANE, FAYGATE, HORSHAM, RH12 4SB

**2 NOS. DETACHED DWELLING HOUSES, ASSOCIATED PARKING AND
ACCESS**



PLANNING STATEMENT v1

09 January 2026

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1. INTRODUCTION

1.1 This planning statement is written in support of an application for 2nos. detached dwelling houses, on land off Brook Lane, Faygate. The proposals have been subject to a pre-application enquiry with Horsham District Council (PE/25/0180). Following receipt of the written advice the scheme has been amended, and a number of surveys and reports completed to ensure compliance with the Council's validation requirements.

1.2 The development would contribute two dwellings to housing land supply at a time of persistent under-supply in the district. Due weight should be afforded to the contribution to housing supply in the tilted balance.

1.3 The planning application comprises the following documents, and plans by Landivar Architects:

Application Form

Planning, Design & Access Statement v.1 by DJM Town Planning Ltd, 9th January 2026

Preliminary Ecological Appraisal and Biodiversity Net Gain Report

Tree Schedule, Arboricultural Impact Assessment by Absolute Arboriculture, with
Arboricultural Method Statement, Tree Constraints and Tree Protection plans

Transport Report

Heritage Statement by Landivar Architects, 17/12/2025

Plans by Landivar Architects:

1785_1.000 As Existing Location Plan

1785_1.001 As Existing Site Photos

1785_1.002 Existing Site Plan

1785_3.000 Proposed Site Plan

1785_3.001 As Proposed Ground Floor Plan

1785_3.002 As Proposed Floor Plans

1785_3.003 As Proposed Elevations House 1

1785_3.004 As Proposed Elevations House 2

1785_3.006 As Proposed Elevations South and East

1785_3.007 As Proposed Elevations North and West

1785_3.008 As Proposed Landscaping Plan

1785_3.009 As Proposed Drainage Plan

Clyst Hayes, Brook Lane, Faygate, Horsham, RH12 4SB

2nos. Detached Dwelling Houses



1785_3.010 As Proposed Rendered Elevations South and East

1785_3.011 As Proposed Rendered Elevations North and West

2. THE APPLICATION SITE

- 2.1 The application site lies on the north side of Brook Lane, a private no-through lane to the north of the A264 Crawley Road, between Horsham and Faygate. Access to the lane is directly off the A246. Faygate railway station is situated a mile to the north-east of the site.
- 2.2 Brook Lane leads to a small enclave of residential dwellings and outbuildings. Clyst-Hayes, the dwelling to the south of the applicant's land, is a Grade II listed building. Beyond the buildings the lane narrows to a public bridleway, which leads down to and across the railway line. There are further residential dwellings on the far side of the railway line.
- 2.3 South of Brook Lane are open fields and woodland belts.
- 2.4 The application site comprises an area of mown grass, surrounded by boundary trees and hedgerow. It is accessed via an existing vehicular gate off Brook Lane.
- 2.5 The site extends to 1,606 sqm approx. It is bordered on its south and western sides by tall stands of mature trees, which provide excellent visual screening. There is an outbuilding on the north side of the plot, owned by the applicant. Immediately to the east is a gravel forecourt.
- 2.6 The public right of way (PROW) runs along Brook Lane to Wimland Road to the north-west.
- 2.7 There is one entry for the site on the Horsham planning register:
- DC/23/0425 - confirm the continuous use of land for Class E purposes for a period in excess of ten years (Lawful Development Certificate - Existing). LDC refused, 28/04/2023

3. PROPOSED DEVELOPMENT

- 3.1 The application proposes the erection of 2 nos., 4-bed detached residential dwellings set with their own private curtilages, with off-road parking. The outbuilding on the northern edge of the application site would be demolished, and the site sub-divided into two plots.
- 3.2 The dwellings will be orientated with their principal facades pointing south-east, towards Clyst Hayes. This is a departure from the pre-application scheme, in which the houses were oriented south-west.
- 3.3 Each dwelling would extend to 230 sqm, with the houses being 'handed' versions of each other. The internal accommodation is arranged as follows

Ground Floor (91sqm) : Front entrance door to hallway, leading to open plan kitchen and dining room, living room, snug, and downstairs WC. Stairs to:

First Floor (91sqm): Three bedrooms (Bed 1 = 26.2sqm, Bed 2 = 14.9sqm, Bed 3 = 17.5sqm), two with en-suite shower rooms, and family shower room. Stairs to:

Second Floor (48sqm): Master bedroom (20.6sqm), with en-suite shower room and dressing room.

