Planning Inspectorate

Appeal Decision

Site visit made on 5 August 2026

by R Lawrence BSc (Hons), PGDip (TP), MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24th September 2026

Appeal Ref: 6007772

The Lamb Inn, Lambs Green, Rusper, West Sussex RH12 4RG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
- The appeal is made by Benedict Boker-Ingram against the decision of Horsham District Council.
- The application Ref is DC/25/0657.
- The development proposed is Construction of a detached coach house containing two residential units in the grounds of the former public house The Lamb Inn.

Decision

1. The appeal is allowed and planning permission is granted for Construction of a detached coach house containing two residential units in the grounds of the former public house The Lamb Inn at The Lamb Inn, Lambs Green, Rusper, West Sussex RH12 4RG in accordance with the terms of the application, Ref DC/25/0657, subject to the conditions in the attached schedule.

Preliminary Matters

2. Since the appeal was lodged, a revised version of the National Planning Policy Framework (the Framework) was published (17 August 2026). Comments have been sought from the parties on any implications for this case, and I have had regard to those comments in the determination of this appeal.

3. Planning permission has been granted for the conversion of, and extensions to the existing public house to 6 residential flats[1]. At the time of my site visit, the development had been implemented and construction was underway. Copies of the approved plans and decision notice have been provided with the appeal, and I have had regard to these in my determination.

4. The appeal scheme is accompanied by a drainage strategy prepared by BP Civils dated February 2026 (the drainage strategy). This introduces additional technical information which seeks to directly respond to the Council's third reason for refusal.

5. As the appeal timetable allowed the main and interested parties to comment, I am satisfied that accepting the drainage report would not cause procedural unfairness. I have therefore taken the drainage report and the representations received into account in reaching my decision.

Main Issues

6. The main issues for this appeal are:

    - whether the appeal site is suitable for new residential development, having regard to the spatial strategy and proximity to services.

[1] Application Reference DC/24/0874 granted 10/02/025

- the effect on the character and appearance of the site, with particular regard to the intensification in built form, and
- whether the proposal is acceptable in respect of surface water and foul drainage.

Reasons

Suitability for new residential development

7. The appeal site lies outside any defined built-up area boundary and Lambs Green is not identified within the settlement hierarchy in Policy 3 Horsham District Planning Framework 2015 (HDPF). The proposal would therefore amount to new residential development in the countryside. It would not comprise development within a settlement identified for growth, nor would it meet the circumstances for settlement expansion anticipated by policy (4) of the HDPF. Policy 26 also seeks to protect the countryside from inappropriate development. On that basis, the proposal conflicts with the locational strategy of the development plan.

8. The Council's Advice Note recognises the current housing land supply position and indicates that some unallocated sites outside built-up area boundaries may be considered positively. However, paragraph 5.12 is directed towards sites adjoining defined built-up area boundaries. The appeal site does not do so, and Lambs Green is not a classified settlement. The proposal therefore does not fall within the category of development to which that guidance gives particular support.

9. I recognise that the appeal site is previously developed land, that the proposal is modest in scale, and that it would be physically associated with an existing cluster of development. It would also be seen in the context of the former public house, nearby commercial buildings and existing residential development. These matters reduce the extent of harm and mean that the proposal would not be isolated. However, they do not bring the scheme into compliance with policies (3), (4) and (26) of the HDPF.

10. The earlier permission for residential conversion of the former public house is also a relevant consideration. However, that scheme involved the reuse of an existing building and was justified in part by heritage-related benefits. The appeal proposal would introduce a new, free-standing building and is therefore materially different.

11. Policy S5 of the Framework provides support for the redevelopment of previously developed land outside settlements, unless the benefits would be substantially outweighed by adverse effects when assessed against the Framework as a whole. The proposal would redevelop an existing area of hardstanding and therefore attracts support under that policy. However, this support sits alongside, rather than displaces, the conflict with the development plan.

