

The Planning Inspectorate
Temple Quay House
2 The Square
Bristol
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Our ref: DC/25/2104
Your ref: APP/6012595
Email: Sam.Nye@horsham.gov.uk

Dear Sir/Madam,

6012595 – Permission in Principle for the demolition of existing stables building and erection of a single dwelling on the footprint.

Permission in Principle was sought for the demolition of the existing stables building and erection of a single dwelling on the footprint, at Winstons Farm, Muttons Lane, Ashington. Horsham District Council, in its role as the Local Planning Authority, refused planning consent on 29th May 2026, following the hearing of the application at committee. With reference to the appeal, this statement taken together with the previously submitted questionnaire and accompanying documents, including the Committee Report, forms the Local Planning Authority's statement of case. The LPA would like to reiterate the single reason for refusal as follows:

Refusal Reason 1: -

The proposed development would be located within an unsustainable location in the countryside, beyond a defined built-up area on a site not allocated within the Development Plan and would not be essential to this countryside location. The development would therefore be contrary to the overarching spatial strategy and hierarchy approach of concentrating development within defined settlements and advocating a planned approach to settlement expansion, contrary to policies 1, 2, 3, 4 and 26 of the Horsham District Planning Framework (2015) and Policy ASH1 of the Ashington Neighbourhood Plan. Notwithstanding the absence of a five-year land housing supply, and the provisions of the National Planning Policy Framework (2024) at paragraph 11(d), it is not considered that there are any material considerations which would outweigh harm arising from conflict with the above policies.

The Appellant's Statement of Case states the appellant's position is that the Council relied entirely on conflict with settlement boundary policies, while failing to give sufficient weight to the brownfield nature of the site, the severe housing shortage, the absence of technical objections, and the national policy presumption in favour of sustainable development. The council disputes this position. Given the recent change of policy at a national level, with the revised National Planning Policy Framework (2026) being issued in August 2026, the council's Statement of Case will build on from the assessment contained with the Officer Report to Committee, whilst addressing this policy change.

Location of Development:

Policy 2 of the Horsham District Planning Framework (HDPF) sets out the main growth strategy, focusing development in the main settlements. The HDPF outlines that the proposed settlement hierarchy is the most sustainable approach to delivering housing; where new

development is focused in the larger settlements of Horsham, Southwater and Billingshurst; and limited new development is directed elsewhere, and only where it accords with an adopted Neighbourhood Plan. Specifically, Policy 3 of the Horsham District Planning Framework seeks to retain the existing settlement pattern and ensure that development takes place in the most sustainable locations as possible.

Policy 4 of the HDPF refers to the expansion of settlements outside the built-up area, and states that such development is only 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 needs; the impact of 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.

As the site is located outside of any defined built-up area boundary, Policies 3 and 4 of the HDPF are of significant weight in the determination of the application. As stated within Policy 3 of the HDPF, development will be permitted within towns and villages that have defined built-up areas; with development in the countryside more strictly controlled through the provisions of Policy 4. This policy states that development outside of built up areas will only be supported where the site is allocated in the Local Plan or in a Neighbourhood Plan and adjoins a settlement edge.

Policy ASH1 of the Ashington Neighbourhood Plan (ANP) states that new development in Ashington parish shall be focused within the built-up area boundary of Ashington village as identified on the Policies Map. ASH1(d) states that development proposals outside the built-up area boundary and the site allocations will not be permitted unless:

- i. they represent appropriate uses in the countryside, such as agriculture, forestry, horticulture, fishing and equestrian activities, tourism, essential utilities infrastructure and energy generation;*
- ii. they are on previously developed land and accord with local and national policy for such development;*
- iii. they relate to the retention of existing and appropriate provision of new commercial businesses.'*

Policy S3 of the NPPF states that decisions on development proposals should apply a presumption in favour of sustainable development. This means, outside settlements, Policy S5 should be applied. In all locations, development proposals that accord with both an up-to-date development plan and the decision-making policies in this Framework should be approved without delay.

