



APPLICATIONS & APPEALS SERVICES

**CONSTRUCTION OF DWELLING WITH CAR
PARKING, VEHICLE ACCESS AND LANDSCAPING**

AT

**THE ROYAL OAK, FRIDAY STREET, RUSPER,
HORSHAM, RH12 4QA**

PLANNING, DESIGN AND ACCESS STATEMENT

JULY 2026

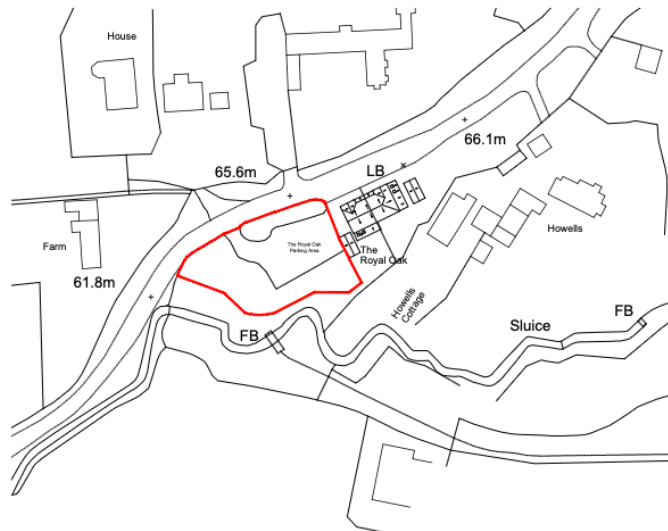


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1.0 INTRODUCTION

- 1.1 Planning permission is sought for the construction of a barn style dwelling on a car park associated with the former public house, The Royal Oak (now demolished and replaced by two semi-detached dwellings) situated to the south-eastern side of Friday Street near the village of Rusper.

Figure 1: Site Location Plan



- 1.2 This supporting Planning, Design and Access Statement sets out the detail of the proposal which is described and appraised having regard to the following aspects:

- **Physical Context** – explains the physical context of the site and its surroundings;
- **Planning Context** – relevant planning history of the site and broad policy requirements;
- **Use** – the purpose of the proposed development;
- **Amount** – the extent of development on the site;
- **Scale** – details of the physical size of the proposed development;
- **Layout** – the relationship of the proposed development to the site and its setting;
- **Appearance** – details of materials, style and impact upon the existing and neighbouring properties;
- **Landscape** – impact of the proposal on the existing landscape and proposed planting and surfacing;
- **Access** – access to the proposed development and associated parking.

- 1.3 This Statement demonstrates that the proposed development accords with the relevant national and local planning policies and that it is acceptable in all respects.

2.0 PHYSICAL CONTEXT

- 2.1 The application site relates to the car parking area of the former public house named The Royal Oak. The site is situated outside of a built-up area boundary however, is just 2.5 miles (by road) to the north of Horsham, the main town of the district. The village of Rusper is around 2.5 miles (by road) to the east.
- 2.2 In 2018 (DC/17/1579), planning permission was granted for the conversion of The Royal Oak into a single dwelling. Later, in 2019 (DC/18/2707), planning permission was permitted for an alternative proposal for the conversion of the building and creation of two dwellings. These permissions were not implemented and in 2019 (DC/19/0860), planning permission was granted for the demolition of The Royal Oak and the construction of two semi-detached dwellings with garages. This permission has been implemented and the new dwellings, 1 and 2 Royal Oak Cottages have been built.
- 2.3 The former car parking area of The Royal Oaks remains to the west of 1 and 2 Royal Oak Cottages and this forms the application site. There are a number of other dwellings nearby to the east and west of Friday Street which form a small hamlet of properties.
- 2.4 A stream runs along the southern boundary of the of the application site. The Government's Flood Risk Map for Planning shows that a small area of the site close to the stream is located in Flood Zones 2 and 3.
- 2.5 Public footpath 1494 runs to the west and south of the application site however this will not be affected by the proposed development.
- 2.5 There are listed buildings close to the application site including Friday Farm, Little Benhams and Howell's Farmhouse, all Grade II listed. The site is not located in a Conservation Area.
- 2.6 An existing (presently gated) vehicle access from Friday Street serves the application site. The site is overall well screened by mature hedgerows and trees to the north, south and west boundaries. The side elevation, driveway and rear garden of number 2 Royal Oak Cottages adjoin the eastern boundary.
- 2.7 The following are photographs of the application site:





3.0 PLANNING HISTORY

3.1 The following is the relevant planning history for the application site and the former The Royal Oak public house:

- DC/22/0355 – Erection of a pair of two-storey semi-detached dwellings with garages. Planning permission refused 17 September 2024. Appeal dismissed 14 October 2025. Details included at Appendix NJA/1.
- DC/21/2008 – Erection of two x two bedroom dwellings and two x three bedroom dwellings with a garage. Planning permission refused 30 November 2021.
- DC/19/0860 – Demolition of existing building and erection of two x semi-detached and two storey dwellings with garages. Planning permission granted 08 November 2019. Implemented.
- DC/18/2707 – Conversion of existing property to create two dwellings. Planning permission granted 15 February 2019.