- 3.4 The houses are designed using traditional vernacular, with walls built in locally sourced brick with untreated vertical timber cladding (e.g. sweet chestnut or larch) above at first floor level, and plain, clay tile, gabled roofs. The roofs will have integrated solar panels.
- 3.5 Outside, each house would have its own front entrance gates and forecourt parking for three cars, cycle store and landscaped private gardens. Plot 1 will extend to 620sqm, and Plot 2 704sqm. The private driveway from Brook Lane will continue past the houses up to the end of the garden, to maintain access, as shown on the proposed site layout.



Figure 1: The entrance to Brook Lane from the A264. Note the bin store on the left, where Brook Lane residents place their bins on bin collection day



Figure 2: Looking north up Brook Lane towards the site



Figure 3: The site from Brook Lane . The application site is behind the close boarded fence



Figure 4: The site viewed from the gravel parking area



Figure 5: The site viewed from the public bridleway on Brook Lane. Good vegetation and fence screening



Figure 6: Outbuilding. To be demolished



Figure 7: Looking towards Clyst Hayes, from the application site



Figure 8: Towards the north-eastern end of the application site



Figure 9: Western site boundary, with mature tree screening



Figure 10: Looking towards the access into the site off Brook Lane



Figure 11: Looking west over the site. Note the mature conifer screening on boundaries



Figure 12: Further conifer screening to the east



Figure 13: North-western boundary, conifer and hedge planting



Figure 14: The southern boundary, with Brook Lane and the public bridleway, from the site

4. PLANNING POLICY CONTEXT

- 4.1 The development plan for the area comprises the Horsham District Planning Framework (HDPF). The Facilitating Appropriate Development SPD (2022) provides guidance on the interpretation of policy.
- 4.2 The site is outside any defined Built Up Area Boundary (BUAB), within the countryside. Clyst Hayes, approximately 30 metres east of the application site, is a Grade II listed building.
- 4.3 Using the standard method for calculating housing need, Horsham District Council is unable to demonstrate a five year supply of housing land. The authority's published supply as of 1st April 2023 stood at 2.9 years. Annual monitoring reports show that there has been a consistent under-supply of housing in the district.
- 4.4 Relevant HDPF policies:
- Policy 1: Sustainable development
 - Policy 2: Strategic development
 - Policy 3: Development hierarchy
 - Policy 4: Settlement expansion
 - Policy 15: Housing provision
 - Policy 24: Environmental protection
 - Policy 25: District character and the natural environment
 - Policy 26: Countryside protection
 - Policy 31: Green infrastructure and biodiversity
 - Policy 32: Quality of new development
 - Policy 33: Development principles
 - Policy 34: Heritage assets
 - Policy 36: Appropriate energy use
 - Policy 37: Sustainable design and construction
 - Policy 41: Parking
- 4.5 December 2004 National Planning Policy Framework (NPPF) policies:
- Paragraph 11(d): the presumption in favour of sustainable development
 - Chapter 5: Delivering a sufficient supply of homes, esp. paragraphs 73 (small and medium sized sites), 75 (windfall sites), and 84 (avoiding isolated homes in the countryside)

5. CONSIDERATION OF PLANNING POLICIES

5.1 Principle of the Development

5.1.1 The site lies outside of the BUAB where new residential development is normally restricted. Horsham District Council is currently unable to demonstrate a five year housing land supply (5YHLS) so paragraph 11(d) of the Framework is engaged. 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 for housing development unless:

“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.” (NPPF, 11d)

5.1.2 The proposal conflicts with the HDPF spatial strategy, which focuses development around Horsham, with development in the rest of the district following the settlement hierarchy in policy 3. However the spatial strategy does not preclude any new housing development in the countryside, and the Facilitating Appropriate Development SPD (2022) ¹ provides guidance for housing development outside BUABs. The SPD lists criteria that are used to assess the suitability of sites that come forward outside the BUAB for housing, and includes, *inter alia*,

- 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.