Policy S5 of the NPPF states that only certain forms of development should be approved outside settlements. These should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in the Framework. The referenced development includes:

- a) Development for defined activities;
- b) Development for rural businesses and services;
- c) The reuse, extension, alteration or replacement of an existing building subject to certain criteria;
- d) The redevelopment of previously developed land;
- e) Limited infilling within groups of houses;
- f) An exception site as provided for in Policy H10, or development brought forward under a Community Right to Build Order or Neighbourhood Development Order
- g) Development which would address an evidenced unmet need for gypsy, traveller or travelling showpeople accommodation, provided it meets the criteria in Policy HO12;

- h) Residential mixed-use development which would meet certain criteria;
- i) The development of land allocated for that purpose in the development plan; and
- j) Development which would address an evidenced unmet need (including, but not limited to, development proposals involving the provision of housing where the local planning authority cannot demonstrate a five year supply of deliverable housing sites or scores below 75% in the most recent Housing Delivery Test), and where the development would be physically well-related to an existing settlement and be of a scale which can be accommodated taking into account the existing or proposed availability of infrastructure.

Policy CC2 of the NPPF states that in order to contribute to climate change mitigation and the transition to net zero, development proposals should, where relevant to the proposal, accord with Policies TR3 and TR4 so that sustainable patterns of movement are prioritised, opportunities are taken to improve walking, wheeling, cycling, and public transport, and infrastructure is provided to support the transition to zero-emission vehicles. Development proposals should support good access to facilities in order to limit the need to travel, whether through the development's location, through development densities which improve catchment populations for local services, or by incorporating community facilities and premises to support local employment opportunities.

Policy TR3 of the NPPF states that so development is located where it can support sustainable patterns of movement, enable good accessibility for different users and make the most of existing and proposed transport infrastructure, development proposals should be situated in locations that are sustainable (or which can be made so, taking into account planned improvements, including any provided for as part of the development itself). This means the location should limit the need to travel, particularly by private car, and offer a genuine choice of transport modes for residents and users, unless the nature of the development would make this impractical.

Policy TR4 of the NPPF details that to contribute to creating well-designed places, transport considerations should be integral to the design of development, proposals for which should, amongst other things, give priority first to walking, wheeling and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating easy access to high quality public transport, with layouts and densities which maximise the catchments for bus or other public transport services.

Policy HO11 of the NPPF states that development proposals for isolated homes in the countryside should only be supported where one or more of the following circumstances apply:

1. 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;
2. The development would be appropriate enabling development to secure the future of heritage assets in accordance with Policy HE4;
3. The development would reuse a redundant or disused building and enhance its immediate setting, including proposals which would secure the long-term reuse of a vacant or underused listed building;
4. The development would involve the subdivision of an existing residential building; or
5. The design is of exceptional quality, in that it~:
 1. Is truly outstanding, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and
 2. 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 proximity to sporadic 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 Policy HO11.

In this countryside location, the proposal is also considered against Policy 26 which seeks to protect the countryside against inappropriate development unless it is considered essential and appropriate in scale; whilst also meeting one of four criteria. This criterion includes: supporting the needs of agriculture or forestry; enabling the extraction of minerals or the disposal of waste; providing for quiet informal recreational use; or enabling the sustainable development of rural areas. The proposed development does not meet any of this criterion, nor is it considered to be essential to the countryside location, and does not therefore comply with Policy 26 of the HDPF.

The proposed development would not accord with the spatial strategy as set out in Policies 2, 3, 4 and 26 of the HDPF, and would therefore be unacceptable in principle.