- DC/17/1579 – Proposed conversion of public house into a single dwelling with associated external alterations including single storey side and rear infill extension with roof lights. Planning permission granted 08 March 2018.
- RS/23/62 – New car park and vehicular access. Planning permission granted 31 August 1962.

3.2 In respect of application DC/22/0355, this proposal related to the present application site, the car parking area for the former The Royal Oak. Planning permission was refused on the basis of the site's location outside of a built-up area boundary and the effect of the proposal on the character and appearance of the area including in respect of the setting of listed buildings.

3.3 The subsequent appeal was dismissed and the key findings of the Planning Inspector are summarised as follows:

Location

- The site is set within a small cluster of buildings in residential use and it does not appear isolated within its surroundings. Nor is it isolated in the context of NPPF paragraph 84.
- However, as the site is located outside of a built-up area boundary, the proposal would conflict with HDPF policies 1, 2, 3, 4 and 26 and policy RUS1 of the Neighbourhood Plan and essential services, facilities and employment opportunities would not be readily accessible from the site. Therefore, occupiers would be largely reliant on the use of private vehicles.

Character and Appearance including Listed Buildings

- In contrast to the existing pattern of development, the proposed dwellings would be positioned close to the road, with areas of car parking and limited landscaping. As a result, the development would appear prominent within the street scene.
- The proposed dwellings would sit close to the site's front and side boundaries which would not reflect the established pattern

of development in the area. This would be harmful to the 'green buffer' which contributes to the rural setting and would result in a layout that appears cramped.

- The proposal would introduce a more uniform and continuous run of built form and the cumulative visual effect of four dwellings in close proximity would have a suburbanising appearance (notwithstanding the fact that the site constitutes previously developed land). The proposed layout would be incongruous with the prevailing rural character and would not respond appropriately to the site's context.
- The site is within the setting of Friday Farm (Grade II listed). The proposal, in combination with the adjoining pair of semi-detached dwellings would create a run of buildings across a relatively large area which would appear in the view as a sprawling and suburbanising development which would be in stark contrast to the rural setting of the listed building. As a result, there would be less than substantial harm to the setting of Friday Farm. In respect of other listed buildings, Howells and Little Benhams, the Planning Inspector found the proposal to have a neutral effect on their setting.

- The Planning Inspector noted the positive benefits of the proposal particularly in respect of making effective use of previously developed land and the contribution of the proposal to housing land supply but that these matters would not outweigh the harm considered to be caused to the setting of the listed building. Consequently, the proposal would conflict with HDPF policies 25, 26, 32, 33 and 34 and Neighbourhood Plan policy RUS3.

Planning Balance and Conclusion

- The Council cannot demonstrate a five year supply of housing – the AMR at the time (2022/23 – January 2024 version) confirmed this to be 2.9 years. However, having regard to the provisions of NPPF paragraph 11 d), the Planning Inspector found that due to the harm caused to the setting of a heritage asset, that policies in the Framework provide a clear reason for refusing the development proposed.
- The Planning Inspector also did not find the site to be in a suitable location for the proposal having regard to local and

national policies and the accessibility of the site to services, facilities and employment opportunities.

- 3.4 This revised planning application seeks to address the Planning Inspector's comments and reasons for dismissing the appeal. In particular, the proposed development has been substantially reduced in amount and scale with now just a single dwelling proposed as opposed to two. The design and siting of the proposed dwelling responds to the Planning Inspector's concerns and this proposal is supported by a revised Heritage Statement to demonstrate that the dwelling will not result in any harm to the setting of heritage assets and rural area.
- 3.5 Furthermore, since the appeal, the Council's five year housing land supply has since fallen even lower (now standing at 1.7 years supply) which gives an even greater need to grant planning permission for suitable residential development on windfall sites.

4.0 PROPOSAL

- 4.1 The proposal is for the construction of a three bedroom (with downstairs study/bedroom), barn style dwelling. The proposed dwelling will be accessed via an 'in/out' driveway with car parking (and turning) for two vehicles.
- 4.2 The proposed dwelling is of a traditional, pitched roof design which will be finished in a combination of horizontal boarding above a brick plinth under a tiled roof.
- 4.3 Sufficient space will be retained to all sides of the proposed dwelling and the boundaries of the site; the dwelling will be set back from the road and sited behind the front elevations of 1 and 2 Royal Oak Cottages. More than sufficient space is available to new landscaping and to provide for private amenity space for future occupiers.

