



Planning Statement

Land North of East Street, Rusper

Devine Homes Plc

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Basis of Report

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1.0 Introduction

- 1.1 SLR Consulting has been instructed by the applicant Devine Homes Plc to prepare a Planning Statement in support of the submission of a full planning application to Horsham District Council ('HDC') for the construction of a development of 18no. new 2- and 3-, and 4-bedroom homes, including 33.3% (6no.) affordable housing, associated access, vehicle parking, and landscaping on the Land to the North of East Street in Rusper ('the Site').
- 1.2 The proposal for 18no. homes is being submitted for approval in full, and is shown in the extract from the submitted Site Layout Plan, below:

Figure 1: Extract from Site Layout Plan



- 1.3 This Planning Statement presents an analysis of the application site and surrounding area and sets out the relevant planning history and planning policy context. The Statement explains why the proposed development is appropriate, having regard to the key planning policies, as well as technical and environmental considerations.
- 1.4 This Planning Statement is supported by, and should be read in conjunction with, a suite of supporting plans, reports and technical documents, as set out below:

Reports

- Application Form / Certificates
- CIL Form
- Schedule of Accommodation (by ECE Architecture)
- Design and Access Statement (by ECE Architecture)
- Flood Risk Assessment and Drainage Strategy (by Motion)
- Preliminary Ecological Appraisal and Surveys (by The Ecology Partnership)
- Biodiversity Net Gain Report / Outline Habitat Management and Monitoring Plan (by The Ecology Partnership)



- Statutory Biodiversity Net Gain Metric (by The Ecology Partnership)
- Transport Statement (by i-Transport)
- Air Quality Assessment (by Omnia Consulting)
- Arboricultural Method Statement, including Tree Schedule (by David Archer Associates)
- Archaeological Desk-Based Assessment and Heritage Statement (by Pre-Construct Archaeology)
- Water Neutrality Strategy (by Motion)
- Energy and Sustainability Statement (by Doherty Energy)
- Land Contamination Assessment (by Geo-Environmental)

Plans

- Location Plan [7522 – PL-01A]
- Block Plan [7522 – PL-02A]
- Detailed Layout [7522 – PL-04A]
- Materials Plan [7522 – PL-05A]
- Site Layout [7522 – PL-06A]
- Street Scenes [7522 – PL-50B]
- Elevations and Plans Plots 15-16 [7522 – PL-20B]
- Elevations and Plans Plots 11-12 [7522 – PL-21C]
- Elevations and Plans Plots 13-14 [7522 – PL-22C]
- Elevations and Plans Plots 17-18 [7522 – PL-23B]
- Elevations and Plans Plots 2-3 [7522 – PL-24B]
- Elevations and Plans Plot 8 [7522 – PL-25C]
- Elevations and Plans Plot 7 [7522 – PL-26C]
- Elevations and Plans Plots 4 & 10 [7522 – PL-27C]
- Elevations and Plans Plots 1 & 9 [7522 – PL-28C]
- Elevations and Plans Plot 6 [7522 – PL-29C]
- Elevations and Plans Plot 5 [7522 – PL-30C]
- Outbuildings – Garages and Cycle Stores [7522 – PL-31B]
- Site Access Arrangement [ITB200340-GA-002C] (included within Transport Statement)
- Landscape Masterplan [M458-100 P3]
- Landscape Plan Sheet 1 of 4 [M458-201 P2]
- Landscape Plan Sheet 2 of 4 [M458-202 P2]
- Landscape Plan Sheet 3 of 4 [M458-203 P2]
- Landscape Plan Sheet 4 of 4 [M458-204 P3]



2.0 The Site and Surroundings

Site Location

- 2.1 The Site is 0.9ha in size and is situated on a parcel of land that sits to the east of the village of Rusper, in the same Parish. The Site adjoins the existing settlement boundary along its south-western edge, and the site is proposed as an allocation for housing within the emerging Local Plan for up to 20 homes (Policy HA15). This, and the recent permissions and applications for dwellings to the south of East Street (including 43 dwellings at Millfield Farm, opposite the site) create a natural extension to the east of the village.
- 2.2 There is currently no existing pedestrian and vehicular access to the Site from East Street. Whilst there are no Public Rights of Way in or immediately adjacent to the site, there is a public footpath to the north (1496, also part of the Sussex Border Path long distance trail), and another footpath (1501) to the south, which connects to East Street, just to the south-east of the site.
- 2.3 There is residential development located to the immediate south-west of the site.
- 2.4 The town of Horsham is located c.8km to the south of the village; and the major town of Crawley is located c.8km to the east of the village. The Site is located approximately 19km from Billingshurst to the south-west, and approximately 14km from Southwater to the south.
- 2.5 There are bus stops on East Street and Horsham Road within 200-250m of the site (c.3-minutes walking time) which are served by bus services connecting to Horsham (no.52), and to Millais Secondary School, The Forest Secondary School and Collyers Sixth Form College (no.639). The closest train stations to the Site are Faygate, Warnham, Ifield, Littlehaven, Ockley and Horsham which provide connections to Gatwick, London, Crawley, and destinations along the south coast including Portsmouth and Bognor Regis. Gatwick Airport is c.12km to the north-east of the site.
- 2.6 The Site is located wholly within Flood Zone 1 as shown on the EA map for flooding. The updated (January 2025) EA mapping shows minor areas of surface water flood risk adjacent to the site and in its south-eastern corner.
- 2.7 The site is partially designated as a much wider area of Green Infrastructure Network within the Rusper Neighbourhood Plan.
- 2.8 The Site is located approximately c.13.7km from the Mole Gap to Reigate Escarpment Special Area of Conservation (SAC), which is to the north. The site lies over 24km from the Arun Valley SAC to the south-west, but falls within the Sussex North Water Resource Zone. There are two non-statutory designated Local Wildlife Sites (LWS) within 2km of the site – Horsegills Wood located c. 420m to the west; and Orltons Copse located c. 1.7km north-east of the site.
- 2.9 The site lies outside of the 'bat sustenance zone' of the Sussex Bat SACs (The Mens, Singleton and Cocking Tunnels and Ebernoe Common). There are no national statutory designated sites within 2km of the site.
- 2.10 The site is outlined in red in Figure 2 below.



