Statement of Case for the Local Planning Authority

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PLANNING INSPECTORATE REFERENCE:	6015212
HORSHAM DISTRICT COUNCIL REFERENCE:	DC/26/0509

Town and Country Planning Act 1990

Planning appeal by **Mr Daniel Frisby** at:
Land to the south of Lynwick Street, Rudgwick, RH12 3DJ

The appeal relates to application DC/26/0509 for Permission in Principle (PIP) application for the erection of 2 - 4 dwellings along with open space, landscaping, parking and access

08th October 2026

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1.0 Main Issues

1.1 The Council considers that the principal issues in this appeal are:

1. Whether the appeal site is a suitable location for residential development having regard to its position outside and physically separate from the defined Built-Up Area Boundary of Rudgwick, the Development Plan spatial strategy, and national policy relating to housing delivery and development in the countryside.

2. The effect of the proposed development on the character and appearance of the site and surrounding area, having particular regard to the site's contribution to local landscape character, its settlement edge location, mature trees, woodland setting and role as an undeveloped parcel of countryside.

2.0 Introduction and Appeal Procedure

2.1 This Statement of Case is submitted on behalf of Horsham District Council ("the Council"), the Local Planning Authority, in response to an appeal made under Section 78 of the Town and Country Planning Act 1990 against the refusal of planning permission for:

'' Permission in Principle (PIP) application for Permission in Principle for the erection of 2 - 4 dwellings along with open space, landscaping, parking and access

2.2 The application was decided under delegated authority with a decision issued on 14th May 2026,

2.3 The Council will rely on the Officer's Delegated Report as part of its evidence, which sets out the full assessment of the proposal.

2.4 Planning Permission was refused for the following reasons:

Refusal Reason 1: -

The proposed development would be located outside and physically separate from the defined Built-Up Area Boundary of Rudgwick on a site not allocated for development. The proposal would result in an unjustified and unsustainable extension of residential development into the countryside, contrary to the plan-led spatial strategy which seeks to direct development to the most sustainable locations and manage settlement growth in a coordinated manner. The proposal is therefore contrary to Policies 1, 2, 3, 4 and 26 of the Horsham District Planning Framework (2015) and Policy RNP1 of the Rudgwick Neighbourhood Plan (2021). Whilst the presumption in favour of sustainable development is engaged, the benefits of the proposal do not outweigh the harm arising from this conflict with the development plan.

Refusal Reason 2: -
The proposed development would urbanise an undeveloped rural site that makes a positive contribution to the character and appearance of Lynwick Street and the wider countryside. By reason of the site's landscape value, verdant frontage, mature trees and settlement edge location, the proposal would result in harm to local landscape

character and rural character. The proposal is therefore contrary to Policies 25, 32 and 33 of the Horsham District Planning Framework (2015), Policies RNP7 and RNP9 of the Rudgwick Neighbourhood Plan (2021), and the National Planning Policy Framework (2024).

2.5 For the reasons set out in this Statement, the Council respectfully requests that the appeal be dismissed.

3.0 The Appeal Site and Surroundings

3.1 A full description of the site and its context is set out within the Officer's Delegated Report, which the Council relies upon for the purposes of this appeal. The summary below is provided to establish the agreed baseline against which the appeal proposal should be assessed.

3.2 The appeal site comprises an undeveloped parcel of greenfield land located on the southern side of Lynwick Street, Rudgwick. The site extends to approximately 0.33 hectares and is currently characterised by open grassland, meadow vegetation, mature trees and woodland features. The land is enclosed by established vegetation and forms part of the verdant rural character of this section of Lynwick Street.

3.3 The site lies outside, and is physically separate from, the defined Built-Up Area Boundary (BUAB) of Rudgwick as identified within the Horsham District Planning Framework. Whilst residential development exists to the north of Lynwick Street, the appeal site occupies a transitional position between the settlement and the wider countryside and forms part of the rural setting of the village.

3.4 The northern frontage contains a number of mature trees, including protected oak specimens, which contribute positively to the character of Lynwick Street. Woodland and substantial tree cover are present along the western and southern boundaries, providing a strong sense of enclosure and reinforcing the site's rural character. The site is largely screened from wider public viewpoints by surrounding vegetation, although glimpses of the land are available from Lynwick Street and the adjoining Public Right of Way network.