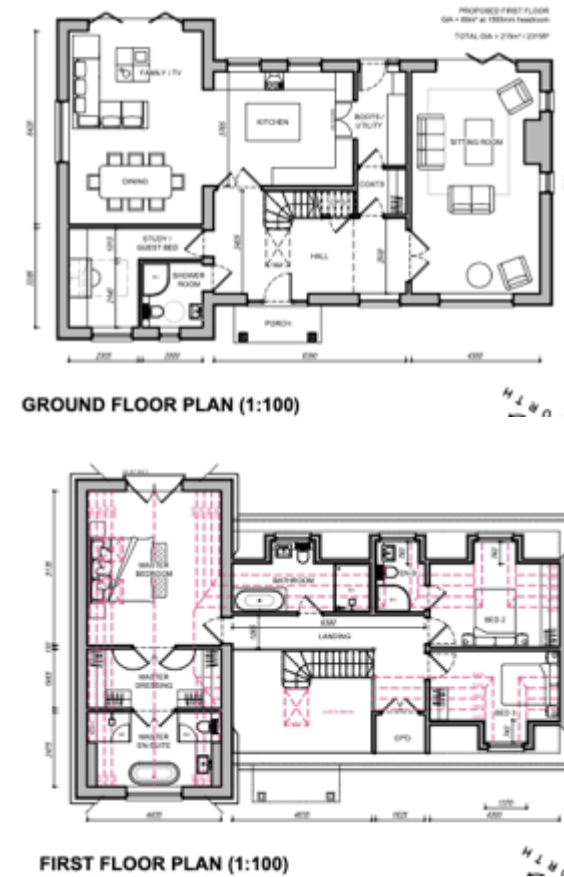
Figure 2: Proposed Block Plan



Figure 3: Proposed Elevations



Figure 4: Proposed Floor Plans



5.0 PLANNING POLICY

National Planning Policy Framework (NPPF) (December 2024)

Sustainable Development

- 5.1 The NPPF sets out the Government's planning policies for England and how these should be applied. It provides a framework for the preparation of local plans for housing and other development. The NPPF should be read as a whole (NPPF paragraphs 1 and 3).
- 5.2 Paragraph 2 of the NPPF sets out that ***'Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework must be taken into account in preparing the development plan, and is a material consideration in planning decisions. Planning policies and decisions must also reflect relevant international obligations and statutory requirements'***.

- 5.3 Paragraph 7 states that the purpose of the planning system is to contribute to the achievement of sustainable development. Achieving sustainable development means that the planning system has the following three overarching objectives which are independent but need to be pursued in mutually supportive ways:

- a) ***'an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;***
- b) ***a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and***

c) an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment, including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution and mitigating and adapting to climate change, including moving to a low carbon economy’.

5.4 Paragraph 10 states **‘So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development (paragraph 11).** For decision-taking this means approving development proposals that accord with an up-to-date development plan without delay.

5.5 Where there are no relevant development plan policies or the relevant policies are out of date, the NPPF states that planning permission should be granted unless the application of policies of the Framework that protect areas or assets of particular importance provide a strong reason for refusing the development proposed, or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits

when assessed against the policies of the Framework taken as a whole. Particular regard should be given to key policies for directing development to sustainable locations, making efficient use of land, securing well-designed places and providing affordable homes, individually or in combination (NPPF paragraph 11 d).

5.6 Paragraph 12 of the Framework states that **‘The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not normally be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed’.**

- 5.7 Paragraph 34 requires policies in local plans and spatial strategies to be reviewed to assess whether they need updating at least once every five years and should then be updated as necessary. In respect of housing, ***‘Relevant strategic policies will need updating at least once every five years if their applicable local housing need figure has changed significantly; and they are likely to require earlier review if local housing need is expected to change significantly in the near future’.***
- 5.8 In terms of decision-making, the Framework states at paragraph 39 that ***‘Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible’.***

- 5.9 Paragraph 61 states ***‘To support the Government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay. The overall aim should be to meet as much as an area’s identified housing need as possible, including with an appropriate mix of housing types for the local community’.***
- 5.10 Paragraph 62 states that to determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning practice guidance. Within this context, paragraph 63 requires the size, type and tenure of housing needed for different groups in the community to be assessed and reflected in planning policies. These groups include (inter alia) people wishing to commission or build their own homes.