12. The site's accessibility is limited. Although a railway station lies around 2 miles away, Lambs Green itself appears to contain few, if any, day-to-day services. The local highway environment lacks footways and street lighting, and the public right of way alongside the site is narrow, uneven in places and unlit. Future occupiers would therefore be likely to rely heavily on private cars for everyday needs. This reinforces the conflict with the locational strategy of the development plan.

13. I therefore conclude that the site is not a particularly sustainable location for additional housing when assessed against the development plan, and the proposal

would conflict with policies (3), (4) and (26) of the HDPF. Nevertheless, the scheme would redevelop previously developed land, would be modest in scale and would not be isolated from existing development. It therefore attracts support under Policy S5 of the Framework. The significance of these competing considerations is a matter I return to in the overall planning balance.

Character and appearance

14. The Council's concern is that the proposal would introduce additional built form unrelated to the original justification for the redevelopment of the site and would result in the over-intensification of development, extending built form further west into a more rural setting. I acknowledge that the proposal would increase the density of development on the site beyond that previously approved and would result in a limited loss of openness within the former public house grounds. Nevertheless, the spacing between the appeal building and surrounding development would remain appropriate, and the proposed coach house would appear as a subservient building that relates well in scale, form and appearance to the former public house, which is currently being converted to residential use.

15. Whilst the appeal building would extend built form further west, I observed that it would be surrounded on three sides by existing residential and commercial development. In these circumstances, I do not find that it would appear as an isolated encroachment into the countryside. Rather, the building would visually read as a logical infilling of the space between existing buildings within the developed site. The proposal would therefore appear contained within the existing pattern of development and would not materially alter the settlement pattern of Lambs Green.

16. I recognise that, unlike the earlier redevelopment scheme, the proposal would not deliver any specific heritage benefits associated with securing the future of the former public house. However, I am satisfied that the appeal proposal is acceptable on its own merits in terms of its effect on character and appearance. The appeal site comprises previously developed land in the form of part of the former public house car park, and I find that the proposal would not result in wider harm to the intrinsic character, beauty or rural qualities of the surrounding countryside.

17. Taking all of the above into account, I conclude that the proposal would preserve the character and appearance of the site and its surroundings. Accordingly, I find no conflict with policies (25), (32) and (33) of the HDPF insofar as they seek to protect local character, landscape quality and the intrinsic beauty of the countryside.

Drainage

18. The Council's concern relates primarily to the absence of sufficient information to demonstrate that a suitable surface water and foul drainage scheme could be achieved.

19. I note that the earlier conversion scheme[2] (DC/24/0874) was approved subject to a pre-commencement condition requiring the submission of a drainage strategy. However, the circumstances before me are not directly comparable. The appeal proposal involves a new building in a different part of the site and the Council's concerns relate specifically to the proposed building plot, which it identifies as being

[2] Planning application ref DC/24/0874

at risk of surface water flooding. Moreover, unlike the Council when determining the application, I have the benefit of detailed drainage and flood risk information. My conclusions, including whether any outstanding matters could appropriately be secured by condition, are therefore informed by that evidence.

20. The appeal is accompanied by a detailed drainage strategy, together with supporting calculations and drawings. The strategy identifies the site as lying within Flood Zone 1 and concludes that the proposed development would remain safe from flooding, with finished floor levels set above identified flood levels. It further indicates that the drainage system would accommodate the 1 in 100-year rainfall event, including a 40% allowance for climate change, and that the development would not increase flood risk on or off the site. I note that the Council has not commented on the drainage strategy within its appeal submissions.

21. Surface water would be managed through permeable paving with underground storage and a restricted discharge to the adjacent watercourse. The proposed discharge rate of 2.8 l/s would be significantly lower than the existing site runoff rate of 17.7 l/s, thereby reducing the rate of runoff leaving the site. Whilst this would not achieve the calculated greenfield runoff rate, the drainage strategy explains that a lower restriction was not considered practical due to the risk of blockage.

22. Whilst achieving greenfield runoff rates is desirable, the Council's drainage advice recognises that this will not always be possible. In such circumstances, flows should be reduced as close as reasonably practicable to greenfield rates and should achieve at least a 50% improvement over the existing brownfield situation.