3.5 The surrounding area is characterised by a mixture of residential development, agricultural land, woodland and other open countryside uses. Development along Lynwick Street generally follows a loose linear pattern, with properties concentrated within or adjoining the defined settlement boundary. Beyond the site, the character becomes increasingly rural in nature, with mature vegetation, open fields and dispersed development forming the prevailing landscape character.

3.6 The Grade II listed Old Vicarage lies to the east of the appeal site. Whilst separated from the site by vegetation and intervening land, the appeal site forms part of the wider setting in which the listed building is experienced. The site also contributes to the landscape setting of the settlement edge through its open and undeveloped character.

4.0 The Proposal

4.1 The proposal seeks Permission in Principle (PiP) for the erection of between 2 and 4 dwellings, together with associated open space, landscaping, parking and access from Lynwick Street.

4.2 Under the PiP regime, only the following matters are for consideration:

- Location
- Land use
- Amount of development

4.3 All detailed matters—including layout, design, access arrangements, landscaping, drainage, and environmental mitigation—are reserved for subsequent Technical Details Consent.

4.4 Accordingly, the appeal proposal seeks to establish only the principle of residential development comprising between 2 and 4 dwellings on the appeal site. The detailed form, design and delivery of any development are not before the Inspector and would be subject to further assessment should Permission in Principle be granted.

4.5 The Council's assessment has therefore focused on whether the site represents a suitable location for residential development in principle, having regard to the Development Plan spatial strategy, the character and appearance of the site and surrounding area, and other material planning considerations.

5.0 Relevant Planning Policy Framework

5.1 In determining this appeal, Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the decision be made in accordance with the Development Plan unless material considerations indicate otherwise.

5.2 The statutory Development Plan for the purposes of this appeal comprises the following:

a) Horsham District Planning Framework (2015) ("HDPF")
b) Rudgwick Neighbourhood Plan (2021):

Key Development Plan Policies

5.3 <u>HDPF Policies</u>
Policy 1 – Sustainable Development
Policy 2 – Strategic Development
Policy 3 – Development Hierarchy
Policy 4 – Settlement Expansion
Policy 25 – District Character and the Natural Environment
Policy 26 – Countryside Protection

Policy 32 – The Quality of New Development
Policy 33 – Development Principles

5.4 Policy 1 (Sustainable Development) establishes the overarching approach to decision-making within the District by applying the presumption in favour of sustainable development. The policy seeks to support development that delivers economic, social and environmental benefits, whilst ensuring that development proposals accord with the Development Plan unless material considerations indicate otherwise. Where relevant policies are absent or out-of-date, the policy requires proposals to be assessed against the presumption in favour of sustainable development, having regard to whether any adverse impacts would significantly and demonstrably outweigh the benefits and whether any policies within the National Planning Policy Framework indicate that development should be restricted.

5.5 Policy 2 directs the majority of development towards the District's identified sustainable settlements in accordance with the Development Strategy.

5.6 Policy 3 seeks to maintain the established settlement hierarchy and ensure that development is located in the most sustainable locations.

5.7 Policy 4 permits limited expansion of settlements beyond built-up area boundaries only where specific criteria are met, including that development adjoins the settlement boundary, is proportionate in scale, meets identified needs, and is contained within defensible boundaries.

5.8 Policy 25 seeks to protect and enhance the District's landscape character and natural environment by ensuring development conserves important landscape features, respects the distinctive character of settlements and the countryside, maintains settlement separation, and safeguards biodiversity and green infrastructure assets

5.9 Policy 26 seeks to protect the countryside from inappropriate development, permitting only uses that are essential to a rural location or meet defined exceptions.

5.10 Policy 32 seeks to secure high-quality, inclusive development that responds positively to its local context. The policy requires development to create attractive, safe and accessible places, complement the distinctive character and heritage of the District, contribute to a strong sense of place, make efficient and appropriate use of land, and provide high-quality spaces that integrate successfully with their surroundings and meet the needs of the community.

5.11 Policy 33 seeks to secure well-designed development that is locally distinctive, respects the character and setting of its surroundings, relates sympathetically to the landscape, protects important natural features and contributes positively to the quality of the built and natural environment.

