

NPPF 2026

Refusal Reason 1

“The development would be located 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 and 26 of the Horsham District Planning Framework (2015) and policies 9 and 10 of the Cowfold Neighbourhood Plan 2019-2031. 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.”

Policy S3 of the NPPF states that development proposals should apply a presumption in favour of sustainable development. This means that outside settlements, policy S5 should be applied.

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 this Framework. Development that should be approved includes, among others, the redevelopment of previously developed land (including a material change of use to residential or mixed-use including residential); limited infilling within groups of houses; and 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 (unless the nature of the development would make this inappropriate) and be of a scale which can be accommodated taking into account the existing or proposed availability of infrastructure.

Paragraph 2 of Policy S5 states that in applying this policy, the circumstances in which the benefits of approving development proposals are likely to be substantially outweighed by adverse effects include, but are not restricted to, situations where the development proposal would fail to comply with one of the national decision-making policies which state that development proposals should be refused in specific circumstances.

Paragraph 3 of Policy S5 continues that development proposals comprising isolated homes, which are those lying outside settlements or groups of houses, should not be approved other than in accordance with HO11.

Paragraph 4 of Policy S5 outlines that development proposals which do not fall within one of the categories set out in this policy should only be approved in exceptional circumstances, where the benefits of the proposal would substantially outweigh the adverse effects, including the character of the countryside and in promoting sustainable patterns of movement.

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:

- a. 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;
- b. The development would be appropriate enabling development to secure the future of heritage assets in accordance with policy HE4;
- c. 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 (subject to taking into account any harm to its significance, as set out in policy HE6);
- d. The development would involve the subdivision of an existing residential building; or
- e. The design is of exceptional quality, in that it:
 - i. Is truly outstanding, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and
 - ii. Would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area.

As relevant to the appeal site, the development is located outside any settlement, and it is therefore necessary to consider whether the proposed development meets the listed forms of development which Policy S5 of the NPPF supports.

The appeal site comprises two parcels of land, the eastern parcel is sited to the north and south of residential dwellings, where the proposal would serve as a continuation of the build line along the eastern side of the access road. To this effect, this parcel of land would represent infilling between groups of houses. The development to this portion of the site would comprise 7no. dwellings where this could be considered an appropriate number given the size of the parcel and the context of the neighbouring dwellings.

The parcel of land to the west of the access road would however be physically separate from the dwellings to the north and east of the site, and would not therefore be considered to represent infilling between groups of houses.

When considering the appeal scheme as a whole, the proposal would be in some conflict with Policy S5 as the development would not fully comply with the list.

Paragraph 3 of the policy then directs that development proposals comprising isolated home, which are those lying outside settlements or groups of houses, should not be approved other than in accordance with Policy HO11. It is not however considered that the proposed development would meet one or more of the listed circumstances. The development would therefore be contrary to Policy HO11 of the NPPF.

It is recognised that subparagraph j. of Policy S5 refers to development that would address an evidenced unmet need, including where the Local Planning Authority cannot demonstrate a 5-year supply of deliverable housing sites. In this case, the

policy requires that development be physically well-related to an existing settlement (unless the nature of the development would make this inappropriate) and be of a scale which can be accommodated taking into account the existing or proposed availability of infrastructure.

As previously highlighted, the annotated copy of the Cowfold Policy Map demonstrates that the appeal site is physically separated from the defined built-up area and settlement as a whole by the woodland/tree protection to the north and west of the appeal site. It is recognised that the wording of Policy S5 does not require the development to physically adjoin the settlement, rather requiring that the development be “physically well-related to”. Notwithstanding this, the appeal site would remain distanced from the settlement boundary and would be separated by a mature tree line and woodland. As such, the appeal site would not be considered to be physically well-related to the settlement of Cowfold. For this reason, the proposed development would not fully comply with subparagraph j. of S5 of the NPPF.

It is of note that the Council has published a guidance document titled “Shaping Development in the Horsham District” where it is recognised that there are likely to be applications submitted outside of defined built-up area boundaries and on unallocated sites. Given the lack of a 5-year housing land supply, and the principles behind Policy 4 of the HDPF, the guidance document outlines that applications which meet the following criteria will be considered positively:

- The site adjoins the existing settlement edge as defined by the built-up area boundary;
- 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 this pre-dates the updated NPPF, it does provide some guidance on the assessment of development outside of settlements in the context of the lack of 5-year housing land supply. The guidance document requires that the site adjoin the existing settlement, where it is considered that such compliant development would be physically well-related to the settlement. As outlined above, it is not considered that the appeal site would be physically well-related to the settlement and would therefore be in conflict with Policy S5 of the NPPF.