23. Policy 38 of the HDPF and the Framework do not require greenfield runoff rates in all circumstances. Rather, the focus is on managing surface water in accordance with the drainage hierarchy, providing a sustainable drainage solution and ensuring that flood risk is not increased elsewhere. On the basis of the information before me, the drainage strategy appears to address those requirements.

Other Matters

24. I have considered an appeal decision relating to The Royal Oak, Friday Street, Rusper[3], which similarly concerned development associated with a former public house in a rural location. Whilst the Inspector in that case found the location to be unsustainable due to its reliance on private car travel, the decision also identified less than substantial harm to a designated heritage asset, such that Footnote 7 of the then Framework was engaged.

25. The appeal before me falls to be considered under a different national policy context and I have not found comparable harm to character, appearance or heritage interests. Furthermore, the proposal involves the redevelopment of previously developed land, which now attracts support under Policy S5 of the Framework. For those reasons, I do not consider the Royal Oak decision to be determinative and have assessed the present appeal on its own merits.

Conditions

26. The Council has suggested conditions in the event of the appeal being allowed. I have considered these against the tests in the Framework and the advice in the Planning Practice Guidance. Agreement to the pre-commencement conditions has

[3] Appeal ref 3361573

been received. I have amended some of the suggested wording for clarity, precision and enforceability.

27. Conditions 1 and 2 are necessary to comply with statutory requirements and to provide certainty. Conditions 3 and 4 are required before development commences to secure appropriate protection and enhancement for protected and priority species before works begin.

28. Condition 5 is necessary to secure the approved drainage strategy, to ensure proper drainage and to avoid increasing flood risk. I have amended the Council's suggested condition because the submitted strategy now provides sufficient detail to identify the approved scheme.

29. Conditions 6 and 7 are necessary in the interests of character and appearance, by securing appropriate external materials and landscaping. I have amended the materials condition so that details are required before development proceeds above slab level, as this matter is not fundamental to the initial stages of construction.

30. Conditions 8, 9 and 10 are necessary to secure parking, turning, access, cycle parking and refuse and recycling storage before occupation, in the interests of highway safety, sustainable travel, visual amenity and the proper functioning of the development. I have amended the cycle and refuse conditions to require approval of details because the submitted information is not sufficiently precise.

31. Condition 11 is necessary to limit water consumption in the interests of sustainable construction and to avoid adverse effects on protected habitats. The wording has been amended for precision.

32. I have not imposed the suggested electric vehicle charging or broadband conditions. On the evidence before me, neither is necessary to make the development acceptable, and those matters are addressed through other regulatory regimes or would not be sufficiently precise or within the appellant's control.

Planning Balance and conclusion

33. The parties both recognise that there is a severe housing shortfall within the district. The Council's Shaping Development in Horsham District Planning Advice Note 2025 records that Horsham can demonstrate only around 1.7 years of housing land supply and applies a 20% buffer due to its Housing Delivery Test performance. Consequently, there is a significant unmet need for housing within the district.

34. The proposal would provide two additional dwellings. Whilst modest in scale, I have regard to the extent of the district's housing need and to Policy HO7 of the Framework, which requires substantial weight to be given to the provision of homes which contribute towards evidenced accommodation needs. I therefore attach substantial weight to this benefit.

35. I have also found that the proposal would redevelop previously developed land. As such, it falls within Policy S5(d) of the Framework, which identifies the redevelopment of previously developed land as a form of development that should be approved outside settlements unless the benefits of doing so would be substantially outweighed by any adverse effects when assessed against the national decision-making policies of the Framework. This weighs significantly in favour of the proposal.

36. Against this, I have found that the site has limited accessibility and that future occupiers would be likely to rely heavily on private cars for most day-to-day needs. As a result, the proposal conflicts with the locational objectives of policies (3), (4) and (26) of the HDPF. That conflict attracts weight against the proposal. However, those policies were prepared in a different policy context and, insofar as they restrict housing development outside settlement boundaries, I find that they attract reduced weight in the circumstances of this appeal, having regard to the approach now taken by the Framework towards the redevelopment of previously developed land outside settlements.