<u>Rudgwick Neighbourhood Plan (2019) Policies</u>

- Policy RNP1 – Spatial Strategy
- Policy RNP9 – Street Scene

5.12 Policy RNP1 seeks to direct residential development to appropriate and planned locations, maintain the established settlement pattern of the parish, prevent coalescence between settlements, and protect the individual identity and character of Rudgwick and its surrounding settlements.

5.13 Policy RNP9 seeks to seeks to ensure that new development responds positively to the established character of the parish through appropriate building lines, landscaping, boundary treatments, access arrangements, drainage measures and lighting design. The policy aims to secure development that integrates successfully with its surroundings and respects the rural character of Rudgwick.

5.14 The Council places limited reliance on Policy RNP7 given that detailed design matters are reserved for Technical Details Consent.

National Planning Policy Framework (NPPF)

5.15 Since the determination of the application, revisions to the National Planning Policy Framework have been published. The Council has reviewed the appeal proposal against the current version of the Framework and is satisfied that its assessment and conclusions remain unchanged.

5.16 The Council has reviewed the proposal against the provisions of the 2026 NPPF, including Policy S5 (Principle of Development Outside Settlements) and Policy HO7 (Meeting Housing Need), and remains of the view that the appeal proposal conflicts with the Development Plan and should be dismissed.

5.17 The Council acknowledges that the presumption in favour of sustainable development is engaged due to the Council's housing land supply position. However, this was also the position at the time the application was determined and has been fully reflected in both the Officer's Report and the Council's assessment of the appeal proposal.

5.18 Whilst the revised Framework continues to support the delivery of housing and seeks to significantly boost the supply of homes, it also continues to emphasise the plan-led system, the importance of directing development to suitable locations, the protection of the countryside, and the creation of well-designed places that respond positively to local character.

5.19 For the reasons set out within this Statement of Case, the Council considers that the appeal proposal remains contrary to the Development Plan and that the benefits associated with the delivery of up to four dwellings would not outweigh the identified harm arising from conflict with the spatial strategy and harm to landscape character. Accordingly, the Council's position remains unchanged.

Policy Conclusion

5.20 The Development Plan establishes a clear spatial strategy for the distribution of development within the District, directing growth to sustainable locations and protecting

the countryside from unjustified development. It also contains policies aimed at conserving landscape character and securing high-quality development. The Council considers that the appeal proposal conflicts with these objectives for the reasons set out under the main issues below.

Main Issues

6.0 **Main issue 1:** Location of the site

6.1 The appeal site lies outside, and is physically separate from, the defined Built-Up Area Boundary (BUAB) of Rudgwick. It occupies an undeveloped parcel of countryside land on the southern side of Lynwick Street and is not allocated for development within either the Horsham District Planning Framework (2015) or the Rudgwick Neighbourhood Plan (2021).

6.2 Policy 1 of the HDPF establishes the presumption in favour of sustainable development, whilst Policies 2, 3, 4 and 26 set out the District's spatial strategy for directing development to sustainable locations and managing settlement growth in a coordinated and plan-led manner. Similarly, Policy RNP1 of the Rudgwick Neighbourhood Plan establishes the spatial strategy for the parish and confirms that residential development outside defined built-up areas will only be supported on allocated sites or where otherwise consistent with the Development Plan.

6.3 The Council acknowledges that the appeal site lies within walking distance of some services and facilities within Rudgwick. However, accessibility to services is only one component of sustainable development and is not, in itself, determinative. The key issue is whether the site represents an appropriate location for residential growth having regard to the Development Plan as a whole.

6.4 The Council considers that it does not. The appeal site lies beyond the defined settlement boundary and would extend residential development into an area of open countryside that has not been allocated for growth through the Development Plan process. Whilst development exists on the northern side of Lynwick Street, the appeal site forms part of the undeveloped rural edge of the settlement and does not represent a planned extension identified through either the Local Plan or Neighbourhood Plan process.

6.5 The proposal would therefore undermine the spatial strategy which seeks to direct residential development to the most appropriate and sustainable locations and to manage settlement expansion through the plan-making process. The Council considers the proposal would constitute an unjustified encroachment into the countryside and would conflict with Policies 2, 3, 4 and 26 of the HDPF and Policy RNP1 of the Rudgwick Neighbourhood Plan.