Figure 2: Site Location Plan



Site Description

- 2.11 The site is currently used for occasional grazing of livestock. There is a belt of trees along the southern boundary, with some individual trees along the northern boundary.
- 2.12 The site contains no listed buildings, and there are no heritage assets within the site. The nearest listed buildings are located to the west of the site in the village, and include 'The Star Inn', '1 and 2 Norman Cottages', 'Michaelmas Cottage', 'Avery's' and its outbuilding, 'Rusper Ware Memorial', 'The Plough Inn', and 'Ghyll Manor Cottage' (all Grade II listed), and 'The Parish Church of St Mary Magdalene' (Grade I listed). The Rusper Conservation Area is adjacent to the south-western boundary of the site. There are non-heritage assets identified in the Rusper Neighbourhood Plan (2020) and Rusper Conservation Area Appraisal and Management Plan (2023) (No.1 to 4 Star Cottages, No.1 to 5 Church Cottages, and No1 to 8 East Street).
- 2.13 The immediate surroundings of the site are characterised by a mix of residential buildings, Local Open Green Space (Ghyll Manor Field) to the north, and local pubs, a village shop, post office, care home, historic church, village hall and Rusper Primary School, amongst other services and facilities within the village.
- 2.14 The wider character of the area (to the south) is currently semi-rural, but benefits from various planning permissions and applications for dwellings which extend the development pattern of the village eastwards. The site is located directly adjacent to the defined built-up area boundary of the village and is more related in character to the urban form of the village than the countryside surrounding it.
- 2.15 In summary, as the draft allocation of this site suggests, the Site itself is in a suitable location for modest residential development, with existing built form to its immediate west and plentiful services and facilities nearby. The Site is relatively flat and contains no major ecological or landscape constraints that would preclude development coming forward.



3.0 Planning History

- 3.1 There is no relevant planning history listed on the HDC planning portal on the application site itself.
- 3.2 Other relevant nearby application for residential development are listed below.

Table 1: Planning History

LPA Reference Number	Address	Description	Decision
DC/24/0699	Millfields Farm Horsham Road Rusper West Sussex RH12 4PR	Demolition of existing structures and erection of 43no. dwellings (Use Class C3), creation of a new access and provision of public open space, alongside associated landscaping and other works.	Pending (Resolution to grant subject to s106 at Planning Committee 1 October 2024).
DC/21/2172	Land South of East Street Rusper West Sussex	Erection of 6 No. 3-bed dwellings (including 1 No. retirement property), creation of an access drive and landscaping works (<i>Resubmission of DC/20/2454</i>)	Approved 10 July 2024
DC/20/2454		Erection of 6 No. 3-bed dwellings (including 1 retirement property), with associated garages, creation of new access drive, and landscaping.	Refused 2 February 2021
DC/24/1300	Former Longfield House East Street Rusper West Sussex RH12 4RB	Erection of 2No. detached self-build dwellings with car parking. Relocation of an approved access and retention of existing access.	Pending
DC/14/0413		Erection of two detached dwellings and garages (to the rear of the site) and revisions to approved dwelling (permitted under DC/12/0353 dated 16/04/2012) together with a new access road	Approved 19 March 2014 (<i>varied by several subsequent applications</i>)



4.0 The Proposed Development

- 4.1 Full Planning Permission is sought for the residential development of the Site together with associated landscaping, parking and access, at Land North of East Street, Rusper. The description of the development is as follows:

‘Erection of 18no. 2-, 3- and 4-bedroom dwellings, (including 6no. affordable housing units), together with access from East Street, vehicle and cycle parking, landscaping and open space, and sustainable drainage’.

- 4.2 The mix of dwellings is proposed as follows:

Table 2: Housing Mix

Type	Number
2-bed	8
3-bed	8
4-bed	2
TOTAL	18

- 4.3 Of the 18no. dwellings proposed, 6 will be affordable.
- 4.4 Vehicular access to the site would be from a new access on East Street, located broadly centrally along the south boundary of the site frontage. A separate pedestrian access is proposed in the south-western corner of the site, connecting the existing footway to a network of shared surfaces within the site. A further uncontrolled pedestrian crossing with dropped kerbs and tactile paving will be provided at the western end of the proposed footway to enable pedestrians to safely cross East Street onto the existing footway on the northern side of the carriageway. The access point would lead into the site, and an internal shared surface road and pathway network would lead to each dwelling, with turning areas within the site.
- 4.5 Parking is provided for each plot in line with WSCC parking standards - there will be a total of 46 allocated parking spaces, through a combination of driveway parking and garages. In addition to this provision, there will be a further 4 visitor spaces.
- 4.6 In accordance with WSCC cycle parking standards, there will be a minimum of two cycle parking spaces per dwelling. Cycle parking will be accommodated in garages where they are proposed; and where a dwelling does not have a garage, a suitably sized cycle store is proposed in the rear garden.
- 4.7 Each plot would be fitted with an EV charging point in line with Building Regulation requirements.
- 4.8 The proposed dwellings have been designed to the highest quality, utilising high quality materials that reflect the local vernacular. There are various types of brick used, along with exposed rafter feet, chimney and brick quoining and accent materials, such as tile hanging and weatherboarding on prominent structures.
- 4.9 Hard surfacing is proposed to include a mix of tarmac at the site access, and permeable block paving within the site’s internal road network, concrete paving slabs to private paths, and hoggin surfacing for the pedestrian link path.



