KNJ Planning

CHARTERED TOWN PLANNER
BA(Hons) MSc MRTPI

APPEAL REPRESENTATIONS ON BEHALF OF [redacted] OF PUCKS CROFT, HORSHAM ROAD, RUSPER, RH12 4PR

PROPOSED OUTLINE APPLICATION FOR THE ERECTION OF 4 NO. DWELLINGS, EXTENSION TO EXISTING COTTAGE, ALTERATIONS TO ACCESS AND PROVISION OF LANDSCAPING

AT LAND ADJACENT TO PUCKS CROFT COTTAGE, HORSHAM ROAD, RUSPER, RH12 4PR

APPEAL REFERENCE: 6006131

8 April 2026

Sweet Briar Cottage
Buxted Wood Lane
Buxted
East Sussex TN22 4QE
Telephone: 01825 705004
Mobile: [redacted]
Email [redacted]

RTPI
Chartered Town Planner

1.0 These representations have been prepared on behalf of [redacted] who live at Pucks Croft, immediate neighbours to the north-west, adjoining the appeal site, in response to the appeal made by BPH Plant Hire against the refusal of Horsham District Council to grant outline planning permission for 4 no. houses at land adjacent to Pucks Croft Cottage, Horsham Road, Rusper. Our clients made representations at the application stage, and they are not repeated in these representations.

2.0 Having considered the planning application decision, officer's report and appeal statement of case, we make additional representations detailed below.

3.0 There were a number of objections from third parties to the planning application, outlined in the planning officer's report. Twelve letters of objection were received from twelve separate households. Rusper parish council submitted a strong objection. In particular, the council's landscape architect (CLA) stated:

- Disagree with the conclusion which states that the site "has an existing urban quality due to proximity to Horsham Road and the buildings which form the existing Pucks Croft / Pucks Croft Cottage curtilage". The site is a rural edge of a village where there a very limited urbanising features within the site itself.
- Disagree that the scheme would "enhance the landscape character" since the proposed development would remove the small, assarted grassland fields which are very characteristic of the LCAs.
- Effects on the landscape character of the site itself are likely to be major, owed to the change of use and character to a small development from the current undeveloped grassland field.
- Overall, judge that the assessment provides an inadequate assessment of the anticipated landscape character effects associated with the scheme.

4.0 Comments are made below on the appellant's statement, referencing paragraph numbers where appropriate.

5.0 Throughout the appellant's statement the site is referred to as primarily residential curtilage. Neither the pre-application letter dated 25/4/26 nor the officer's report refers to the site as residential curtilage. The council's view, stated in the officer's report, is that the site comprises agricultural (paddock) land to the south and west of Pucks Croft cottage. The council's landscape architect considers the site to be a grassland field.

6.0 Paragraph 3.3.9 discusses the pre-application enquiry response and states that the response is a material consideration of significant weight. However, the pre-application enquiry response is the officer's informal view and not the formal decision of the council. Our clients' representations dated 14 August 2025 considered pre-application verbal comments.

7.0 Other recent planning applications in Rusper are referred to in the appellant's statement. However, limited weight should be applied to these schemes as the reasons for refusal on the application subject of this appeal are specific to the

build pattern and character of this part of Rusper, and the particulars of this scheme.

8.0 Paragraph 5.8.1 refers to the Horsham Strategic Housing Land Availability Assessment (SHLAA) 2018. The SHLAA forms part of the evidence base for the Local Plan and sites put forward have not been assessed in the detail necessary for a planning application.

9.0 Since our clients' previous representations, the council have published a Planning Advice Note (PAN) titled "Shaping Development in Horsham District" (SDPAN) which recognises that given the 5-year housing land position and the principles behind Policy 4 of the HDPF, applications that meet certain criteria will be considered positively. The SDPAN updates and supersedes the October 2022 Facilitating Appropriate Development (FAD) document. The officer's report sets out the criteria.

10.0 The officer's report concludes that while the proposed development would support the identified housing need within the District, where this would result in some small economic benefits, the proposal would result in harm to the landscape character and visual amenity of the rural area.