Five-Year Housing Land Supply and the Tilted Balance

6.6 The Council acknowledges that it is currently unable to demonstrate a five-year supply of deliverable housing sites. As such, the Council accepts that there is an evidenced unmet housing need within the District and that this is a material consideration which

attracts weight in favour of the proposal. Policy HO7 of the National Planning Policy Framework 2026 confirms that substantial weight should be given to the benefits of providing homes that contribute towards meeting identified housing needs

6.7 The Council also accepts that the appeal proposal would provide a modest contribution to housing supply through the delivery of between two and four dwellings. This benefit is acknowledged and weighs in favour of the proposal.

6.8 However, the existence of an unmet housing need does not automatically render development outside settlements acceptable. Policy S5 of the NPPF establishes the national policy framework for considering development proposals outside settlements. Whilst Policy S5(1)(j) recognises that housing proposals may assist in addressing unmet housing needs, such development should be physically well-related to an existing settlement and of a scale capable of being accommodated having regard to infrastructure.

6.9 For the reasons set out above, the Council considers that the appeal site does not represent an appropriate location for residential development. The proposal would extend development beyond the defined Built-Up Area Boundary onto an unallocated parcel of countryside land and would conflict with the spatial strategy of both the Horsham District Planning Framework and the Rudgwick Neighbourhood Plan. The Council does not consider that the proposal constitutes a logical or sustainable location for residential growth.

6.10 When assessed against the Development Plan and the National Planning Policy Framework as a whole, the Council considers that the benefits arising from the delivery of up to four dwellings do not outweigh the identified harm arising from conflict with the spatial strategy and the resulting encroachment into the countryside. The proposal is therefore contrary to the Development Plan and should be dismissed.

7.0 **Main Issue 2:** Effect on Landscape Character and Appearance

7.1 The appeal site comprises an undeveloped parcel of greenfield land situated on the southern side of Lynwick Street. It is characterised by open grassland, meadow vegetation, mature trees and woodland features and forms part of the verdant rural character that defines this section of the settlement edge. The site makes a positive contribution to the transition between Rudgwick and the wider countryside and is experienced as part of the undeveloped rural setting of the village.

7.2 Policy 25 of the HDPF seeks to protect and enhance landscape character and requires development to respect settlement characteristics and maintain separation between developed and rural areas. Policies 32 and 33 similarly seek to secure development that responds positively to its surroundings, relates sympathetically to the landscape and conserves important natural and landscape features. In addition, Policy RNP1 seeks to maintain the established settlement pattern of the parish and protect the individual identity of settlements.

7.3 The Council's landscape adviser maintained an objection to the proposal following consideration of the additional information submitted by the appellant. Place Services concluded that the appeal site forms part of a valued and attractive landscape at the edge of the settlement and remains highly sensitive to development due to its landscape character, woodland setting and role as an undeveloped settlement edge site.

7.4 Place Services further concluded that landscape considerations remain relevant to the assessment of location and land use at the Permission in Principle stage

7.5 The Council notes that the appeal site is enclosed by mature vegetation, including woodland and established tree cover, and that the northern frontage contributes positively to the verdant character of Lynwick Street. Whilst the appellant contends that detailed design, landscaping and mitigation measures could be considered through any subsequent Technical Details Consent application, the Council's position is that the existing contribution of the site to landscape character is a material consideration when determining whether the site is suitable for residential development in principle.

7.6 The Council further notes that the appellant's own Landscape and Visual Statement identifies a Moderate Adverse Landscape Effect that is considered Significant following completion of the development. Whilst the appellant disputes the significance of that effect in planning terms, the Council considers that this assessment nevertheless demonstrates that the introduction of residential development would materially alter the character of the site and its landscape setting.

7.7 The appeal proposal would introduce built development, domestic activity, associated infrastructure and the urbanising influences ordinarily associated with residential development onto a currently undeveloped countryside site. In the Council's view, this would diminish the site's contribution to the rural character of Lynwick Street and erode the existing distinction between the settlement and the surrounding countryside.

7.8 The Council acknowledges that the detailed form of development is not before the Inspector. However, the issue in this appeal is whether the location is appropriate for residential development in principle. In this respect, the Council considers that the landscape qualities of the site, its settlement edge function, mature vegetation and contribution to local character are fundamental characteristics of the site which weigh significantly against its suitability for residential development.