37. Taking these matters together, I find that the proposal conflicts with the development plan and therefore does not accord with it. However, substantial weight should be given to the provision of additional housing and significant weight to the redevelopment of previously developed land under policy S5(d).

38. Having regard to the Framework as a whole, I find that the limited adverse effects arising from the proposal do not substantially outweigh its benefits. Consequently, whilst the proposal conflicts with the development plan, there are material considerations of considerable importance, particularly the provision of housing and the redevelopment of previously developed land, which indicate that a decision should be made otherwise than in accordance with it.

39. Accordingly, the appeal is allowed and planning permission is granted, subject to the conditions set out below.

R Lawrence

INSPECTOR

***** Schedule of conditions *****

1) The development hereby permitted shall begin not later than 3 years from the date of this decision.

2) The development hereby permitted shall be carried out in accordance with the following approved plans:
25015 1.00 Location & Block Plan;
25015 2.03 Proposed Ground Floor Plan;
25015 2.04 Proposed First Floor Plan; and
25015 2.05 Proposed Elevations.

3) No development shall commence until a method statement for mobile protected species, including reptiles and hedgehogs, has been submitted to and approved in writing by the Local Planning Authority. The method statement shall include precautionary mitigation measures and/or works to reduce potential impacts on mobile protected species during construction. The development shall thereafter be carried out in accordance with the approved method statement.

4) No development shall commence until a Biodiversity Enhancement Strategy for protected and priority species has been submitted to and approved in writing by the local planning authority. The strategy shall include:
a) the purpose and conservation objectives for the proposed enhancement measures;
b) detailed designs or product specifications for the enhancement measures;
c) the locations of the enhancement measures, shown on appropriate plans;
d) details of who will be responsible for implementing the enhancement measures;
e) details of initial aftercare and long-term maintenance, where relevant; and
f) a timetable for implementation.
The enhancement measures shall be implemented in accordance with the approved strategy and thereafter retained.

5) The development shall be carried out in accordance with the drainage strategy prepared by BP Civils, Ref D2346-DS2.0, dated February 2026, and drawings PL4000 Proposed Drainage Strategy, PL5000 Proposed Levels and Exceedance Flow Routes and PL7000 Construction Details. The approved drainage scheme shall be completed before the first occupation of the development and shall thereafter be retained and maintained in accordance with the approved details.

6) No development above slab level shall take place until a schedule of the materials, finishes and colours to be used in the external walls, windows and roofs of the development has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

7) No part of the development shall be occupied until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. The details shall include:
a) existing trees and planting to be retained;
b) proposed trees and planting, including species, planting sizes, densities, numbers and tree pit details;

c) hard surfacing materials;
d) boundary treatments; and
e) a timetable for implementation.

The approved hard and soft landscaping works shall be carried out in accordance with the approved details and timetable. Any planting shall be carried out no later than the first planting season following first occupation of the development. Any tree or plant which, within a period of 5 years from planting, dies, is removed, or becomes seriously damaged or diseased shall be replaced in the next planting season with another of similar size and species, unless the Local Planning Authority gives written approval to any variation.

8) No dwelling shall be occupied until the parking, turning and access facilities serving the development have been provided in accordance with the approved plans. The parking, turning and access facilities shall thereafter be retained in their approved form.

9) No dwelling shall be occupied until details of secure and covered cycle parking facilities to serve that dwelling have been submitted to and approved in writing by the local planning authority. The cycle parking facilities for each dwelling shall be provided in accordance with the approved details before that dwelling is occupied and shall thereafter be retained for cycle parking.

10) No dwelling shall be occupied until details of refuse and recycling storage facilities to serve that dwelling have been submitted to and approved in writing by the Local Planning Authority. The refuse and recycling storage facilities for each dwelling shall be provided in accordance with the approved details before that dwelling is occupied and shall thereafter be retained for refuse and recycling storage.

11) Each dwelling hereby permitted shall be constructed to meet the optional water efficiency requirement of no more than 110 litres per person per day. The water efficiency measures installed to achieve that standard shall thereafter be retained.