11.0 Paragraph 6.2.6 states that the council has misinterpreted the planning status of the land. It says that the site does not comprise open countryside or agricultural land in the conventional sense and in planning terms the land is properly classified as previously developed land, rather than undeveloped, open countryside. However, the Inspector in the previous appeal on the site stated at paragraph 10 that; '*The majority of the site is adjacent to but outside of the defined built-up area boundary of Rusper and is therefore within the countryside in planning policy terms*'. This remains the case with the current appeal application. No reference was made in the previous appeal to any of the site being defined as previously developed land.

12.0 Paragraph 6.2.7 refers to the physical and functional link to the settlement. Paragraph 13 of the previous appeal decision stated; '*Although the appeal site is in close proximity to Pucks Croft and Pucks Croft Cottage, the site is largely open. It reflects the small and medium scale grassland fields edged with woodland shaws, hedgerows and hedgerow trees that the LAS notes are characteristic of the landscape to the south and east of Rusper …*'. The Inspector considered, at paragraph 15, that; '*… the open site has a stronger connection, both spatial and visual, with the adjacent development to the south of this part of Horsham Road where I saw that the closest dwellings are typically set back varying distances from the street on large plots in a loose-knit linear arrangement which provides for a spacious and informal character. In my assessment, this provides for a noticeable impression of transition between the village centre and the surrounding open countryside, and a different character to the opposite side of Horsham Road where I observed a more regular and tighter arrangement of buildings*'.

13.0 Paragraph 6.2.8 and 6.8.2 of the appellant's statement references an email from the planning officer, where it is acknowledged that the proposal would not

fully comply with the SDPAN. The appellant highlights reference in the email that the development may be considered acceptable in principle. However, this was the opinion of the planning officer and not the council's formal decision and the officer was not then in receipt of a landscape and visual assessment.

14.0 Limited weight should be attached to other planning decisions referred to in the appellant's statement. Those cases are not comparable for reasons including the following:

- DC/25/0523 was a draft allocated site in the HDLP under policy HA15 and had therefore undergone a site assessment exercise, including an assessment against the criteria in the SDPAN, where it was considered positively.
- DC/24/0699 was deemed to comply with the provisions of the FAD in respect of the scale of the proposed development within its landscape context and providing housing in response to local need.

15.0 Maintaining and enhancing landscape character is a criterion of the SDPAN that is required to be met. Limited weight should be attached to the decisions made on other sites as the particular landscape characteristics of each site will not necessarily reflect those of another, and, in any case, each case should be considered on its own merits.

16.0 Paragraph 6.3.4 states that the refusal was based on detailed design matters. However, the refusal was made on matters of principle that arise from applying the criteria of the SDPAN.

17.0 Paragraphs 6.3.6 – 6.4.11 refer to the comment of the council's landscape architect who; '*acknowledged positive aspects of the indicative approach*'. Other, relevant, comments made by the council's landscape architect are referred to at paragraph 3.0 of these representations.

18.0 Paragraphs 6.4.4 and 6.4.5 discuss the wider area characteristics including varied plot sizes, building forms and spatial relationships. They state that the variation demonstrates that the locality does not exhibit a consistent low-density, large-plot character that must be rigidly replicated. However, the previous Inspector, at paragraph 15 of the appeal decision referred to the connection to the south part of Horsham Road, as raised previously in these representations.

19.0 Paragraphs 6.5.8 – 6.5.10 refer to the pre-application enquiry process where it is asserted that the officer's statements represent an acceptance by the Council that the revised scale, extent and conceptual layout respond positively to the landscape character and settlement-edge considerations. However, the pre-application process is only an officer's informal view and not the council's decision. The pre-application enquiry process did not include the views of the council's landscape officer on a landscape visual assessment, a document that the officer stated would be required in support of a planning application

20.0 Paragraphs 6.6.9 and 6.7.7 appear to suggest weight should be attached to the lack of objection from council's landscape architect. However, the comment of

the council's landscape architect suggests that a full assessment of the findings of the appraisal could not be carried out owing to the inadequate assessment which had been made.

21.0 The adverse impacts of the proposed development, highlighted in the reasons for refusal and those set out in these representations and our representations made at the application stage, would significantly and demonstrably outweigh the benefits, when assessed against the NPPF as a whole.