- 5.11 In terms of the provision of affordable housing, NPPF paragraph 65 states that this should not be sought for residential developments that are not major developments, other than in designated rural areas (where policies may set out a lower threshold of 5 units or fewer).
- 5.12 Paragraph 72 requires strategic policy-making authorities to have a clear understanding of the land available in their area through the preparation of a strategic housing land availability assessment. Planning policies should identify a supply of specific, deliverable sites for five years following the intended date of adoption and specific deliverable sites or broad locations for growth for the subsequent years 6-10 and where possible, years 11-15 of the remaining plan period.
- 5.13 Paragraph 73 sets out that ***‘Small and medium sized sites can make an important contribution to meeting the housing requirement of an area, are essential for Small and Medium Enterprise housebuilders to deliver new homes, and are often built out relatively quickly’.***

- 5.14 Paragraph 78 requires local planning authorities to 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 supply of deliverable sites should include a buffer as set out at paragraph 78 a) – c).
- 5.15 To maintain the supply of housing, NPPF paragraph 79 sets out that local planning authorities should monitor progress in building out sites which have permission. Where the Housing Delivery Test indicates that delivery has fallen below the local planning authority’s housing requirement over the previous three years, certain policy consequences should be taken into account as set out at paragraph 79 a) – c).

Rural Housing

5.16 In rural areas, NPPF paragraph 82 requires planning policies and decisions to be responsive to local circumstances and support housing developments that reflect local needs. To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities (paragraph 83).

5.17 Paragraph 84 states that planning policies and decisions should avoid the development of isolated new homes in the countryside unless certain circumstances apply.

Highways and Car Parking

5.18 Paragraph 109 requires transport issues to be considered at the early stages of plan-making and development proposals.

5.19 NPPF paragraph 110 requires the planning system to actively manage patterns of growth. Whilst significant development should be focused on locations which are or can be made

sustainable, it should also be recognised that *‘opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making’.*

5.20 Paragraph 112 states that if setting local parking standards for residential and non-residential development, policies should take into account the accessibility of the development, its type, mix and use, the availability of land and opportunities for public transport, local car ownership levels and the need to ensure that adequate provision of spaces for charging plug-in and other ultra-low emission vehicles.

5.21 Maximum parking standards for residential and non-residential development should only be set where there is a clear and compelling justification that they are necessary for managing the local road network, or optimising the density of development in city and town centres and other locations that are well served by public transport (paragraph 113).

5.22 Paragraph 115 sets out that in assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that (inter alia), sustainable transport modes are prioritised taking into account the type of development and location together with a safe and suitable access to the site. Any significant impacts from the development on the transport network or highway safety shall be cost effectively mitigated to an acceptable degree through a vision-led approach.

5.23 Paragraph 116 makes it clear that ***‘Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios’.***

Effective Use of Land

5.24 Paragraph 124 requires planning policies and decision to promote an effective use of land in meeting the need for homes

and other uses, while safeguarding and improving the environment and ensuring healthy living conditions.

5.25 Paragraph 125 states that planning policies and decision should encourage multiple benefits from both urban and rural land. Substantial weight should be given to the value of using suitable brownfield land within settlements for homes and other identified needs. In addition, policies and decisions should promote and support the development of under-utilised land and buildings especially if this would help meet identified needs for housing where land supply is constrained.

5.26 Paragraph 128 requires local planning authorities to take a proactive approach to applications for alternative uses of land which is currently developed but not allocated for a specific purpose in place where this would help to meet identified development needs.

5.27 In terms of the density of new development, NPPF paragraph 129 encourages the efficient use of land taking into account a number of issues including the needs for different types of housing and other forms of development, the desirability of maintaining an area’s prevailing character and setting (including

residential gardens) and securing well-designed, attractive and healthy places.

Design

- 5.28 In terms of design, Section 12 seeks to achieve well designed places sets out that the ***‘The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities’*** (paragraph 131).
- 5.29 Paragraph 135 further states that planning policies and decisions should ensure that developments function well and add to the overall quality of the area, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping. Development should also be sympathetic to local character and history and should be designed with a high standard of amenity for existing and future users.
- 5.30 Paragraph 139 states that ***‘Development that is not well designed should be refused, especially where it fails to***

reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to:

- a) ***development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes: and/or***
- b) ***outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit with the overall form and layout of their surroundings’.***

Climate Change

- 5.31 Paragraph 161 requires the planning system to support the transit to net zero by 2050 and take full account of all climate change impacts. New development should be planned in ways that avoid increased vulnerability to the range of impacts arising from climate change and to help reduce greenhouse gas emissions, such as through its location, orientation and design.

5.32 Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (paragraph 170). Local planning authorities should ensure that flood risk is not increased elsewhere as a result of new development (paragraph 181).

5.33 Applications which could affect drainage in or around the site should incorporate sustainable drainage systems to control flow rates and reduce volumes of runoff which are proportionate to the nature and scale of the proposal (paragraph 182).

