Dear Ikeoluwa

In the Appellant's recently submitted Final Comments reference was made to the new NPPF. For the avoidance of doubt the Appellant maintains that the appeal scheme accords with the presumption in favour of sustainable development established by Policy S3 of the August 2026 NPPF. As the site lies outside the defined settlement, Policy S5 applies and provides two distinct routes supporting the proposal.

First, Policy S5(1)(d) supports the redevelopment of previously developed land, including for residential purposes. The appeal evidence explains that the land is maintained and used with The Fords as residential garden rather than for agriculture or grazing. The NPPF definition of previously developed land includes the curtilage of lawfully developed land, while excluding residential gardens only where they are within built-up areas. Subject to the Inspector accepting the evidence concerning its lawful curtilage and use, the appeal land is therefore capable of falling within S5(1)(d).

Alternatively, Policy S5(1)(j) supports development addressing evidenced unmet need where the authority cannot demonstrate a five-year housing-land supply, provided it is physically well-related to an existing settlement and can be accommodated by available infrastructure. The Council's acknowledged supply of only 1.7 years establishes an acute unmet need. The site is close to Southwater, associated with the existing group of dwellings along Bonfire Hill and closer to the settlement than Marlpost Meadows, where residential development was allowed despite its countryside location. The scheme would not comprise isolated homes for the purposes of S5(3).

The limited scale and contained character of the development also satisfy the balancing exercise in S5(1). It would provide two deliverable homes through low-density, single-storey development, using the existing access and retaining substantial mature boundary screening and garden areas. No specific harmful public views or substantive arboricultural, heritage, amenity or highway effects have been identified. These considerations demonstrate that the benefits are not substantially outweighed by adverse effects and that the appeal scheme is supported by Policies S3 and S5 of the August 2026 NPPF. The Appellant therefore respectfully invites the Inspector to allow the appeal.

Kind regards

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