- 4.10 A mixture of hedging, 1.8m brick walls, 1.8m close boarded fencing and 1.2m post and rail fencing is proposed throughout the site, with close boarded fencing reserved only for rear garden divides, with hedging and brick walling used in more prominent positions.
- 4.11 An attenuation basin is proposed in the south-east corner of the site and a potential electricity substation (if required) is proposed in the south-west corner of the site as part of the development.



5.0 Relevant Planning Policy

- 5.1 This section sets out the key relevant planning policy at national and local levels. Section 6 will then discuss the principle of development, as it relates to the relevant policies and why the scheme is considered acceptable when taking account of the adopted plan, and material considerations.
- 5.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that, in the determination of planning applications, decisions are made in accordance with the Development Plan unless material considerations indicate otherwise. The following section will first note the national policies of relevance before focusing on the local policies considered of most relevance to the consideration of the proposal for the site.

National Planning Policy Framework (NPPF, Dec 2024)

- 5.3 The most recently published National Planning Policy Framework (NPPF) was updated in December 2024 and this carries full weight in decision making. The new NPPF continues to establish a presumption in favour of sustainable development. **Paragraph 2** states that the NPPF is a material consideration in planning decisions.
- 5.4 **Paragraph 8** confirms that there are three dimensions to sustainable development - economic (building a strong, competitive economy); social (providing the supply of housing required to meet needs and creating a high quality-built environment); and environmental (protecting and enhancing the natural, built and historic environment).
- 5.5 **Paragraph 9** confirms that these roles should be delivered through the preparation and implementation of plans and the application of policies but also taking into account local circumstances to reflect the need and opportunities in each area.
- 5.6 **Paragraph 11** continues to stress that plans and decisions should apply a presumption in favour of sustainable development. Development plans should positively seek opportunities to meet the development needs of the area, and proposals should accord with an up-to-date development plan, or where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, granting permission unless:
- i) The application of policies in this Framework that protect areas or assets of particular importance ('Footnote 7' areas) provides a strong reason for refusing the development proposed; or
 - ii) Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.
- 5.7 **Footnote 8** of the NPPF clarifies that the presumption in favour applies in situations where the local planning authority cannot demonstrate a five-year supply of deliverable housing sites; or, where the Housing Delivery Test indicates that delivery of housing is substantially below (less than 75%) of the housing requirement over the previous three years. This is currently the case in Horsham as a 5-year supply cannot be demonstrated.
- 5.8 **Paragraph 12** states the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making. Where



a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. If material considerations in a particular case indicate that the plan should not be followed, local planning authorities may take decisions that depart from an up-to-date development plan.

- 5.9 **Paragraph 14** continues to confirm that where the presumption (at paragraph 11d) applies, the adverse impact of allowing development that conflicts with a neighbourhood plan is likely to outweigh the benefits provided that the neighbourhood plan was made within the previous 5 years, **and** the plan contains policies and allocations to meet its identified needs. The Rusper Neighbourhood Plan was Made in November 2020, but as the NP does not include allocations to meet the identified needs of the Parish, the provisions of paragraph 14 do not apply.
- 5.10 **Paragraph 20** relates to strategic policies where it is set out that these policies should make sufficient provision for: housing (including affordable housing), infrastructure, community facilities, and conservation of the natural and built environment.
- 5.11 In terms of determining applications, **paragraph 39** of the framework states that it is a requirement for Local Planning Authorities to approach decisions in a positive and creative way. Planning Authorities should also work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area, whilst seeking to approve applications for sustainable development where possible.
- 5.12 **Paragraph 48** reiterates the requirements set out in planning law that applications for planning permission should be determined in accordance with the development plan unless material considerations indicate otherwise. It actively encourages decisions on applications to be made as quickly as possible.
- 5.13 **Paragraph 56** states that planning conditions can be used to make a development acceptable, where it might otherwise be unacceptable. **Paragraph 57** goes on to say that the use of conditions should be kept to a minimum and only imposed if necessary, relevant, enforceable, precise and reasonable in all respects.
- 5.14 **Section 5** (delivering a sufficient supply of homes) sets out clearly that the Government is committed to significantly boosting the supply of homes (**paragraph 61**) in order to meet local needs and help make sure that land with permission is developed without unnecessary delay.
- 5.15 **Paragraph 63** states that the size, type and tenure of housing needed for different groups in the community should be reflected in planning policies, and should include those who require affordable housing, older people, people with disabilities, travellers, and people wishing to build their own homes.
- 5.16 **Paragraph 70** outlines the importance of small and medium size sites in the contribution to achieving the housing requirement of an area. These sites are often built out quicker and have less infrastructure requirements and associated risk.
- 5.17 **Paragraph 78** requires local planning authorities to identify an annual supply of deliverable sites sufficient to provide a minimum of 5 years' worth of housing calculated against the latest local housing needs figure (plus a buffer of either 5% or 20%). The latest figures published in the Annual Monitoring Report (January 2024) by the Council indicate that the district has (at best) a 2.9-year supply of housing (from 1st April 2023). As such, the Horsham district does not currently have a 5-year housing supply as required by paragraph 78, and the position in January 2024 is likely to have worsened since the new Standard Method was published in December 2024.