Natural Environment

5.34 Paragraph 187 requires planning policies and decisions to contribute to and enhance the natural and local environment by (inter alia) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils and recognising the intrinsic character and beauty of the countryside. Policies and decisions should also minimise impacts on and provide net gains for biodiversity. Paragraph 189 requires great weight to be given to conserving and enhancing landscape and scenic beauty in national parks.

Habitats and Biodiversity

5.35 Paragraph 193 states that when determining planning applications, local planning authorities should apply a set of principles and if significant harm to biodiversity resulting from development cannot be avoided, adequately mitigated against or, as a last resort, compensated for, then planning permission should be refused.

5.36 The presumption in favour of sustainable development does not apply where there would be a significant effect on a habitats site (either alone or in combination with other plans and projects) unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site (paragraph 195).

Ground Conditions and Pollution

5.37 Paragraph 196 requires planning policies and decisions to ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner

(paragraph 197). Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment (paragraph 198).

Heritage

5.38 Section 16 of the NPPF refers to the conservation and enhancement of the historic environment. Paragraph 212 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be).

5.39 Any harm to, or loss of the significance of a designated heritage asset (from its alteration or destruction or from development within its setting) should require clear and convincing justification (paragraph 213). However, this does not necessarily preclude new development within the setting of a designated heritage asset and paragraph 219 states that local planning authorities should look for opportunities for new

development within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.

Local Planning Policy

5.40 The 'development plan' comprises the Horsham District Planning Framework (HDPF) (2015) and in this case the Rusper Neighbourhood Plan 2018-2031 (2021). The relevant policies are listed below:

Horsham District Planning Framework (2015)

- Policy 1: Strategic Policy: Sustainable Development
- Policy 2: Strategic Policy: Strategic Development
- Policy 3: Strategic Policy: Development Hierarchy
- Policy 4: Strategic Policy: Settlement Expansion
- Policy 15: Strategic Policy: Housing Provision
- Policy 16: Meeting Local Housing Needs
- Policy 24: Strategic Policy: Environmental Protection

- Policy 25: The Natural Environment and Landscape Character
- Policy 26: Strategic Policy: Countryside Protection
- Policy 27: Settlement Coalescence
- Policy 31: Green Infrastructure and Biodiversity
- Policy 32: The Quality of New Development
- Policy 33: Development Principles
- Policy 34: Cultural and Heritage Assets
- Policy 35: Climate Change
- Policy 36: Appropriate Energy Use
- Policy 37: Sustainable Design and Construction
- Policy 38: Flooding
- Policy 39: Infrastructure Provision
- Policy 40: Sustainable Transport
- Policy 41: Parking

Rusper Neighbourhood Plan 2018-2031 (2021)

- RUS1: Spatial Plan
- RUS3: Design
- RUS4: Local Heritage Assets

- RUS5: Green Infrastructure and Biodiversity
- RUS10: Dark Skies
- RUS11: Promoting Sustainable Transport
- RUS12: Developer Contributions

Emerging Policy

5.41 The Horsham District Local Plan 2023-2040 was formally submitted to the Planning Inspectorate on Friday 26 July 2024 for public examination. Hearings commenced, however in a recent letter dated 04 April 2025 the Planning Inspector found that the Duty to Co-operate had not been met and raised significant soundness concerns in relation to the Plan's housing requirement and spatial strategy. As a result, the Planning inspector recommended that the Council withdraw the Plan.

5.42 The Council responded and it has now been agreed that the hearings will be re-opened. However, at present, the HDPF

remains the adopted development plan relevant to the determination of this planning application.

Relevant Legislation and Case Law

- 5.43 In considering the issue of the principle of the proposed development it is necessary to also consider the legal framework within which planning decisions are made. Planning legislation holds that the determination of a planning application shall be made in accordance with the Development Plan unless material considerations indicate otherwise (as also confirmed at paragraph 2 of the NPPF).
- 5.44 Specifically, Section 70 (2) of the Town and Country Planning Act 1990 states that in dealing with planning applications, the Authority shall have regard to the provisions of the development plan (so far as material to the application), a post examination draft neighbourhood development plan, any local finance considerations (so far as material to the application) and any other material consideration.

- 5.45 Section 38(6) Planning and Compulsory Purchase Act 2004 provides:

"If regard is to be had to the development plan for the purposes of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

- 5.46 When considering whether or not a proposed development accords with a development plan, it is not necessary to say that it must accord with every policy within the development plan. The question is whether it accords overall with the development plan (see *Stratford on Avon v Secretary of State for Communities and Local Government* (2014)). Even if a proposal cannot be described as being in accordance with the development plan, the statutory test requires that a balance be struck against other material considerations.

