Appeal 6015212

Interested party comments

Appeal type	Planning
Appeal procedure	Written
Appeal site	Land to the south of Lynwick Street, Rudgwick, RH12 3DJ
Agent contact details	[redacted]
Local planning authority	Horsham District Council
Application number	DC/26/0509

Interested party 1

Comments

I object to this application on the following grounds:
1. The site is not allocated in the Development Plan, comprising the adopted Local Plan and Neighbourhood Plan, and is not proposed for allocation in the emerging Local Plan. In the context of Paragraph 14 of the NPPF the application should therefore be refused
2. The impact of the scheme on the setting of the Conservation Area has not been properly assessed and the heritage harms are capable of clearly and demonstrably outweighing the benefits of the delivery of housing. The basis for this being the site is small and would not contribute significantly to housing provision, nor would it contribute to affordable housing delivery.
3. In any instance, Rudgwick already has two sites in the emerging Local Plan that are expected to meet (and exceed) its housing needs. These could deliver around 100 homes, more than the required minimum of 66. This means there is no unmet need for additional housing in the parish.
4. The site was reviewed for the draft Local Plan (reference SA082) but was rejected early on because it is separate from any built-up area. The site is outside the village's built-up area boundary and is not next to it. It is some distance away. Because of this, it does not meet the rules for building in the countryside and goes against local planning policies (Rudgwick Neighbourhood Plan Policy 1 and Horsham District Policy 26).

Supporting documents No documents

Interested party 2

Comments

To Whom It May Concern:

I wish to object to the above planning application for Permission in

Principle for the erection of 2–4 dwellings.

1. Impact on the character of the area: The site lies within a part of Rudgwick that is characterised by low-density development and open land. Introducing multiple new dwellings on this site would represent an urbanising form of development that would appear out of keeping with the existing rural character of the area. Building a small group (“close”) of houses here would not fit with the current pattern of development along this rural lane, which is mainly linear.

2. Highway safety and traffic: Lynwick Street is a relatively narrow rural road and already experiences traffic associated with local residents and agricultural activity. Additional dwellings are likely to increase vehicle movements and could create further pressure on the road network, potentially impacting highway safety.

3. Loss of open land and landscape character: The proposal would result in the loss of undeveloped land that currently contributes to the open and semi-rural character of the surroundings. Development of this site risks eroding the visual and environmental quality of the area.

4. Prematurity of Permission in Principle: Granting Permission in Principle at this stage would establish the acceptability of housing development on the site before the full impacts on neighbouring properties, drainage, landscaping, and design have been properly assessed.

For these reasons, I respectfully request that Horsham District Council refuse this application.

ully,
[redacted]

Supporting documents No documents

Interested party 3

Comments

On 20th May I submitted to Horsham District Council an Objection noting errors in the submitted Transport Statement dated 20th March 2026. These errors predominantly related to a significant overstatement of the public bus service provision. I called for corrections to said document and a thorough check of it to ensure that any other inaccuracies were corrected.
This application is now the subject of this planning appeal. Interestingly, the Transport Assessment submitted as part of the appeal has reverted to an earlier version, dated 2nd March 2026, so not the one submitted with the original application. Why? In any event Table 4.2 remains the same and still grossly exaggerates the extent of public bus services.
Worse, the submitted Appeal Statement regurgitates this misrepresentation at 2.10 and also at 8.10. The bus service is in fact hourly with no Sunday or Bank Holiday services, nor any evening service whatsoever.
How many more inaccuracies are there in the data of the presented

case? Even when such fundamental errors are pointed out, it appears that corrections are not made, so what is the confidence level relating to other facts presented as true?

Further, in the Appeal Statement's reference to HDPF policies:
5.5 Indicates that Rudgwick is classified as a Medium Village in Policy 2, but it is correctly Policy 3 that does that.
5.6. Actually quotes from Policy 4, but states Policy 3. Also, it conveniently fails to mention the need for an expansion site to specifically 'adjoin an existing settlement edge'.
5.7 Refers to Policy 4 but this should be Policy 15
There are similar errors relating to the incorrect references to Rudgwick Neighbourhood Plan policies.