- 5.18 **Paragraph 83** seeks to promote sustainable development in rural areas by directing new housing in suitable location where it will help to enhance the vitality of village communities and to enable them to thrive.
- 5.19 **Section 8** seeks to promote healthy and safe communities, with **Paragraph 103** highlighting the importance of providing access to a range of high-quality open spaces and opportunities for sport and physical activity in order to promote the health and wellbeing of communities.
- 5.20 **Section 9** supports the provision of sustainable modes of transport, with **Paragraph 109** stating that transport issues should be considered from the earliest stages of plan making so that opportunities to promote walking, cycling and public transport use are identified and pursued.
- 5.21 **Paragraph 116** is clear that *‘Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe’* [our emphasis].
- 5.22 **Paragraph 117** states that new development should give priority to pedestrian and cycle movements, should facilitate access to high quality public transport, should address the needs of people with reduced mobility, and should be designed to create places that are safe, secure and attractive.
- 5.23 **Section 11** relates to making the most effective use of land to make sure that decisions meet the need for housing as effectively as possible whilst improving the environment and making safe and healthy communities. **Paragraph 129** requires decisions to support developments that make efficient use of land taking into account the identified need for different types of housing and other forms of development as well as the importance of securing well-designed and beautiful, attractive and healthy places.
- 5.24 Design is covered in **Section 12**, where the Government attaches great importance to the design of the built environment. This policy emphasises that good design is an important component of sustainable development and that it should be inseparable from good planning, which should improve the quality of life in communities.
- 5.25 **Paragraph 131** states the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 5.26 **Paragraph 135** states that new developments should be visually attractive due to good architecture, layout and appropriate and effective landscaping, as well as being sympathetic to local character, history, surrounding built environment and landscape setting.
- 5.27 **Paragraph 170** states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future).
- 5.28 **Section 15** covers the natural environment. **Paragraph 192** stresses the importance of protecting and safeguarding ecological networks, including national and locally designated sites of importance to biodiversity, wildlife corridors. It also promotes the conservation, restoration and enhancement of priority habitats, ecological networks and the protection of priority species. **Paragraph 193(d)** seeks for a net gain in biodiversity to be demonstrated, which accords with the requirement set out in the Environment Act 2021 to secure a minimum of 10% biodiversity net gain.



- 5.29 **Paragraph 193(d)** states that developments that conserve or enhance biodiversity should be supported and that opportunities to incorporate biodiversity improvements in and around developments should be encouraged.

Adopted Development Plan

- 5.30 The application site falls within the jurisdiction of Horsham District Council (HDC) where the adopted development plan comprises the Horsham District Planning Framework (HDPF 2015); the West Sussex Joint Minerals Local Plan (2018); and all made Neighbourhood Plans.

Horsham District Planning Framework

- 5.31 The Horsham District Planning Framework (HDPF) was adopted in November 2015. Those policies of the adopted HDPF of most importance to the application proposals are listed below.

- 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 – Strategic Policy: Meeting Local Housing Needs
- Policy 24 – Strategic Policy: Environmental Protection
- Policy 25 – Strategic Policy: The Natural Environment and Landscape Character
- Policy 26 – Strategic Policy: Countryside Protection
- Policy 27 – Settlement Coalescence
- Policy 30 – Protected Landscapes
- Policy 31 – Green Infrastructure and Biodiversity
- Policy 32 – Strategic Policy: The Quality of New Development
- Policy 33 – Development Principles
- Policy 34 – Cultural and Heritage Assets
- Policy 35 – Strategic Policy: Climate Change
- Policy 36 – Strategic Policy: Appropriate Energy Use
- Policy 37 – Sustainable Construction
- Policy 38 – Strategic Policy: Flooding
- Policy 39 – Strategic Policy: Infrastructure Provision
- Policy 40 – Sustainable Transport
- Policy 41 – Parking

West Sussex Joint Minerals Local Plan (2018)

- 5.32 The West Sussex Joint Minerals Local Plan 2018 was adopted in July 2018. The following policies are considered to be most relevant in the context of the proposal:

- Policy M9 – Safeguarding Minerals



Emerging Development Plan

Horsham District Local Plan (2023 – 40)

- 5.33 The emerging Horsham District Local Plan (2023 – 2040) has been through Regulation 19 consultation stage and has been submitted to the Planning Inspectorate for formal Examination (submitted 26 July 2024). Examination Hearings commenced in December 2024 but have been paused due to soundness concerns, primarily relating to proposed unmet housing need and water neutrality. It is anticipated in the Local Development Scheme (2025) that the Examination will resume between March and September 2025, and adoption of the Local Plan would be in April 2026. The emerging plan and its evidence base is a material consideration and holds weight in decision making and shows a clear direction of travel for the emerging policies and allocations that the Council supports.
- 5.34 The following draft policies contained within the Submission Local Plan do not hold full weight at this stage but nevertheless are considered to be relevant in the context of the proposal and should be considered in decision making.
- Policy 1: Sustainable Development
 - Policy 2: Development Hierarchy
 - Policy 3: Settlement Expansion
 - Policy 6: Climate Change
 - Policy 7: Appropriate Energy Use
 - Policy 8: Sustainable Design and Construction
 - Policy 9: Water Neutrality
 - Policy 10: Flooding
 - Policy 11: Environmental Protection
 - Policy 12: Air Quality
 - Policy 13: The Natural Environment and Landscape Character
 - Policy 14: Countryside Protection
 - Policy 15: Settlement Coalescence
 - Policy 17: Green Infrastructure and Biodiversity
 - Policy 19: Development Quality
 - Policy 20: Development Principles
 - Policy 21: Heritage Assets and Managing Change within the Historic Environment
 - Policy 23: Infrastructure Provision
 - Policy 24: Sustainable Transport
 - Policy 25: Parking
 - Policy 27: Inclusive Communities, Health and Wellbeing
 - Policy 37: Housing Provision
 - Policy 38: Meeting Local Housing Needs
 - Policy 39: Affordable Housing



- Policy 40: Improving Housing Standards in the District
- Policy HA15: Rusper Housing Allocations

Rusper Neighbourhood Plan (2020)

5.35 The Policies contained within the Rusper Neighbourhood Plan that are considered most relevant to this application are:

- RUS1 – Spatial Plan
- RUS3 – Design
- RUS4 – Local Heritage Assets
- RUS5 – Green Infrastructure and Biodiversity
- RUS11 – Promoting Sustainable Transport

5.36 The Rusper Neighbourhood Plan was Made in November 2020 so is currently less than 5 - years old and its policies carry full weight as part of the adopted development plan for Horsham (albeit it will become out of date at the end of 2025). The NP does not include specific housing allocations to meet the identified housing needs of the Parish, and as such, the provisions of NPPF paragraph 14 do not apply.

