SQUIRES PLANNING
01793 570 830 | info@squiresplanning.co.uk

Thames Valley Office
Unit 2-3 Dorcan Business Village
Murdock Rd
Dorcan
Swindon
SN3 5HY

The Planning Inspectorate
C Eagle, 3rd Floor
Temple Quay House
2 The Square
Bristol
BS1 6PN

13 February 2025

Dear Sir/ Madam,

NATIONAL PLANNING POLICY FRAMEWORK 2024
APPEAL BY EARLSWOOD HOMES AND SUSSEX DESIGN & DEVELOPMENT
SITE ADDRESS: LAND AT RYECROFT LANE, STORRINGTON, RH20 4PA

APPEAL REF: APP/Z3825/W/24/3355346

As per the letter dated on the 23 January 2025, this response will discuss the effects that the publication of the National Planning Policy Framework (NPPF) in 2024 may have on the Appeal in relation to the land at Ryecroft Lane, as mentioned above. Please find the appellant's response below.

This letter is an assessment of how the updates to the NPPF relate to the main issues raised about the proposed residential development at Ryecroft Lane. The responses are based on the conclusions drawn in the Statement of Case. The issues considered relevant to the changes are the need for housing in the local area, the provision of local amenities, the determination of cramped development, and the application of the tilted balance.

Effects on the five-year land supply

There is no dispute between the main parties that the tilted balance is engaged due to the Council not currently being able to demonstrate a 5-year land supply. As it currently stands, the housing land supply is at 2.9 years as mentioned in the Horsham Housing Land Supply Guide (2023). Therefore, the is a clear unmet need for all types of housing.

Paragraph 61 of the NPPF states that '*The overall aim should be to meet an area's identified housing need, including with an appropriate mix of housing types for the local community'*

The updated NPPF is reworded to clarify that the aim should be to meet an area's identified housing need as opposed to meeting 'as much of' the areas housing need. Therefore, there is a greater emphasis on meeting housing need as a whole, as opposed to meeting the housing need in part. It is clear from the Councils own housing land supply figures that housing need for the area is not being met, and that there is a severe undersupply.

Paragraph 62 of the NPPF has been amended, to include the following statement in relation to determining housing need:

> *'In addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for.'*

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The updated NPPF has removed the alternative approaches to assessing housing need, and has simplified the assessment local housing need assessment, and therefore no longer requires exceptional circumstances to be demonstrated as alternative way of assessing housing need. The methodology to measure housing need should include any needs that cannot be met within neighbouring areas when establishing the amount of housing that should be planned. For this scheme, the unmet need has been identified in the area due to the under supply of housing.

Paragraph 78 of the NPPF states as follows:

> *Local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old.*

The above paragraph highlights that local authorities are required to annually provide an update of specific deliverable sites to meet the minimum of deliverable sites over the 5-year period. This policy emphasises the importance of meeting housing trajectory and tracking and monitoring the councils progress in meeting housing needs.

The changes to the NPPF which have been introduced strengthen the requirement to meet housing need and maintain a 5-year housing supply. Whilst there is no dispute that the tilted balance is fully engaged, there is dispute on the amount of weight attributed to the provision of both market and affordable housing. It remains the appellants case that **substantial weight** should be given to the provision of both market and affordable housing and that the changes to the NPPF support this position, particularly given the currently undisputed, significant under supply.

The determination of suitable amenity levels

Paragraph 96 of the updated NPPF outlines the objective which states:

> *"Enable and support healthy lives, through both promoting good health and preventing ill-health, especially where this would address identified local health and well-being needs and reduce health inequalities between the most and least deprived communities"*

The NPPF sets out that planning policies and decisions should aim to enable and support healthy lives as opposed to healthy lifestyles. The updated NPPF places greater emphasis on supporting deprived communities through the provision of infrastructure, layouts that encourage walking and cycling, all of which are provided in the proposed scheme. Additionally, the provision of affordable housing would bridge the economic gap for deprived communities. This scheme would provide a mix of house tenures, and suitable amenity levels for the local area. In response to the social objective of sustainable development, the location of the scheme is within a sustainable location and is thus supported by this policy. The low parking provision would allow for alternative modes of travel which is supported by this policy.