5.47 The Courts have emphasised that a planning authority is not obliged to strictly adhere to the development plan and should apply inherent flexibility (see *Cala Homes (South) Limited v Secretary of State for Communities and Local Government* (2011) and *Tesco Stores Ltd v Dundee City Council* (2012)).

5.48 More recently in *Corbett v Cornwall Council* [2020] the appeal court judge emphasised the importance of considering the plan as a whole when he said;

“Under section 38(6) the members' task was not to decide whether, on an individual assessment of the proposal's compliance with the relevant policies, it could be said to accord with each and every one of them. They had to establish whether the proposal was in accordance with the development plan as a whole. Once the relevant policies were correctly understood, which in my view they were, this was classically a matter of planning judgment for the council as planning decision-maker.”

5.49 Paragraph 3 of the NPPF confirms that the Framework should be read as a ‘whole’ and the Government’s Planning Policy

Guidance confirms that ***‘Conflicts between development plan policies adopted, approved or published at the same time must be considered in the light of all material considerations, including local priorities and needs, as guided by the National Planning Policy Framework’*** (paragraph 012 21b-012-20140306).

Housing Land Supply (Policy and Case Law)

5.50 The NPPF requires local planning authorities to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years’ worth of housing (paragraphs 72 and 78).

5.51 The NPPF requires plans and decisions to apply a presumption in favour of sustainable development (paragraph 11). For decision making, this means approving development proposals that accord with an up-to-date development plan without delay. Where there are no relevant development plan policies, or the policies most important for determining the application are out-of-date NPPF paragraph 11 d) requires planning permission to be granted unless:

- i. 'the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or*
- ii. any adverse impacts of doing so would significantly and demonstrable outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making efficient use of land, securing well-designed places and providing affordable homes, individually or in combination'.*

5.52 In respect of criterion 'i', NPPF footnote 7 confirms that the policies are those in the Framework which refer to habitats sites (and those listed at NPPF paragraph 189), and/or designated as Sites of Special Scientific Interest, land designated as Green Belt, Local Green Space, a National Landscape, a National Park or defined as a Heritage Coast, irreplaceable habitats, designated heritage assets (and other heritage assets of archaeological interest) and areas at risk of flooding or coastal change.

5.53 NPPF footnote 8 confirms that the policies most important for determining an application includes, for applications involving the provision of housing, situations where a local planning authority cannot demonstrate a five year supply of deliverable housing sites with the appropriate buffer as per NPPF paragraph 78 or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75%) of the housing requirement over the previous three years.

5.54 The 'Suffolk Coastal' case (Suffolk Coastal District Council v Hopkins Homes Ltd and Richborough Estates Partnership LLP v Cheshire East Borough Council [2017] UKSC 36) had regard to the meaning and effect of the provisions of the NPPF on housing land supply and the presumption in favour of sustainable development in having regard to the NPPF (2012 version). This is considered to still apply to the present NPPF.

5.55 The judgement noted the purpose of the NPPF is to have regard to the Development Plan policies unless these are not determined to be up to date. When the most relevant policies are not considered to be up to date, the balance is 'tilted' in favour of the grant of planning permission unless the benefits

are 'significant and demonstrably' outweighed by the adverse effects or where specific policies indicate otherwise. Weight is required to be afforded to such policies in the overall tilted balance (NPPF paragraph 11 d).

- 5.56 Importantly, the judgement determined that the decision-taker need not concern themselves with the specific reasons as to what is causing a lack of housing supply but attribute weight proportionally to addressing the problem to significantly boost an adequate supply of housing land (as required by NPPF paragraph 61).

Rural Housing (Case Law)

- 5.57 In terms of the provision of housing within the countryside, the 'Braintree' case (Braintree DC v SSCLG [2018] Civ 610) afforded particular attention in the assessment of 'isolation' when having regard to the NPPF. The term 'isolated' was considered by the Court of Appeal (who upheld a High Court decision) confirming that the word 'isolated' should be given its ordinary meaning as being 'far away from other places, buildings and people; remote'.

- 5.58 In ruling on the case, Lindblom LJ held that, in the context of paragraph 55 of the NPPF 2012 version, (now paragraph 84 in the present NPPF), 'isolated' simply connotes a dwelling that is physically separate or remote from a settlement. Whilst previous hearings had considered that the term 'isolated' could have a dual meaning, in that it referred to physical and functional (i.e. from services and facilities) isolation; this argument was rejected by the Court.

- 5.59 The Judgement additionally drew reference to transport opportunities in rural areas where it is consistent with the Framework that sustainable transport opportunities are likely to be more limited. This therefore further acknowledges that rural areas should not necessarily preclude new development.