With reference to 8.12 it should be noted that of the 3 sites quoted, 2 of them adjoined the existing BUAB whilst the 3rd (DC/18/0316) was approved on the basis that the emerging local plan was intending to expand the BUAB to incorporate the site. This is the same emerging local plan that has also rejected the extension of the BUAB to incorporate any part of Lynwick Street as it strongly relates to the countryside, despite the presence of some housing on part of it.
I would also point out that all 3 sites have direct access to surfaced pavements (far superior for Active Travel than unlit rural footpaths) alongside the B2128/Church Street which is the bus route and main street through Rudgwick, and mostly with street lighting. So, they are not comparable to the appeal site.

With reference to 8.11 and the site compared with the appeal site, I have already made comments dated 17th April explaining why the 2 sites are not, in fact, comparable at all.

In summary, the Appeal Statement has factual errors, 'typographical' errors and, in my view, planning logic errors.

I respectfully request therefore that the planning inspector should dismiss the appeal and concur with the original refusal decision of Horsham District Council planning department.

In summary, the site does not represent an appropriate sustainable location for residential growth having regard to the statutory Development Plan as a whole

Supporting documents No documents

Interested party 4

Comments I object to this appeal.

The Appeal Statement asserts (at paragraph 8.5) that:

"The Site sits within the existing linear pattern of development along Lynwick Street and would be well contained within the established pattern of development and existing landscape framework. It should be regarded as a logical and contained continuation of the linear development along Lynwick Street …".

Regarding this assertion:

1 Development that would not be linear (in keeping with the existing pattern) should not be "regarded as a … continuation of the linear development". Development is either linear or it's not; as pointed out by Rudgwick Preservation Society in their comments on the planning application, an application for non-linear development on Lynwick Street has been rejected in the past (DC/17/2377).

2 Accordingly, the proposed development would be of a nature that would make approval of it inappropriate, since paragraph (j) of Policy S5(1) of the NPPF provides that developments outside settlements which would address an evidenced unmet need, where the development would be physically well-related to an existing settlement, should be approved "unless the nature of the development would make this inappropriate".

The Appeal Statement further asserts (at paragraph 8.7) that:

"The proposal would contribute towards meeting local housing needs in a District with an acute shortfall, and the delivery of 2-4 dwellings on a small site capable of rapid delivery would assist the Council in addressing its housing land supply deficit."

Whilst it is the case that there is a general housing land supply deficit in the Horsham District, it is not the case that there is a shortage of "detached family dwellings" (being the kind of dwelling to which the application relates) in Lynwick Street, there being several detached properties on the road that are either currently on the market and are not selling, or that were recently on the market but have been removed for lack of interest.

The Appeal Statement further asserts (at paragraph 8.13) that:

"It is accepted that Lynwick Street does not benefit from a footpath, but the site does benefit from a Public Right of Way (RUD/390)" - this is an error, it's actually RUD1390 - "which provides a pedestrian route to central Rudgwick and associated bus stops. It is also noted that Maybanks also has no footpath being served by an unlit single width access track until it reaches Cox Green Road and therefore is very similar in accessibility terms to the site subject of this Appeal … It is submitted that for the above reasons the site is a suitable and sustainable location for housing, being immediately accessible on foot or cycle to a Medium size village …".

The public right of way referred to is a narrow, unlit, steep, earth/rock path which is very muddy and slippery when the ground is wet, and thus totally unsuitable for prams, pushchairs, wheelchairs, smaller children, elderly people or anyone else who is not strong, fit and healthy. Accordingly, given the lack of a footpath on Lynwick Street, the poor condition of the roadway, the poor visibility when walking on the roadway towards the village, the speed at which vehicles travel on a road in poor condition and with poor visibility and the nature of the public right of way referred to by the appellant, it is submitted that the site is not "physically well-related to an existing settlement" and is not suitable for sustainable development.

	For the above reasons, I believe this appeal should be refused.
Supporting documents	No documents

Interested party 5

Comments

Rudgwick Parish Council comments for submission to Planning Appeal PINS 6015212 against refusal of DC/26/0509 – Land to the South of Lynwick Street, Rudgwick.