Paragraph 109 of the NPPF includes a new consideration for transport issues to have a vision led approach. The paragraph states the following:

> *"Identifying, assessing and taking into account the environmental impacts of traffic and transport infrastructure – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains. "*

In relation to the new policy, the scheme would promote sustainable modes of transport and would not have adverse impact in terms of parking provision. The accessible nature of the site, being within the centre of Storrington, means that the environmental impacts of traffic and transport related to the scheme are by default limited. Therefore, the scheme is further supported by this paragraph.

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The Determination of 'cramped development'

Paragraph 129a was removed from the NPPF which stated the following

> *"Significant uplifts in the average density of residential development may be inappropriate if the resulting built form would be wholly out of character with the existing area."*

Removal of policy which allows for high density development to be refused on the grounds of it being out of character, challenges the assumption that development is deemed 'cramped', and therefore should not be refused on these grounds. As set out in our Statement of Case, the development makes for an efficient use of land within a wholly sustainable location. The removal of paragraph 129a, shows the Governments intention, to support higher density development in suitable locations. The appeal proposal is appropriate in density terms in the context of its central location.

Application of the Tilted Balance

The NPPF has made amendments to Paragraph 11 by adding the following which states:

> *"Having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination."*

As per the Appellants case, the appeal site is within a wholly sustainable location, being within the centre of Storrington, accessible by various transport modes and within a proximity to a range of services and facilities. The proposal clearly accords with the NPPF's policy provision in this regard.

The proposed development is appropriate in density, and more over appropriate in context to the built form within the centre of Storrington. The NPPF clearly supports an efficient use of land, which is also supported by the Development Plan. Given the significant undersupply of housing, it is of great importance that sustainable sites, such as the appeal site, achieve an effective use of land. The NPPF policy is this regard is supportive of the appeal proposal.

As set out in the Appellants Statement of Case, the proposed development has been well designed to respond to its central location, taking into consideration the character of the area and prevailing built form, whilst still achieving an efficient use of land.

The proposed scheme would provide 35% of affordable housing and therefore helps to address the need for affordable housing in the local area. Given the significant under supply, even at a policy complaint level, the weight to be attributed to the provision of affordable housing can be nothing less than substantial.

We consider that the changes to the NPPF further support our conclusions regarding the planning balance and the weight to be attributed to the benefits of the scheme. Having particular regard to the key policies in the NPPF relating to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, the appeal proposal is in full accordance with these policies and objectives.

Conclusion

The scheme would deliver both market housing and affordable housing, in response to the current significant under supply. The scheme would provide 13 open market dwellings, and 7 affordable homes which attracts substantial weight in the planning balance. The scheme will provide a 10% biodiversity net gain and will support local community facilities as residents will provide local spend and economically will be beneficial in the area. The updated NPPF places greater emphasis on meeting housing needs as a whole and this scheme, which is fully deliverable, will contribute to addressing the current significant under supply.

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Paragraphs 11, 61 and 78 of the NPPF (2024) highlight the need for housing provision in response to the 5-year land supply, all of which supports the weight attributed, by the Appellants, to the benefits of delivering housing. Paragraphs 96 and 109 highlights that need for sufficient local amenity levels with minimal transportation impacts. Additionally, the removal of paragraph 129a prohibits high density residential schemes from being deemed as 'inappropriate' to the character of the existing area. Therefore, the changes to the NPPF support the appeal scheme at Ryecroft Lane and confirm the conclusions previous set out by the appellants in the submitted Statement of Case.

Yours sincerely,



Mark Campbell
Regional Director | MA MRTPI
mark@squiresplanning.co.uk

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