7.9 Accordingly, the Council considers that the proposal would fail to protect and conserve the character and appearance of the site and surrounding area and would conflict with Policies 25, 32 and 33 of the Horsham District Planning Framework. The proposal would also fail to maintain the established settlement pattern and rural character sought by Policy RNP1 of the Rudgwick Neighbourhood Plan.

7.10 For these reasons, the Council concludes that the proposal would result in unacceptable harm to local landscape character and the appearance of the countryside and that this harm weighs materially against the appeal proposal in the overall planning balance.

8.0 Other matters raised by the appellant

Relationship to services and facilities

8.1 The Appellant places significant reliance on the site's proximity to services and facilities within Rudgwick, including local shops, community facilities, public transport and Public Rights of Way. The Council acknowledges that the site is located within reasonable reach of a number of day-to-day services and facilities and accepts that future occupants would have the opportunity to access such facilities by a range of travel modes.

8.2 However, the Council's concern is not solely whether the site is accessible to services and facilities. Rather, the principal issue is whether the site represents an appropriate location for residential development having regard to the Development Plan spatial strategy and the established pattern of development within the parish.

8.3 The appeal site lies outside, and physically separate from, the defined Built-Up Area Boundary of Rudgwick and occupies an undeveloped parcel of countryside which has not been identified for growth through either the Horsham District Planning Framework or the Rudgwick Neighbourhood Plan. Whilst accessibility is a relevant consideration and attracts some weight in favour of the proposal, it does not outweigh the conflict identified with the spatial strategy of the Development Plan.

8.4 The Council therefore considers that the existence of nearby services and facilities does not, in itself, justify residential development in this location nor overcome the identified harms arising from development beyond the settlement boundary and within the countryside. Accordingly, this matter does not alter the Council's overall conclusion that the appeal site is an unsuitable location for residential development in principle.

Weight afforded to Place Services advice

8.5 The Appellant disputes the conclusions reached by Place Services and contends that limited weight should be afforded to its advice, in part because a site visit was not undertaken. The Council does not agree with this position.

8.6 Place Services was consulted on the application as the Council's specialist landscape adviser and provided advice within its area of professional expertise. The consultation responses demonstrate that the submitted plans, supporting documents, Landscape and Visual Statement, and additional information submitted by the Appellant were considered before reaching a conclusion. Furthermore, the landscape officer reviewed the additional landscape information submitted during the course of the application and maintained their objection.

8.7 The Council acknowledges that the Appellant's landscape consultant reaches different conclusions regarding the landscape value and sensitivity of the site. However, the existence of differing professional opinions does not diminish the legitimacy of the

advice provided by Place Services, nor does it prevent the Council from placing significant weight upon that advice.

8.8 In reaching its decision, the Council considered all landscape evidence before it, including the Appellant's submissions and responses to consultee comments. Having done so, the Council concluded that the professional advice provided by Place Services was robust, proportionate to the level of detail expected for a Permission in Principle application and represented a credible assessment of the site's landscape value, sensitivity and role within the settlement edge.

8.9 The Council therefore afforded significant weight to the conclusions of Place Services when determining the application and continues to do so for the purposes of this appeal. In particular, the Council relies upon the landscape officer's conclusions that the site contributes positively to local landscape character, performs an important settlement edge function and is highly sensitive to residential development. These matters remain central to the Council's case under Main Issue 2.

The proposed dwelling range (2-4 dwellings)

8.10 The Appellant has argued that the concerns raised by the Council's landscape adviser relate principally to whether the maximum quantum of development proposed could be accommodated on the site and that a lower number of dwellings within the proposed range may result in a different outcome.

8.11 The Council acknowledges that the application sought Permission in Principle for a range of between 2 and 4 dwellings rather than a fixed quantum of development. However, the Council was required to determine the application that was submitted and to assess whether the proposed range of development was acceptable having regard to the matters of location, land use and amount of development.

8.12 The Council's concerns are not confined solely to the upper end of the proposed range. As set out within the Officer's Delegated Report, the principal reason for refusal relates to the site's location outside the defined Built-Up Area Boundary and the conflict arising with the Development Plan spatial strategy. Those concerns apply irrespective of whether the eventual development comprised two, three or four dwellings.