Supplementary Planning Documents and Guidance

5.37 The Council has also adopted several separate Supplementary Planning Documents (SPDs) and other guidance documents which are material considerations in decision making. Those most relevant to the proposals are:

- Planning Obligations and Affordable Housing SPD (2017)
- Community Infrastructure Levy (CIL) SPD (2017)
- County Parking Standards and Transport Contributions Methodology (2020)
- Air Quality and Emissions Mitigation Guidance for Sussex (2021)
- Biodiversity and Green Infrastructure Planning Advice Note (PAN) (2022)
- Facilitating Appropriate Development Planning Advice Note (PAN) (2022)



6.0 Summary of Key Planning Consideration

- 6.1 This section sets out the key planning considerations including the sustainability merits of the proposal and the economic, social and environmental benefits which the application will deliver, with regard given to the policies set out in the preceding section.

Principle of Development

Housing Need

- 6.2 As the Local Plan (HDPF, 2015) was adopted over 5 years ago, the Council's housing target is now derived from the Government's (current) Standard Methodology rather than the adopted housing target of 800 dwellings per annum. The government's newly published Standard Method requires the delivery of 1,357 homes per annum in Horsham (a 48% increase on the HDPF figure).
- 6.3 HDC acknowledged that it is unable to demonstrate a robust five-year supply of housing as required by national policy, with the latest published position showing a 2.9-year supply of housing against the adopted requirement (AMR, January 2024).
- 6.4 The publication of the new NPPF in December 2024 and the new housing targets that accompanied it (1,357 homes per annum), results in a worsening five-year land supply position in Horsham, which will remain until a new Local Plan is formally adopted.
- 6.5 Paragraph 11 of the Framework continues to set out the '*Presumption in favour of sustainable development*' which for decision making means either approving development proposals that accord with an up-to-date development plan without delay, or: where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date granting permission unless:
- i) *The application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
 - ii) *Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in this framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.*
- 6.6 The Framework directs that where the local planning authority cannot demonstrate a five-year supply of housing land, that development plan policies relevant to the supply of housing are to be considered out of date. As this is the acknowledged case in Horsham, the presumption in favour of sustainable development as set out in paragraph 11d of the NPPF is therefore engaged and as the Site can demonstrate a sound water neutrality solution the provisions of paragraph 11d part (i) do not apply, and applications must be considered positively in line with the '*tilted balance*'.
- 6.7 Whilst the Council's five-year housing land supply position is likely to have worsened since the Latest AMR was published in January 2024; the latest figure of 2.9 years supply clearly shows a severe undersupply of housing against the Council's own targets.
- 6.8 In light of the Council's inability to demonstrate a five-year supply of housing sites, as well as the key objective of Government policy to significantly boost the supply of homes; the Council



has published the Facilitating Appropriate Development document (FAD, Oct 2022) which forms a material planning consideration in decision making.

- 6.9 The advice contained in the FAD does not alter the statutory decision-making framework but sets out the weight that can be given to current and emerging local policy and has been produced to enable the Council to act proactively to continue to deliver housing in a sustainable manner. The FAD supports applications that relate to sites already allocated as well as for proposals located outside the defined settlement boundaries. In relation to sites outside settlement boundaries, the FAD (at paragraph 5.7) echoes the requirements of HDPF Policy 4 and states that applications will be considered positively provided that all of the following criteria are met:
- The site adjoins a Built-Up Area Boundary;
 - The level of expansion is appropriate to the related settlement;
 - The proposal meets local housing needs;
 - The impact does not prejudice long term development; and
 - The development is with an existing defensible boundary.
- 6.10 The proposed development accords with all the above criteria of the FAD, and is additionally proposed for development in the emerging Local Plan (Policy HA15). This demonstrates that the site is a sustainable and suitable location for additional housing growth in Rusper, in the context of the Council's documented housing shortfall.
- 6.11 In addition to the above listed FAD criteria, proposals must also be shown to be deliverable in the short-term, and the FAD requires that relevant supporting information should be included to demonstrate when development would be expected to be delivered. The proposed development on land north of East Street is a modest scale development of 18no. homes that is available now and can be delivered immediately, particularly as the proposals are accompanied by a robust and viable strategy for achieving water neutrality.
- 6.12 Devine Homes has a track record of successful delivery of similar sites in Horsham and is confident this site can be delivered quickly and to the highest quality.
- 6.13 The remainder of this statement details the technical matters in relation to the proposal, demonstrating that there are no barriers to the delivery of the site.
- 6.14 Given the present policy position and application of the '*tilted balance*' as described above; alongside the application of the FAD which carries weight in decision making at this time; it is our view that the principle of residential development of 18no. units on this site is acceptable.

Site Location

- 6.15 The Site is located in the village of Rusper, immediately adjacent to the existing Built-Up Area Boundary. Rusper is identified as a 'Small Village' within the settlement hierarchy. Policy 3 of the HDPF states that these are '*villages with limited services, facilities, social networks but with good accessibility to larger settlements with some employment by limited services, facilities or accessibility.*' As set out above, Rusper has plentiful services and facilities, including a Primary School, local shop, post office, and village hall, and has good accessibility to public transport.
- 6.16 It is acknowledged that whilst the site lies outside of the Built-Up Area Boundary of Rusper, it accords with all criteria of the FAD and it also benefits from being allocated for development within the emerging Local Plan.



- 6.17 Policy HA15 of the emerging Local Plan allocates the site for 20 homes (RS2), and states that development will:
- *be supported where it can be demonstrated that dwellings are designed to minimise noise impacts from aircraft flying to / from Gatwick Airport; and*
 - *have regard to the setting and character of the Rusper Conservation Area to the west and maintain the rural approach to the village.*
- 6.18 This Planning Statement explains how these criteria will be met, and thus the emerging Policy HA15 complied with.
- 6.19 In summary, whilst the site is not currently located within a defined settlement boundary (as per the HDPF), it is immediately adjacent to the existing Built-Up Area Boundary and is proposed for development in the emerging Local Plan. The Site is thus undoubtably well located in terms of its links to the existing services and facilities within the village. The site is within easy walking distance of all facilities within Rusper. The Site represents a natural and logical extension to the village, which compliments its existing built form.

