

Statement of the Local Planning Authority

PLANNING INSPECTORATE REFERENCE	6009474
LOCAL PLANNING AUTHORITY REFERENCE	DC/26/0271

Town and Country Planning Act 1990

Appeal to be determined by an Inspector appointed by the Secretary of State by way of **Written Representations**

September 2026

The Inspector has written to the Local Authority to request a comment in light of the revised NPPF.

Reason for Refusal 1

“The development, by reason of its scale and permanence, would result in a significant intensification of activity within a countryside location. The introduction of nine permanent residential units would lead to the fragmentation and formalisation of an otherwise undeveloped and informal paddock, replacing its rural character with a distinctly domestic form of land use. The resultant level of activity would dominate the sporadic and low-intensity pattern of development that characterises the locality, eroding the undeveloped and tranquil qualities of the countryside and blurring the distinction between settlement and rural openness. The proposal would therefore fail to protect the rural character, sense of place and landscape qualities of the area. The development is contrary to Policies 25, 26, 32 and 33 of the Horsham District Planning Framework (2015).”

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. Relevant to the current application, (j) 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 (i) 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 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.

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.

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. It is recognised that 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 and be of a scale which can be accommodated taking into account the existing or proposed availability of infrastructure.

As previously highlighted, the appeal site is physically separated from the defined built-up area and settlement as a whole. 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” it. Notwithstanding this, the appeal site would remain distanced from the settlement boundary. 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 and within the LPA written representation, 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.

It is acknowledged that the proposed development would contribute park homes to the housing supply, where this would result in some benefits, including 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.

Reason for Refusal 2

“The development would introduce an incongruous and suburban residential form into an open countryside context. The formalisation of the site through permanent residential units, together with associated domestic paraphernalia, activity and vehicular movements, would domesticate the site and materially alter its character. This level and type of activity would be detrimental to the amenity of nearby residential occupiers and would fundamentally conflict with the established settlement pattern, which is defined by limited, dispersed development set within a predominantly rural landscape. The proposal would therefore fail to respect local character and would result in harm to the appearance and rural qualities of the locality. The proposal is contrary to Policies 2, 25, 26, 32 and 33 of the Horsham District Planning Framework (2015).”

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.

The increase of 9 permanent caravan homes into what is a paddock would contribute to growth outside the settlement boundary in a manner that establishes a precedent for residential use which would cumulatively erode the distinction between the settlement and countryside. When considering the permanent gypsy pitches within the wider Sussex Topiary site, the proposed development would result in a concentration of residential development on this part of Naldretts Lane within a limited application site which would result in an urban appearance and character detrimental to the undeveloped rural character of much of the road such that the development would fail to protect, conserve or enhance the key features and characteristics of the area.

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.