8.13 Similarly, in landscape terms, the Council's concern is founded upon the suitability of the site for residential development in principle, having regard to its contribution to local landscape character, settlement edge function and role as an undeveloped parcel of countryside. Whilst the extent of landscape effects may vary depending on the amount and form of development ultimately proposed, the Council considers that the introduction of residential development within the proposed range would nevertheless give rise to harm to the character and appearance of the site and surrounding area.

8.14 The Council therefore does not consider that the possibility of a lower number of dwellings within the proposed range overcomes the fundamental policy and landscape concerns which led to the refusal of Permission in Principle. Any alternative quantum of development would require separate consideration on its own merits through a different application.

The role of PiP versus Technical Details Consent

8.15 The Appellant contends that a number of the concerns identified by consultees, including matters relating to landscaping, tree protection, access arrangements and the detailed design of any future development, could be addressed through a subsequent Technical Details Consent application. The Council agrees that such matters would fall to be considered in greater detail at the Technical Details Consent stage.

8.16 However, the purpose of the Permission in Principle process is to establish whether a site is suitable for the proposed land use and amount of development in principle. The assessment is therefore not limited solely to detailed design considerations but requires consideration of whether the location is appropriate for residential development having regard to its characteristics, constraints and relationship with its surroundings.

8.17 In the present case, the Council's objections are not founded upon the detailed design of a future scheme. Rather, they relate to the suitability of the appeal site for residential development in principle, having regard to its location outside the defined Built-Up Area Boundary, its role within the wider countryside, and its contribution to local landscape character and the settlement edge .

8.18 The Council accepts that the detailed appearance, layout, landscaping, access arrangements and mitigation measures are not before the Inspector and would be matters for subsequent approval. Nevertheless, the existing landscape character of the site, its woodland setting, mature vegetation and contribution to the rural character of Lynwick Street are intrinsic characteristics of the site which are relevant to the assessment of whether residential development is acceptable in principle.

8.19 The Council therefore considers that it is both necessary and appropriate for landscape and spatial strategy considerations to be assessed at the Permission in Principle stage. Whilst a subsequent Technical Details Consent application could influence the degree of harm arising from any development, it would not overcome the Council's fundamental concerns regarding the suitability of the site for residential development in principle.

Heritage

8.20 The appeal site lies adjacent to the Grade II listed building, The Old Vicarage. The potential effect of the proposal on the significance of this designated heritage asset through changes to its setting was considered during the determination of the application.

8.21 The Council's Conservation Officer did not raise an overriding objection to the proposal and advised that any harm arising from the development would likely amount to less than substantial harm at the lower end of the scale. The Council accepts this professional advice and does not rely upon heritage harm as a principal reason for resisting the appeal.

8.22 Notwithstanding this, the Council considers that the appeal site forms part of the wider rural setting in which the listed building is experienced and that the introduction of residential development could alter that setting to a degree. The Council therefore maintains that there is potential for a limited adverse effect on the setting of the heritage asset.

8.23 However, the Council acknowledges that the detailed design, layout, landscaping and appearance of any future development are not before the Inspector and would be matters for consideration through any subsequent Technical Details Consent application. Accordingly, the Council does not contend that heritage considerations are determinative in this appeal.

8.24 The Council's case is instead principally founded upon the site's conflict with the Development Plan spatial strategy and the harm identified to landscape character and the rural settlement edge. Accordingly, heritage considerations do not form part of the Council's reasons for refusal and attract only limited weight in the overall planning balance.

Arboriculture

8.25 Arboricultural matters were considered during the determination of the application, including comments from the Council's Tree Officer and the subsequent information submitted by the Appellant in response. The Council acknowledges that a significant element of the disagreement between the parties relates to the extent of any arboricultural constraints affecting the site and whether these could be appropriately addressed through the design of a future development.

8.26 The Council's position is that this appeal is not resisted on arboricultural grounds. The Council does not contend that the appeal proposal should be dismissed because development could not physically be achieved on the site or because suitable tree protection measures could not be secured through a subsequent Technical Details Consent application.

8.27 The Council accepts that detailed matters relating to access design, construction methods, root protection areas, tree protection measures and potential mitigation would fall to be considered through any future Technical Details Consent application. Accordingly, the Council does not rely upon detailed arboricultural concerns as a standalone reason for dismissing the appeal.