In light of the Council being unable to demonstrate a five year housing land supply (with a 1.7 year supply only), the Council has approved the Shaping Development in Horsham District Planning Advice Note (SDPAN). The SDPAN provides guidance on how to positively assess residential development proposals coming forward outside of settlement boundaries, with Paragraph 5.12 of the SDPAN stating that the Council ‘*will consider positively applications that meet all of the criteria below: The site adjoins the existing settlement edge as defined by the BUAB;*

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

While the current housing shortfall is a material consideration of significant weight, and the delivery of one market dwelling would provide limited socio-economic benefits, the site is neither adjacent to, nor well related to an existing settlement edge. The site is separated from the nearest settlement boundary by approximately 200 metres of open countryside and does not share a physical relationship with the settlement. The absence of any direct relationship with this settlement edge, combined with the intervening undeveloped land, results in the site being physically detached from the settlement. As such, the proposal would not benefit from the provisions of the SDPAN and would not represent an appropriate location for new housing development, in which the reasoning for the council taking this position is expanded within the Assessment Section below.

Assessment

The NPPF was recently revised (August 2026) and the tilted balance has been replaced with a rules-based, location-specific, presumption in favour of sustainable development under Policies S3 to S6. In relation to this appeal, the most relevant policy is Policy S5, which sets out the circumstances in which development outside defined settlement boundaries may be supported. Whilst the Council cannot demonstrate a five-year housing land supply and the proposal would contribute towards an identified unmet housing need, Policy S5(1)(j) also requires such development to be physically well-related to an existing settlement. As set out

elsewhere in this Statement, the Council considers that the appeal site is not physically well-related to an existing settlement and therefore does not comply with Policy S5(1)(j)(i).

The Council acknowledges that the site comprises previously developed land and that, as the lawful use of the land is not agricultural, confirmed by the appellant in points 5.4 and 8.3, the proposal accords with Policy S5(1)(d). However, under the section 'Using the Framework' of the NPPF, paragraph 7 confirms the national decision-making policies of the NPPF should be read as whole.

The application site is located on Mutton's Lane, which is a single-track rural road, which is unlit and does not benefit from a dedicated pedestrian footway. The surrounding roads, Newhouse Lane and Park Lane, are the same and all roads are subject to a 60mph speed limit. Even if traffic levels are low, it is unlikely that this would be an attractive walking or cycling option for future occupiers, particularly in the dark or in poor weather. It is unlikely that future occupiers would be able to use a bus service as the closest bus stop is 1.7km away, on Thakeham Road, Storrington, or 0.9km away sited on the A24. There are no Public Right of Ways leading to the settlement of Storrington and Sullington and as a result, future occupiers would be reliant on private vehicles to access everyday services, amenities and facilities. Whilst it is acknowledged that there are Public Right of Ways (footpaths 2621, 2612 and 2611), leading to the Built-Up Area of Ashington, this settlement edge is located approximately 1km away, in which these footpaths are informal across fields and is therefore not considered to be a viable or attractive route. As such, there are physical barriers and route availability/quality issues that ensure the site is not within a sustainable location, with no substantive indication that the scheme offers any opportunities to support walking, cycling, public transport use or enhance connectivity. The location of this site is not therefore considered sustainably located to be able to offer non-car transport options for future residents, with the dwelling being remote from services and facilities and is therefore contrary to the Council's spatial strategy for housing and contrary to CC2, TR3 and TR4 of the NPPF (2026).

Conclusion

The Council has had regard to the benefits arising from the proposal, including the provision of one additional dwelling, the re-use of previously developed land and the contribution, albeit very modest, towards addressing the current housing shortfall. These benefits do attract positive weight. However, the Council considers that such benefits are outweighed by the conflict with the Development Plan's spatial strategy, the site's poor relationship with any defined settlement and the unsustainable travel patterns that would arise from the development.

The Council therefore remains of the view that the scheme as submitted would be contrary to the relevant policies of the Horsham District Planning Framework and the NPPF 2026. The Inspector is therefore respectfully requested to dismiss the appeal. However, should the Inspector be minded to approve the appeal, a schedule of Informatives is attached to this letter.

Yours sincerely,

Sam Nye
Planning Officer

List of Suggested Conditions

If the Inspector is minded to allow the appeal, the council requests that the following Informatives should be attached to any proceeding Decision Notice:

1. Amount of Development

The applicant is advised that whilst permission in principle is granted, this decision is based solely on the proposed minimum and maximum amount of development (1x dwelling) being considered acceptable. In order to ensure that the subsequent technical details application is successful, the applicant is advised that any future proposal should be made in accordance with the proposed minimum amount of development (1x dwelling) and should be located within the red line as indicated on the approved location plan.