¹ Shaping Development in Horsham District Planning Advice Note

- 5.1.3 The proposed development will not prejudice long-term development of the site; indeed the inclusion of the driveway to the far northern end of the applicant's land ensures that the wider site remains accessible in the longer term.
- 5.1.4 The application site benefits from excellent mature tree screening and fenced boundaries on all sides, that will screen the proposed new houses from the bridleway and many wider views. The development will be visually and physically contained within the "defensible boundary". Impacts on the surrounding landscape will be minimal, with the only views of the dwellings being the glimpsed upper storeys above the close boarded fence on Brook Lane. The visually contained nature of the site counts strongly in its favour as a suitable site for housing.
- 5.1.5 The NPPF advises that LPAs support the development of windfall sites through their policies and decisions (NPPF, 73). A windfall site is defined in the HDPF as "a site not specifically allocated for development in the Local Development Framework which unexpectedly becomes available during the lifetime of a plan." The HDPF makes an allowance for windfall sites of 750 units within the 15 year Plan period (policy 15). The most recent analysis of windfall delivery in Horsham district found that on average the authority has delivered 52 units per annum from windfall development since 2007/08 ². This level of windfall delivery needs to be maintained up to 2030, to achieve housing targets. With the published housing land supply standing at 2.9 years, well below the 5 year requirement, it is beholden on the LPA to take full advantage of windfall housing sites to boost supply.
- 5.1.6 The site is considered suitable for windfall housing development, as it is not 'isolated' in the paragraph 84 sense. Paragraph 84 states that LPAs should avoid the development of isolated homes in the countryside. The courts have determined that the meaning to be

² Horsham District Council Strategic Housing and Economic Land Availability Assessment (SHELAA) Housing Report 2018, para. 4.73

given to the word 'isolated' in paragraph 84 is its "ordinary objective meaning of "far away from other places, buildings or people; remote" (the 'Blackmore End' case).³

- 5.1.7 The application site at Brook Lane is not isolated. It is adjacent to a number of existing residential dwellings, both on this and the opposite side of the railway line. These dwellings form a distinct cluster of development. Moreover, the proximity of the site to the BUAB of Horsham, half a mile to the south-west, and to the A264 dual carriageway, results in a location that is not remote, nor far away from other places.
- 5.1.8 The application site is well served by public transport, again ensuring it is not isolated from nearby settlements. The 23, 23X, 200 and 398 Metrobus services operate along the A264 stopping at Faygate roundabout, with the 243 and 200 operating a frequency of twice an hour during daytime. The no. 23 runs from Crawley bus station through Horsham and connecting settlements to Worthing. The no. 200 runs from Gatwick airport to Horsham bus station. The travel time from Faygate roundabout to Horsham town centre is less than 20 minutes.
- 5.1.9 Based on the above site characteristics, and following the Court of Appeal's decision in the Blackmore End case, the proposed site cannot be discounted on paragraph 84 grounds.
- 5.1.10 It is acknowledged that the proposal contravenes the district spatial strategy, but there exist robust other material considerations that over-ride the spatial strategy and tip the balance in favour of the principle of residential development on this site. These are the lack of a 5YHLS in Horsham district, chronic and persistent under-supply of housing in recent years, the un-isolated nature of the location, excellent visual screening afforded to the development by existing trees and hedges, and availability of bus services to nearby towns.

³ Braintree District Council v Secretary of State for Communities and Local Government [2017] EWHC 2743 (Court of Appeal)

- 5.1.11 In light of the above, it is considered that the principle of developing the site for housing is acceptable, and that sufficient material considerations exist to over-ride the usual countryside restraint policies.

5.2 Design and Landscape

- 5.2.1 The context for the development has been the starting point for the design of the dwellings, as required by policy 32 of the HDPF. All development must provide a an attractive, functional, accessible, safe and adaptable environment, and complement the locally distinctive character of the area.
- 5.2.2 Despite its countryside location, the site is formal in its appearance, with neatly mown grass, outbuildings and some non-native trees on the boundary. The site already has the appearance of a residential garden, and is adjacent to residential dwellings.
- 5.2.3 The domestic architecture in the immediate area around the site is typical of traditional rural Sussex vernacular. Clyst Hayes is a c17 timber framed building with infill plaster and painted brick sections, and a Horsham stone roof. Visible from the site is the steeply pitched, plain clay tile roof over an outbuilding within the curtilage of Clyst Hayes, and a further barn with black painted timber weatherboard walls and a plain clay tile roof.
- 5.2.4 Houses to the north-west on Wimland Road, at the other end of Brook Lane, are mostly two-storey and similarly display the classic rural vernacular of the county; timber weatherboard, strong gabled roof forms with clay plain tile and Horsham stone, brick and tile hanging.
- 5.2.5 The design of the proposed dwellings copies the strong roof forms characteristic of the area, including deeply pitched roofs over the projecting front gable, reminiscent of the roof forms on nearby buildings. The use of a local multi stock brick and vertical, natural timber boarding maintains the rural appearance of the houses.
- 5.2.6 The houses sit in generously proportioned plots, ensuring a sense of spaciousness and maintaining good physical separation from the buildings to the south-east. The scale, massing and appearance of the dwellings is considered appropriate to the location, in accordance with policy 33 of the HDPF.