- 5.60 The Court of Appeal's judgment in Bramshill v SSHCLG [2021] forms more recent case law addressing the interpretation of 'isolated dwellings' in the countryside. This upheld the previous interpretation of Braintree that the term 'isolated' should be given its ordinary meaning as being 'far away from other places, buildings and people; remote' and that in determining whether a

particular proposal is for “isolated homes in the countryside”, the decision-maker must consider whether the development would be physically isolated, in the sense of being isolated from a settlement. What is a “settlement” and whether the development would be “isolated” from a settlement are both matters of planning judgment for the decision-maker on the facts of the particular case.

- 5.61 This Statement demonstrates that the application site is neither remote or isolated from a settlement or other built form.

Horsham District Council's Housing Land Supply Position

- 5.62 NPPF paragraph 61 states that to support the Government's objective of '**significantly boosting the supply of homes**', it is important that a sufficient amount and variety of land can come forward where it is needed. To determine the minimum number of homes needed, strategic policies should be informed by a local housing needs assessment, conducted using the standard method in national planning practice guidance (NPPF paragraph 62).

- 5.63 Policies in local plans and spatial strategies should be reviewed to assess whether they need updating at least once every five years and should then be updated as necessary (NPPF paragraph 34). In addition, and as set out, the NPPF requires local planning authorities to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing (paragraphs 72 and 78).

- 5.64 In the case of Horsham District Council, the present HDPF was adopted in 2015. It is therefore significantly over five years old and it does not take into account the current standard method in its policies relating to the supply of new homes (specifically HDPF policy 15).

- 5.65 In addition, the Council's most recent Authority Monitoring Report (AMR) for 2024/25 (published on 19 December 2025) states that in accordance with the NPPF, the Standard Method calculates the local housing need (at December 2025) to be 1,338 per year. This equates to 6,690 for the five-year period (1 April 2025 – 31 March 2030). However, as Horsham District has a 62% result from the 2023 Housing Delivery Test results, a 20% buffer must be added to this figure and this results in a total five

year supply requirement of 8,028 (see paragraphs 3.21 – 3.26 of the AMR).

5.66 Paragraphs 3.40 of the AMR confirms that the Council can only demonstrate a **housing land supply of 1.7 years** and as such, it is unable to demonstrate a five-year supply as required by the NPPF. Specifically, the supply deficit is 5,286 homes which is significant (see table 6 of the AMR).

5.67 The under provision of housing within the Horsham district has persisted for some time - the Council's AMR for 2023/24 set out a 1 year supply of housing and the AMR for 2022/23 set out 2.9 years' supply.

5.68 As the Council cannot demonstrate the necessary level of housing land supply as required by the Framework, the provisions of NPPF paragraph 11 d) (and the *'tilted balance'*) apply to the proposal which must in turn be considered against the Framework's presumption in favour of sustainable development.

5.69 Having regard to paragraph 11 d) i, NPPF footnote 7, the Council is no longer requiring Applicants to demonstrate that that new development is water neutral (as of November 2025). In addition, the application site is not located within a 'protected area' although it is affected by a 'protected asset', the setting of listed buildings and in particular Friday Farm. However, this revised planning application demonstrates that there would be no harmful impact upon the significance of designated heritage assets and as such, the relevant policies do not provide a strong reason for refusing planning permission development. The proposal may therefore still be considered under the presumption in favour of sustainable development and the provisions of NPPF paragraph 11 d).

5.70 For the reasons set out in this Statement, and having regard to 11 d) ii, there are no adverse impacts of granting planning permission that would significantly and demonstrably outweigh the benefits of the provision of a new home (of a high quality design, in a sustainable location which makes effective use of land) when assessed against the policies of this Framework taken as a whole.

Shaping Development in Horsham District Planning Advice Note
September 2025

5.71 The Shaping Development in Horsham District Planning Advice Note (SD PAN) was approved by the Council on 17 September 2025. The SD PAN supersedes the Council's former Facilitating Appropriate Development (FAD) which was published in 2022.

5.72 The SD PAN is now a material consideration in determining planning application. It sets out the Council's aspirations for how development comes forward and the weight that can be given to current local planning policy within the context of legislation, national planning policy and guidance.

5.73 The SD PAN covers the following issues:

- The tilted balance
- The weight of the adopted HDPF
- The status of, and weight to be given to the emerging Horsham District Local Plan 2023-40
- The weight given to 'made' and emerging Neighbourhood Plans

- Water neutrality
- Importance of the spatial strategy and settlement hierarchy
- Consideration in principle of applications for housing development
- Applying local plan policies in current circumstances

5.74 The Council's SD PAN acknowledges that the Council can only demonstrate a 1 year supply of housing land and that the Council's performance against the Housing Deliver Test is 62%. Accordingly, the Council has produced a Housing Delivery Action Plan (paragraph 1.7).