Character and Appearance

- 6.20 The Proposed Development seeks to provide a high-quality residential development that responds positively to the character of its surroundings. The proposal has been designed to respond to the natural constraints of the site, including the existing boundary vegetation, topography and landscape character; to ensure that the size, scale and siting of the proposed dwellings are appropriate.
- 6.21 In particular, the layout retains as many of the existing trees and hedgerows within the site as possible, whilst also incorporating new tree planting, and provides a landscape buffer to the rural edges of the site as well as to the neighbours on the western boundary. It also preserves and enhances the setting of the adjoining Rusper Conservation Area.
- 6.22 Accompanying this application is a Design and Access Statement, including a Landscape Strategy at Section 3.04, and a suite of landscape plans (including a landscape masterplan) to describe the proposed planting and management that would be provided, and to show how the Proposed Development would sit comfortably in its surroundings.
- 6.23 Section 4 of the accompanying Design and Access Statement explains the design approach. The materials chosen have been carefully considered and are reflective of the local context, creating a cohesive yet varied aesthetic that ties the development to the surrounding architectural character. The selective use of accent materials also helps to add visual interest and promote wayfinding.
- 6.24 The Proposed Development has been designed to carefully consider the design and layout of all built form, incorporating appropriate landscaping to ensure the semi-rural character of the surroundings is preserved. The design of the site seeks to comply with Policies 32 and 33 of the HDPF as well as the design aspirations required by the Rusper Neighbourhood Plan (Policy RUS3 and RUS4).

Housing Mix

- 6.25 The proposed scheme has had regard to the aims and objectives of housing delivery and housing need within the district. Table 2 sets out the proposed mix of unit sizes within the development which comprises a mix of 2-, 3- and 4-bedroom homes. This mix is in general accordance with current policy and is in line with the requirements of Policy 16 of the HDPF



which requires housing mix to be appropriate for the site, the locality, and the surrounding character.

- 6.26 6No. of the dwellings are proposed to be affordable tenure This equates to 33.3% on-site affordable housing which is acknowledged as being slightly below the policy requirement of 35%. If it is required by the Council, the remaining 1.7% requirement can be provided for by a commuted sum in line with the Council's Planning Obligations and Affordable Housing SPD (2017).
- 6.27 It is considered that the proposed mix is suitable both in design terms and in achieving efficient use of the site. The applicant is committed to ensuring that the proposed scale and density of the development respects the surrounding locality. There is a strong justification for the proposed mix outlined above in regard to both a landscape perspective and the importance of the preservation of the semi-rural community.

Access and Highways

- 6.28 The site is situated within a sustainable location benefiting from good connections to the strategic road networks of the A264 and A24. Bus stops are also located on East Street and Horsham Road within 200-250m of the site (c.3 minutes walking time), providing services to Horsham (no.52), and to Millais Secondary School, The Forest Secondary School and Collyers College (no.639). There are also multiple train stations near to the Site (Faygate, Warnham, Ifield, Littlehaven, Ockley and Horsham) which provide connections to Gatwick, London, Crawley, and destinations along the south coast including Portsmouth and Bognor Regis. London Gatwick Airport is also c.12km to the north-west of the site.
- 6.29 Safe and suitable vehicle access to the site will be gained via East Street, broadly located centrally along the southern boundary of the site frontage. This access would be formalised with visibility splays in accordance with Manual for Streets standards. The development proposal also includes a separate pedestrian access located in the south-western corner of the site, connecting the existing footway to a network of shared surfaces within the site. A further uncontrolled pedestrian crossing with dropped kerbs and tactile paving will be provided at the western end of the proposed footway to enable pedestrians to safely cross East Street onto the existing footway on the northern side of the carriageway.
- 6.30 A Transport Statement (by i-Transport) accompanies this submission, and details the access arrangements in more detail, with a detailed access plan provided in the appendices.
- 6.31 Although not required to achieve safe pedestrian and vehicular access to the Site, the Transport Statement also sets out a series of local highway improvements which the applicant would be willing to deliver as part of the development, which are summarised below: These improvements would help to further integrate the site into the village and moderate speeds on the approach to the village which may be seen as a wider benefit. The applicant would welcome the opportunity to discuss those improvements with WSCC and the Parish Council:
- Funding of a TRO to extend the existing 30mph speed limit on East Street beyond the site access
 - Introducing a kerb build out as part of the proposed pedestrian access with associated priority working (see Appendix C to Transport Statement).
- 6.32 The Transport Statement also details the predicted additional trips that would be generated from the Proposed Development. The assessment concludes that trip generation from the new development would be minimal and would have a negligible effect on the local highways network.



- 6.33 In view of the above it is reasonable to consider that the proposed development is acceptable in access and highway terms, and accords with the requirements set out in Section 9 of the NPPF, particularly paragraph 116 which states that applications should only be refused on highways grounds if there would be a severe impact on the highways network. Further details are set out in the accompanying Transport Statement which demonstrates that the proposal will not result in a significant impact on the local highways network.