Rudgwick Parish Council (RPC) commented during the consultation leading up to the HDC decision on the planning application for this site. At that time the latest NPPF was awaiting implementation. It is now in full force.

RPC believes that, as the site sits outside and removed from the settlement boundary a key issue to be established in this planning appeal, under the new NPPF guidelines, is which category of development outside the settlement boundary applies.

The applicant's view is that Development Principle S5 (1) j should apply, which would allow the Tilted Balance in favour of development to be invoked. The RPC view is that category j does not apply because the site is not physically well related to the Rudgwick settlement in which case the Reverse Tilted Balance situation applies (S5 (4)), and the appeal should therefore be dismissed as the limited benefits clearly do not substantially outweigh the adverse effects.

In support of this RPC would point out the following:

1) RPC full agreement with the HDC Case Officer's view that 'the site is poorly related to the settlement in terms of pedestrian accessibility. Lynwick Street is a narrow rural lane with limited footway provision, restricted lighting and vehicle-dominated conditions. As a result, the site does not offer safe or convenient pedestrian access to local services and facilities, and future occupiers would be likely to rely heavily on the private car, contrary to the objectives of sustainable development.'
2) The exit from the site is difficult and dangerous for both VRU and motorists, with no footpath on Lynwick Street at all, poor visibility and an uphill reasonably steep climb to the junction with the B2128 (Church Street).
3) The applicant refers to the footpath RUD 1390 running next to the site. The topography of this footpath involves a steep dip and stiles, and it would be a misrepresentation to even vaguely suggest that it could be used as a route to access facilities. It is a footpath designed for country walks and in no way a substitute for a pavement. Therefore, the distances from the site to facilities in the village may be greater than those quoted in the appeal statement, as all day-to-day access will be via unlit Lynwick Street.

In considering the suitability of the site's location the policies of the local development plan have primacy in the decision-making

process. The parish council agrees with the view of the LPA that the proposal would conflict with the Development Plan's spatial strategy, as set out in Policies 1, 2, 3, 4 and 26 of the Horsham District Planning Framework and Policy RNP1 of the Rudgwick Neighbourhood Plan and that significant weight should be afforded to this conflict. It also agrees that permitting the proposal would undermine the plan-led approach to directing growth and managing settlement expansion in a coordinated manner.

In particular, a critical part of HDPF policy 26 is that it requires any development in the countryside to be essential to its countryside location. The appellant omits mention of this requirement in the appeal statement summary of Policy 26, yet this still attracts weight following the publication of the August 2026 NPPF, (Appeal Ref:6009474, Sussex Topiary, decision date 18th September 2026). Clearly the provision of 2-4 market homes in this sensitive countryside location is not essential.

Additionally, some incorrect facts or mistakes have been noted within the appellant’s appeal statement.

Firstly, on both page 8, point 2.10 and page 19, point 8.10, it is stated that there are 3 buses an hour in the 63 service through Rudgwick on weekdays. The reality is that one bus per hour operates in each direction, one to Guildford, one to Horsham. This error was pointed out previously by a Rudgwick resident when it appeared in the original planning application but has still not been corrected.

Secondly, the appeal statement is incorrect when referring on page 13 to the Rudgwick Neighbourhood Plan policies. RNP Policy 7 does not refer to landscape and countryside character protection, RNP 7 deals with Architectural Style. RNP 9 does not relate to trees, hedgerows and woodland, but to Street Scene. RNP 17 is the policy which relates to Green Infrastructure and Trees.

Additionally, the Appeal statement references HDPF policy 25, when in fact it is policy 26 that is the correct reference.

This all begs the question as to how many other inaccuracies or misrepresentations may be contained within the evidence details supplied by the appellant.

In conclusion, Rudgwick Parish Council fully supports both the HDC reasons for refusal of the original planning application DC/26/0509, and the Statement of Case as submitted to this planning appeal.

Footnote - RPC feels it necessary to clarify an ambiguity in the LPA Statement of Case para 3.5, 2nd sentence. For the avoidance of doubt, there are no properties on Lynwick Street within the existing defined settlement boundary.

Supporting documents	No documents