2. Technical Details Consent (TDC) Requirements

This Permission in Principle establishes only the location, land use and amount of development. All detailed matters, including access, layout, design, drainage, ecology, landscaping and infrastructure requirements, must be addressed through a subsequent Technical Details Consent (TDC) application.

3. Water Efficiency

In accordance with Natural England's standing advice (10 November 2025), the applicant will be required at the Technical Details Consent stage to demonstrate that the development achieves a water consumption rate of no more than 110 litres per person per day per dwelling (Building Regulations Part G) and incorporates appropriate water-efficiency measures.

4. Highways and Access

The Local Highway Authority has raised no in-principal objection. However, full access details, parking layouts, and internal circulation arrangements will be required at the Technical Details Consent stage, supported by appropriate highway safety information, as requested by the LHA in their response.

5. Drainage Strategy

A detailed surface water drainage strategy and foul drainage arrangements will be required at the TDC stage in accordance with the requirements of the LLFA and Southern Water.

6. Amenity and Design Quality

The TDC submission must demonstrate that the proposed layout and design achieve high standards of residential amenity, including appropriate separation distances, garden sizes, outlook, daylight and privacy, and that the development meets the expectations of Policies 32 and 33 of the Horsham District Planning Framework.

7. Landscape and Visual Impact

A Landscape and Visual Appraisal will be required at the Technical Details Consent stage, as advised by the Council's Landscape Consultant, to demonstrate that the detailed design responds positively to the rural edge setting, site topography and views from public vantage points.

8. Ecology

The TDC submission should be supported by updated ecological information proportionate to the scale of development and the nature of the site. Details of any

necessary mitigation and opportunities for measurable biodiversity enhancements should be clearly set out.

9. Contamination

The TDC submission should be supported by an up-to-date Preliminary Risk Assessment, including a site walkover, relating to the risks associated with contamination, ensuring the site can be made safe and suitable for the development.

10. Construction and Environmental Management Plan (CEMP)

The applicant is advised that any subsequent Technical Details Consent application should include details of a Construction and Environmental Management Plan (CEMP). This should include site logistics, hours of construction, delivery arrangements, and measures to control noise, dust and disturbance, in order to safeguard the amenities of neighbouring occupiers. Planning conditions are likely to be imposed to secure these details.

11. Biodiversity Net Gain

Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 requires that planning permission is deemed to be granted subject to the “Biodiversity Gain Condition”, which would prevent development from commencing until a Biodiversity Gain Plan has been submitted to and approved by the Local Planning Authority.

However, under Regulations 4, 5, 7 and 8 of the Biodiversity Gain Requirements (Exemptions) Regulations 2024, the statutory biodiversity gain condition does not apply to certain categories of development, including development which:

- 1) does not impact any onsite priority habitat (as defined under section 41 of the Natural Environment and Rural Communities Act 2006); and impacts less than 25sqm of onsite habitat with a biodiversity value above zero, and less than 5 metres of onsite linear habitat;
- 2) is the subject of a householder application;
- 3) is undertaken solely or mainly for the purpose of fulfilling a biodiversity gain planning condition attached to another development;
- 4) consists of no more than 9 dwellings on a site no larger than 0.5ha and consists exclusively of self-build or custom-build dwellings.

Transitional arrangements also apply, under which the biodiversity gain condition does not attach to major development submitted before 12 February 2024 or to non-major development submitted before 2 April 2024.

Applicants are advised that statutory exemptions and transitional arrangements are set out at Paragraph 003 (Reference ID: 74-003-20240214) of the Planning Practice Guidance:

<https://www.gov.uk/guidance/biodiversity-net-gain> .

Where onsite habitat includes irreplaceable habitat, as defined in the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024, additional requirements apply to the content and approval of any Biodiversity Gain Plan.