Figure 15: Pre-application site layout



Figure 16: Proposed Site Layout. 1785_3.000 by Landivar Architects]

- 5.2.1 Since the pre-application stage, the dwellings have been re-oriented on the plots to face south-east. This results in more useable garden space for Plot 1, and ensures the land at the north end of the application site is accessible post development (compare Figures 15 and 16).
- 5.2.2 The revised layout optimises the potential of the site to accommodate development, providing a spacious and well laid out, attractive development that reflects the locally distinctive architecture in the immediate area, in accordance with policy 32.

5.3 Biodiversity and Trees

- 5.3.1 The development is subject to mandatory 10% biodiversity net gain. The accompanying Preliminary Ecological Appraisal (PEA) and Biodiversity Net Gain (BNG) Report detail how 10% BNG will be achieved.
- 5.3.2 Policy 26 protects the rural character and undeveloped nature of the countryside. The application site is very well screened by boundary hedgerows and mature trees. The tree survey and arboricultural impact assessment by Absolute Arboriculture confirms that only minor works are required, comprising the removal of one tree that is in poor condition (T8 Oak) and cutting back of G10 (Cypress). All other trees can be retained, conserving the pattern of trees and hedgerows, as per policy 26. The Arboricultural Method Statement can be secured by condition.

5.4 Access and Highways

- 5.4.1 Visibility to the right at the junction of Brook Lane with the A264 is good. Please refer to the Transport Statement accompanying this application for details highway access.
- 5.4.2 The site is in Zone 1 'parking behaviour zone'. Three parking spaces per dwelling are provided in accordance with WSCC Guidance on Parking at New Developments (September 2020), which requires 2.7 spaces per 4-bed dwelling.

5.5 Amenity

- 5.5.1 The Planning Officer confirmed at pre-application stage that the proposal would not have a significantly harmful impact upon the amenities and sensitivities of neighbouring properties, due to the distance between the site and its nearest neighbours.

5.5.2 The amenity of nearby occupiers would be unharmed, in accordance with policy 33.

5.6 Heritage

- 5.6.1 The Council Conservation Officer confirmed at pre-application stage that the proposed development would not harm the character or special interest of the Grade II listed Clyst Hayes.
- 5.6.2 The application is accompanied by a Heritage Statement by Landivar Architects. The proposal is not visible from the Listed Building itself due to the existing outbuildings and mature vegetation obscuring the view between the Listed Building and the proposal.
- 5.6.3 Sufficient distance is maintained between the development and Clyst Hayes to ensure clear legibility of locally distinctive vernacular building forms and their settings, features, fabric and materials, in accordance with policy 34 of the HDPF.
- 5.6.4 The proposal would not impact the significance of the Listed Building or its setting due to there being a visual and tangible barrier of buildings and high vegetation between the application site and the Heritage asset, and the preservation of the building itself and the historic materials would not be affected in any way by the proposal.

6. CONCLUSIONS AND THE TILTED BALANCE

- 6.1 This application seeks planning permission for 2 nos. detached residential dwelling houses on land at Clyst Hayes, Brook Lane, Faygate.
- 6.2 The application site is outside the BUAB, where development plan policies seek to limit development to that for which a countryside location is essential.
- 6.3 Horsham District Council cannot demonstrate a five year supply of housing land (5YHLS). As of 1st April 2023, supply of deliverable sites stands at 2.9 years, and annual monitoring reports show that there has been a persistent undersupply of housing within Horsham district in recent years.
- 6.4 The lack of a 5YHLS engages the tilted balance in paragraph 11(d). The development will provide housing for two families, a small but not insignificant contribution to housing supply. The provision of housing at a time of under-supply is given substantial weight in the planning balance.
- 6.5 With the Council's housing supply at 2.9 years, significantly below five years, paragraph 11(d) is engaged. The decision making body would need to demonstrate adverse impacts that *significantly and demonstrably* outweigh the benefits of providing two units of housing to contribute to supply, at a time of chronic housing need. No significant and demonstrable adverse impacts have been identified.
- 6.6 The benefits of the scheme include the contribution of two dwellings to housing supply, and 10% biodiversity net gain.
- 6.7 Safe vehicular access can be achieved to and from the site, directly from the A264. The landscape impacts of the development are minimal due to existing vegetation perimeter screening. Glimpses of the upper parts of the houses will be viewed over the fence on Brook Lane, from where the context of the development would be one of other dwellings on the lane.
- 6.8 The very limited visual and landscape impacts, coupled with the benefits of the scheme to housing numbers and biodiversity, tip the planning balance in favour of the proposal. In light of the above, it is respectfully requested that planning permission is approved.