Ecology and BNG

- 6.34 The Site is located approximately c.13.7km from the Mole Gap to Reigate Escarpment Special Area of Conservation (SAC), which is to the north. The site lies over 24km from the Arun Valley SAC to the south-west, but falls within the Sussex North Water Resource Zone. There are two non-statutory designated Local Wildlife Sites (LWS) within 2km of the site – Horsegills Wood located c. 420m to the west; and Orltons Copse located c. 1.7km north-east of the site.
- 6.35 The site lies outside of the 'bat sustenance zone' of the Sussex Bat SACs (The Mens, Singleton and Cocking Tunnels and Ebernoe Common). There are no national statutory designated sites within 2km of the site.
- 6.36 The site is partially within a Green Infrastructure Network, which covers a much wider area. Policy RUS5 of the Rusper Neighbourhood Plan sets out support for proposals that protect, manage and enhance the rich natural features that are a key component of the Low Weald landscape which provide habitats for Rusper's diverse species populations. Development proposals on land that lies within the broad location of the Green Infrastructure Network will be required to demonstrate how they enhance habitat connectivity. Development proposals must ensure their landscape schemes, layouts, access and public open space provision and other amenity requirements contribute to the connectivity, maintenance and improvement of the Network. Proposals should also consider the habitat connectivity provided for by footpaths and bridleways.
- 6.37 Rusper, including the site, is within a Dark Skies Area. Policy RUS10 of the Rusper Neighbourhood Plan requires light pollution to be minimised. This requirement is fully acknowledged, and it is anticipated that an appropriate lighting scheme will be secured by planning condition.
- 6.38 In support of the application, a Preliminary Ecological Appraisal (PEA) has been submitted which has identified all ecological constraints associated with the site, as well as any recommended mitigation. This concludes that there will be no residual effects with regards to ecology (water neutrality is covered under a separate document – see below).
- 6.39 Ecological enhancements have been recommended in the PEA which including provision of additional native species-rich hedgerows, artificial house sparrow and swift nests, bat boxes, and log piles. Where relevant, these features have been designed into the site layout plans, and it is expected that more detailed matters will be secured by condition. Sensitive lighting measure will also be implemented.
- 6.40 A Biodiversity Net Gain Report / Outline Habitat Management and Monitoring Plan and Statutory Biodiversity Net Gain Metric (by The Ecology Partnership) have also been submitted with the planning application.
- 6.41 Overall, the proposal results in a +133.96% increase in hedgerow (linear) habitat units (2.20 units), but an overall loss of -13.44% habitat units (0.41 units). The Biodiversity Net Gain Report / Outline Habitat Management and Monitoring Plan confirms that:



“...an additional 0.72 units of medium distinctiveness offsite habitat units is required, of which, 0.48 units should come from individual trees, or a higher distinctiveness habitat.”

- 6.42 The biodiversity deficit will need to be compensated for by the equivalent provision off-site, or through the purchase of credits from a provider such as the Environment Bank. Discussion with regard to this compensation are underway, and it has been confirmed that units are available for purchase from a locally registered habitat bank. It is envisaged that the securing of off-site habitat units would be evidenced to the Council by way of condition.

Heritage Assets

- 6.43 The site contains no listed buildings, and there are no heritage assets within the site. The nearest listed buildings are located to the west of the site in the village, and include ‘The Star Inn’, ‘1 and 2 Norman Cottages’, ‘Michaelmas Cottage’, ‘Avery’s’ and its outbuilding, ‘Rusper Ware Memorial’, ‘The Plough Inn’, and ‘Ghyll Manor Cottage’ (all Grade II listed), and ‘The Parish Church of St Mary Magdalene’ (Grade I listed). The Rusper Conservation Area is adjacent to the south-end of the western boundary of the site. There are non-heritage assets identified in the Rusper Neighbourhood Plan (2020) and Rusper Conservation Area Appraisal and Management Plan (2023) (No.1 to 4 Star Cottages, No.1 to 5 Church Cottages, and No1 to 8 East Street).
- 6.44 The supporting Archaeological Desk-Based Assessment and Heritage Statement (by Pre-Construct Archaeology) assessed that the impact of development on the significance of the Rusper Conservation Area was minor adverse; and the impact of the Proposed Development upon the significance of the Grade II listed Star Inn and the locally listed Star Cottages and Nos 1-8 East Street would be negligible and thus neutral. The level of harm to the heritage assets is thus less than substantial, at the lower end.
- 6.45 The report also recommends that an archaeological trial trench evaluation may be a useful method to ascertain the extent and nature of any potential archaeological remains. It is envisaged that this could be secured by condition.
- 6.46 The proposed development is therefore considered to be consistent with the provisions of Chapter 16 of the NPPF, Policy 34 of the HDPF, and RUS4 of the Rusper Neighbourhood Plan.

Flood Risk and Drainage

- 6.47 A Flood Risk Assessment (FRA) and Drainage Strategy has been undertaken by Motion and accompanies the submission of this application. The report identifies the site as being located wholly within Flood Zone 1 (very low risk of flooding), and the updated (January 2025) EA mapping shows minor areas of surface water flood risk adjacent to the site and in its south-eastern corner.
- 6.48 The development has followed the sequential approach to the layout and allocation of development within the site. The Drainage Strategy demonstrates how the development will manage surface water and foul water discharge to ensure the development does not increase flood risk elsewhere. The drainage strategy includes a mix of SuDS features, which will store water before being discharged at restricted rates into a nearby watercourse.
- 6.49 Foul water is proposed to be discharged into the existing public sewer on East Street.



- 6.50 The FRA and Drainage Strategy concludes that flood risk and surface water management can be controlled appropriately and in accordance with the provisions of the NPPF and Policy 38 of the HDPF.

Water Neutrality

- 6.51 In support of this submission, a Water Neutrality Strategy (by Motion) has been provided. This details the measures proposed to ensure the site is water neutral in line with Natural England's requirements to avoid any additional impact on the integrity of the Arun Valley sites.
- 6.52 In the first instance, the homes proposed are to be designed to include water efficient fixtures and fittings to reduce water usage at source to 84.85 litres per person per day.
- 6.53 The residual water demand that the 18no proposed units will require after efficient fittings are installed is calculated to be 3,421.91 litres per day. This requirement will be offset against a scheme at Slade Farm, Rogate (near Petersfield) which is transferring part of its current mains water usage for operational/agricultural activities (i.e. not domestic consumption) to a new supply fed by a borehole which will extract less than 20,000 litres per day (i.e. below the EA licence threshold).
- 6.54 The Proposed Development will utilise 'credits' from Slade Farm to offset its 3,421.91 litres per day requirement, which equates to 3,422 credits. The applicant already has an agreement with Slade Farm.
- 6.55 The offsetting against Slade Farm will be secured in perpetuity in a legal agreement. This demonstrates with the required level of certainty that the Proposed Development is water neutral and is able to pass the required HRA Appropriate Assessment tests to show the development will have no adverse effect on the Arun Valley sites.