When considering the NPPF as a whole, the appeal site would be in conflict with the policy directives under Policy S5, and would therefore not accord with the national decision-making policy. It is therefore considered that the benefits of approving the development proposals would be substantially outweighed by adverse effects as directed by paragraph 2 of Policy S5. For the reasons outlined above, it is also not considered that the proposal would comply with Polich HO11 of the NPPF

It is noted that paragraph 4 of Policy S5 of the NPPF states that development which does not fall into the listed categories should only be approved in exceptional circumstances, where the benefits of the proposal would substantially outweigh the adverse effects. It is acknowledged that the proposed development would contribute 2no. dwellings to the housing supply, where this would result in some benefits, including short-term economic benefits during construction and subsequent benefits to the local economy. When considering the quantum of development, these benefits are however considered to be modest in scale and would not substantially outweigh the adverse effects.

Refusal Reason 2

“The development entails a quantum of built form that would formalise and suburbanise the site, resulting in the dilution and erosion of the informal character of the landscape and countryside setting. The proposal would result in a prominent form of development that would fail to preserve and/or enhance the landscape characteristics of the area. The proposed development would therefore be contrary to Policies 25, 32, and 33 of the Horsham District Planning Framework (2015) and Policy 9 of the Cowfold Neighbourhood Plan 2019-2031.”

Policy DP3 of the NPPF states that development proposals should respond to their context (the history, character and features of their site and its setting), so that they integrate with and enhance their surroundings; such as through the arrangement of development plots and buildings, the use of materials and architectural features, and the restoration, reuse and integration of heritage assets. This should not preclude innovation or change where appropriate, especially where an increased scale or density of development is justified in accordance with policies L2 and L3.

Paragraph 2 of this policy outlines a number of principles that should be followed to create well-designed places, as appropriate to the location and nature of development. This includes, among other things, using the pattern of buildings to define the arrangement of streets, squares and other spaces, promote compact forms of development to optimise the site's potential, distinguish between public and private areas, create focal points and, where appropriate, enhance views into and out of the scheme; and creating visually attractive, distinctive and characterful development to establish or maintain a strong sense of place and pride, including through the use of a coherent palette of materials, design features and planting.

Paragraph 3 of the Policy states that development proposals should be refused if, without clear justification, they conflict with paragraph 1 of this policy or relevant aspects of the principles in paragraph 2, or with any explicit design standards set out in the development plan.

It is recognised that the proposed development within the eastern portion of the site would infill the space between the established dwellings to the north and south, with the proposal following the build line established with these dwellings. The proposed development to the western section would in contrast, appear quite isolated from the existing built form, with the positioning, orientation, and scale of the development considered to dominate the setting. While it is recognised that the site is enclosed by woodland and boundary treatments, this in and of itself does not mean that any form of development can be erected without causing harm. The proposed development in

this portion of the site would appear visually separate from the adjacent development, and this would be further exacerbated by the proposed orientation which would contrast the informal build line of the nearby built form. While acknowledged that some efforts have been made to limit the intervisibility of the development through the proposed landscaping, these features would be located outside of the development site and could not therefore be effectively controlled. Notwithstanding this, soft landscaping cannot be relied upon to make development acceptable, where the proposal in its totality is considered to result in a prominent form of development that would detract from the informal and sparsely developed character of the area.

The site is located within a rural countryside location, where the defining features of the immediate surroundings is the sparse and sporadic built form and the undeveloped open fields and paddocks. These characteristics define the qualities of the rural location, and while recognised that the appeal site does not form a valuable landscape as defined by the NPPF, the overall character of the area is considered to be important when assessing proposal. The development within vicinity of the site has primarily arisen at a low density associated with agricultural activities, where the proposed development would comprise a greater density of development that would suburbanise and formalise the landscape character of the locality. It is recognised that efforts have been made to introduce soft landscaping to the perimeter of the development site, however it is not considered that this could be relied upon to mitigate the harm arising to the development.

It is considered that the proposed development would fail to respond to its context, including the character and features of the site and surroundings, and would not integrate with and enhance the surroundings. As such, the proposal is considered to conflict with paragraph 1 of Policy DP3 of the NPPF, where paragraph 3 directs that development should be refused if, without clear justification, it conflicts with the relevant paragraphs of the Policy. No clear justification has been provided, and it is therefore considered that the proposed development would conflict with Policy DP3.

Conclusion

It is acknowledged that the Council are currently unable to demonstrate a 5-year housing land supply, with the most recent AMR 2024/2025 reporting a 1.7 year housing land supply. While the revised NPPF does offer some support for the proposed development, the proposal when considered in totality would be in conflict with the policy directives under Policy S5, and would therefore not accord with the national decision-making policy. It is therefore considered that the benefits of approving the development proposals would be substantially outweighed by adverse effects as directed by paragraph 2 of Policy S5.

The Council therefore remain of the view that the scheme as submitted would be contrary to the revised NPPF.