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FAO Safia Kausar
The Planning Inspectorate
Temple Quay House
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Bristol
BS1 6PN

NJA Ref: 19/294

20 December 2024

FINAL COMMENTS

Dear Ms Kausar,

PINS Ref: **APP/Z3825/W/24/3353984**
Appellant: **Mr & Mrs A Leahy**
Site: **Arundene Orchard, Loxwood Road, Rudgwick, West Sussex, RH12 3BT**

Thank you for your letters dated 10 December 2024. On behalf of the Appellants, please find enclosed final comments in respect of the information sent.

If you have any queries or require any further information, please do not hesitate to contact me.

Yours sincerely

[redacted]

Nikolas J. Antoniou
BSc HONS DIPTP MRTPI
Chartered Town Planner
For and on behalf of NJA Town Planning Ltd

RTPI Chartered Town Planner

Appeal Ref: APP/Z3825/W/24/3353984

Appellants: Mr & Mrs A Leahy

Site: Arundene Orchard, Loxwood Road, Rudgwick, West Sussex, RH12 3BT

APPELLANTS' FINAL COMMENTS

Response to the Local Authority's Statement

We note that Horsham District Council have submitted the Appeal Questionnaire with various attachments but cannot see they have provided a Statement of Case or proposed conditions in respect of the present appeal. If these have been submitted, please can they be forwarded for comment.

In order to bring the evidence base for the appeal up to date we note the following:
The Council's most recent Authority Monitoring Report (AMR) 2022/23 (published 18 January 2024) demonstrates only 2.9 years' supply of housing. This is significantly below the reinstated five-year requirement of the recently published NPPF (12th December 2024). Furthermore, the new NPPF introduces an updated standard method of calculating housing need, which increases the provision of new homes in order to meet the Government's objective to deliver 1.5 million new homes over the present Parliament. We attach our calculation of the level of need which shows that the Councils requirement increases under the new method from 917 dwellings per annum to 1,358 dwellings per annum, an increase of 442 dwellings or 48%. (See Appendix A).

In addition, MHCLG has recently published the Housing Delivery Test Results for 2023, and we attach these as Appendix B. This shows that Horsham District Council has achieved a delivery rate of 62% of target and as such has a presumption in favour of sustainable development.

The provisions of NPPF paragraph 11 d) remain applicable to the appeal scheme and it is reiterated that there are no adverse impacts of granting planning permission which would outweigh the benefits of a new home, of a high-quality design, in a sustainable location and which makes effective use of land.

With regard to the location of the appeal site, it is respectfully asked that the Planning Inspector consider the attached recent appeal decision (10 December 2024) in respect of a property named Wappingthorn Lodge, near Steyning (Appendix C). The appeal allowed the conversion and extension of existing buildings into a dwelling located with the site located out-side of a built-up area boundary. The Planning Inspector found that the level of harm and the level benefit carry a comparable level of weight and therefore ***'the adverse impacts of granting planning permission would not significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. Consequently, the proposal benefits from the presumption in favour of sustainable development as defined in paragraph 11d of the Framework and the similar provisions in Policy 1 of the HDPF'*** (paragraph 36).

Response to Third Party Comments

Two letters dated 08 September 2023 from Horsham District Council have been sent by Third Parties to PINS however these both refer to a previous planning application and appeal at Arundene Orchard (DC/21/1726 and APP/Z3825/W/22/3306347).

Rudgwick Parish Council refer to the Council's emerging Local Plan and the proposed allocation of sites for housing in Bucks Green and Rudgwick. At present, and having regard to NPPF paragraph 49, the Local Plan holds limited weight. Furthermore, it remains the case that there is a significant shortfall of housing within the District overall and the proposal will make a small but important contribution to the supply of new homes, in a sustainable location. The proposal will also positively contribute towards the supply of self-build homes in the District. These matters are covered in detail within the Appellants' Statement of Case and supporting information. It is noteworthy that the Inspector in charge of the Local Plan EiP halted the examination last week over severe concerns with its soundness and legality.

In response to Third-Party comments regarding water neutrality, it is noted that Council's Habitats Regulations Assessment (HRA) Screening Matrix and Appropriate Assessment (forwarded by the Parish Council) confirms that that *'Horsham District Council concludes that the project will not have an Adverse Effect on the Integrity of the Arun Valley SAC/SPA/Ramsar site, either alone or in combination with other plan and projects'…..* Water neutrality was not a reason for refusal of application DC/24/0933. In any event the points made by the Third-Party representatives can and should be covered by condition.

For the reasons set out above and in the Appellant's Statement of Case it is respectfully requested that the appeal be allowed.

NJA Town Planning Limited