Energy and Sustainability

- 6.56 An Energy and Sustainability Statement (by Doherty Energy) has been submitted with the application which outlines the measures proposed to seek to reduce the impact of the development on climate change in line with HDPF Policies 35, 36 and 37.

Air Quality

- 6.57 As the proposals are for more than 10 dwellings and a "major development", an Air Quality Assessment has been submitted with the application in line with HDPF Policy 24.
- 6.58 The Air Quality Assessment demonstrates that, subject to good practice measures, residual air quality and dust impacts during construction are not significant. In addition, operational air quality impacts are also assessed as not significant due to low number of vehicle movements and the use of Air Source Heat Pumps for energy.
- 6.59 The Air Quality Assessment proposes a financial contribution towards local air quality initiatives to offset residual impacts calculated as a "damage cost". It is envisaged that this would be secured through a legal agreement.

Planning Conditions / Community Infrastructure Levy

- 6.60 NPPF paragraph 57 confirms that planning conditions should be kept to a minimum and only imposed where necessary and relevant to planning and the proposed development. It goes



onto confirm that conditions required to be discharged prior to commencement should be avoided unless there is clear justification.

- 6.61 This application intentionally includes sufficient information to minimise the need for pre-commencement conditions, but where conditions are necessary, we are happy for them to be included in order to make the development acceptable to the Council.
- 6.62 The proposal is located within the adopted CIL charging zone; therefore, a CIL Additional Information Form accompanies the submission.
- 6.63 It is expected that a legal agreement will be required as part of any planning permission. At this stage, it is anticipated that this will cover the following Heads of Terms:
- Affordable Housing
 - Water Neutrality offsetting measures
 - Air Quality Offset Contribution
- 6.64 In addition to the above, although the proposed development falls below the threshold at which a play space provision is required, the applicant is willing to provide an appropriate financial contribution towards improvement of existing local play and recreation facilities. The applicant would welcome the opportunity to discuss this with the Parish Council through the application.



7.0 Summary and Planning Balance

- 7.1 At the heart of the NPPF is a presumption in favour of sustainable development. As set out in NPPF Paragraph 8, the planning system has three overarching objectives which are key to achieving sustainable development. These are social, economic and environmental objectives.
- 7.2 The proposed development would result in **social** benefits through:
- The provision of a mix of 18no. dwellings in a sustainable location and on a site which is already proposed to be allocated for development through the emerging Local Plan, to add to the much-needed housing stock in the district, representing a very substantial benefit in the context of the Council's housing supply and delivery position;
 - The provision of on-site affordable housing (6no.) dwellings and a suitable mix of house types and sizes to accord with identified local needs representing a very substantial benefit in the context of the pressing need for housing of all types and sizes;
 - Public open space provision and retention and enhancement of existing landscape features for the enjoyment of incoming and existing residents, as well as private outdoor amenity space for each dwelling; and
 - Provision of new homes in the heart of the village, enabling new residents to support the vitality of existing local facilities such as the Primary School, local shop, post office and village pubs, and enjoying convenient connections to the wider strategic highways network.
- 7.3 The proposed development would result in **economic** benefits through:
- The generation of employment related to construction;
 - New Homes Bonus payments and CIL receipts; and
 - Contributions to the local economy by future residents.
- 7.4 The proposed development would result in **environmental** benefits through:
- Retention and enhancement of existing mature planting along the site boundaries in order to retain the verdant character of the site and to protect wider landscape views;
 - Highways improvements, including proposed extension to 30mph speed limit, gateway features and further measures to moderate vehicle speeds on the approach to the village;
 - Provision of ecological enhancement measures, including mitigation measures to prevent harm to sensitive habitats and to achieve at least 10% Biodiversity Net Gain;
 - Protection from flooding for the lifetime of the development by utilising sustainable drainage systems which also provide ecological and landscape benefits;
 - Careful landscape design to produce a development of the highest quality, ensuring it respects the local area; and
 - Design of the homes to meet and exceed current environmental standards, including adopting a fabric first approach and the use of sustainable energy technologies including EV car charging at each dwelling.
- 7.5 This Statement demonstrates that the Proposed Development of 18no. homes on this Site would deliver multiple benefits, particularly the significant benefit of a mix of much needed housing in a location that is considered to be sustainably located and very well related in character to the surrounding built up area and form of the village.



- 7.6 The statement has highlighted the significant benefits the proposal would offer and demonstrates that the proposed development would not result in any adverse impacts that cannot be mitigated to an acceptable level.
- 7.7 The confirmation by the Council that only a 2.9 year supply of housing is currently being achieved (at best, particularly in the context of the new Standard Methodology) demonstrates the urgent need for housing to be delivered in sustainable locations within the district and triggers the application of the '*tilted balance*'. The development proposal for 18 new homes complies with the provisions of the Council's FAD document (2022) and makes the most effective use of the land available whilst creating a beautifully designed place for new residents to live.
- 7.8 In summary, the benefits that would result from the Proposed Development are significant, and there are no adverse impacts that would significantly and demonstrably outweigh the delivery of these benefits. As such, having regard to the policies contained within Horsham's adopted and emerging development plans, the Ruspur Neighbourhood Plan, as well as direction from the newly published NPPF and other material considerations identified (including the FAD); it is considered that the planning balance lies in favour of the proposal, and it is respectfully requested that planning permission is granted.





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