8.28 Nevertheless, the Council considers that the mature trees, woodland features and established vegetation within and adjoining the appeal site make an important contribution to its character and appearance. These features are integral to the site's landscape value, its verdant character and its role as a rural settlement edge. In this respect, arboricultural considerations are relevant insofar as they inform the Council's assessment of landscape character and the contribution the site makes to the wider countryside.

8.29 The Council therefore relies upon arboricultural features as part of its wider landscape case under Main Issue 2, rather than as a separate issue in dispute. The Council's concern is not the ability to retain individual trees, but the contribution that the overall tree and woodland framework makes to the character of the site and the surrounding area, and the extent to which residential development would erode that character.

8.30 Accordingly, the Council considers that arboricultural considerations reinforce, rather than constitute, its landscape objection to the proposal.

9.0 Planning Balance & Overall Conclusion

9.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning decisions be made in accordance with the Development Plan unless material considerations indicate otherwise.

9.2 The appeal proposal seeks Permission in Principle for the erection of between 2 and 4 dwellings. As established throughout this Statement of Case, the matters for consideration are limited to the location, land use and amount of development. Detailed matters, including layout, appearance, landscaping, access and mitigation measures, would be reserved for subsequent consideration through a Technical Details Consent application.

9.3 The Council acknowledges that the proposal would provide a modest contribution towards meeting housing needs through the delivery of up to four dwellings. This benefit attracts weight in favour of the proposal, particularly having regard to the Council's current housing land supply position and the Government's objective of significantly boosting the supply of housing.

9.4 However, the Council considers that these benefits are limited by the scale of the proposal and must be weighed against the identified harms. The appeal site lies outside, and physically separate from, the defined Built-Up Area Boundary of Rudgwick and is not allocated for development within either the Horsham District Planning Framework or the Rudgwick Neighbourhood Plan. The proposal would result in residential development extending into the countryside in a location that has not been identified for growth through the plan-making process.

9.5 The Council considers that the proposal would therefore 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. Significant weight is afforded to this conflict. The Council further considers that permitting the proposal would undermine the plan-led approach to directing growth and managing settlement expansion in a coordinated manner.

9.6 In addition, the appeal site forms part of an attractive and verdant rural landscape at the edge of the settlement. The site is characterised by meadow grassland, mature trees, woodland features and open green space which contribute positively to local landscape character and the transition between the village and the wider countryside.

The Council's landscape adviser maintains an objection to the proposal and considers the site to be highly sensitive to development. The Council affords significant weight to this specialist advice.

9.7 Whilst the detailed form of development is not before the Inspector, the Council considers that the existing landscape qualities of the site are directly relevant to the assessment of whether residential development is acceptable in principle. The introduction of residential development would urbanise an undeveloped parcel of countryside and erode its contribution to the character and appearance of Lynwick Street and the wider rural landscape. This harm attracts moderate weight against the proposal.

9.8 The Council has also considered the matters raised by the Appellant regarding accessibility, landscape methodology, arboriculture and the potential for future mitigation through the Technical Details Consent process. Whilst these matters have been considered, they do not overcome the Council's fundamental concerns regarding the suitability of the site for residential development in principle, having regard to its countryside location and landscape character.

9.9 The Council acknowledges that any effect upon the setting of The Old Vicarage would be limited and would amount to less than substantial harm at the lower end of the scale. Heritage impacts are therefore afforded only limited weight in the overall planning balance and do not form a principal part of the Council's case.

9.10 Drawing all matters together, the Council accepts that the proposal would deliver a modest housing benefit. However, it considers that this benefit is outweighed by the identified conflict with the Development Plan spatial strategy and the harm arising to the character and appearance of the site and surrounding countryside. The Council accepts that the proposal would deliver a modest housing benefit and contribute towards identified housing needs. However, when assessed against the Development Plan and the National Planning Policy Framework as a whole, the Council considers that this benefit is outweighed by the proposal's conflict with the Development Plan spatial strategy and the harm arising to the character and appearance of the site and surrounding countryside.

9.11 Accordingly, the appeal proposal conflicts with the Development Plan taken as a whole, and there are no material considerations which indicate that planning permission should be granted. For the reasons set out within this Statement, the Council respectfully requests that the Inspector dismiss the appeal.

Yours sincerely,

Daniel Holmes
Senior Planning Officer