5.75 The SD PAN confirms the following:

'Because of the circumstances in which the Council finds itself, and notwithstanding the current requirement of all new development to demonstrate that it is water neutral, HDC expects to receive planning applications proposing development in locations and of types not supported by the HDPF, the emerging Local Plan or in Neighbourhood Plans.'

HDC will continue to act in a proactive manner by supporting sustainable development that both delivers the development to meet identified needs and ensures that other objectives are met. To demonstrate this, HDC has produced this document to provide clarity in its approach and guidance to those who engage with the planning system in Horsham' (paragraphs 1.8 and 1.9).

5.76 The SD PAN sets out at paragraph 2.4 that in the absence of a 5 year housing land supply and/or where Housing Delivery Test performance is less than 75%, NPPF paragraph 11 (and footnote 8) indicate that the policies that effect that supply of housing may be considered out-of-date. It further confirms that this has the effect of reducing the weight that may be afforded to such policies and engages the 'tilted balance' where there is an expectation that planning applications for housing should be approved.

5.77 In respect of the Council's emerging Local Plan, SD PAN paragraphs 2.13 and 2.18 confirm that (at this stage), the Council does not take the view that the emerging Local Plan is sufficiently advanced to justify great weight to its policies, in

addition to there being unresolved objections to the majority of policies within it. In addition, the Council acknowledges that Strategic Policy 37 (Housing Provision) of the emerging Local Plan is not consistent with the NPPF as it does not fully address housing needs (paragraph 2.19).

5.78 In respect of Neighbourhood Plans, the SD PAN confirms that where NPPF paragraph 14 is not engaged, the 'tilted balance' would be engaged, reducing the weight that can be applied to Neighbourhood Plan policies that relate to the supply of housing.

5.79 The Council recognises that as it is unable to demonstrate a 5 year supply of housing land that in accordance with the NPPF, the presumption in favour of sustainable development is engaged. Given these circumstances, it is also acknowledged that it is likely to receive applications outside of built-up area boundaries and on unallocated sites. Subsequently, the SD PAN confirms that it will consider positively applications that meet all of the following criteria:

- ***‘The site adjoins the existing settlement edge as defined by the BUAB;***
- ***The level of expansion is appropriate to the scale and function of the settlement the proposal relates to;***
- ***The proposal demonstrates that it meets all 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’.***

Biodiversity and Green Infrastructure Planning Advice Note
(October 2022)

5.80 The Council’s Biodiversity and Green Infrastructure Planning Advice Note (PAN) provides guidance on how biodiversity and net gain should be taken into account within development proposals and applicants are encouraged to seek to achieve a 10% biodiversity net gain (BNG) or more.

Water Neutrality

5.81 On 31 October 2025, Natural England issued a Withdrawal Statement confirming that its Water Neutrality Position Statement of September 2021 has been withdrawn. For individual applications, the Council will be using the 2024/25 water efficiency savings made by Southern Water to allow all development to move forward as water neutral from 01 November 2025. As a result, for applicants this means that it is no longer a requirement to demonstrate water neutrality at planning application stage. This means that:

1. No water neutrality statement is now required.
2. No payment into SNWCS is needed to use the Southern Water capacity.
3. No bespoke conditions or s106 obligations are required to demonstrate water neutrality.

6.0 DETAILS OF THE PROPOSAL: USE, AMOUNT & SCALE OF DEVELOPMENT

The Principle of Development

- 6.1 NPPF paragraph 7 states that the purpose of the planning system is to contribute to the achievement of sustainable development including the provision of homes, commercial development and supporting infrastructure in a sustainable manner. Achieving sustainable development means that the planning system has three overarching objectives: economic, social and environmental (NPPF paragraph 8).
- 6.2 Paragraph 10 of the NPPF states ***‘So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development (paragraph 11)’***.
- 6.3 HDPF Policy 1 states that when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained within the NPPF. Therefore, in line with the NPPF, planning

applications that accord with the policies of the HDPF will be approved without delay (unless material considerations indicate otherwise). Where there are no policies relevant to the application, or relevant policies are out of date, Policy 1 states that the:

‘Council will grant permission, unless material considerations indicate otherwise – taking into account whether:

- Any adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or***
- Specific policies in that Framework indicate that development should be restricted’.***

- 6.4 The application site is located within the countryside outside of a built-up area boundary including Rusper (Neighbourhood Plan policy RUS1). Consequently, HDPF policy 26 seeks to protect the countryside from inappropriate development. The policy requires development to be essential to its countryside location

and must meet one of four criteria set out. In addition, proposals must be of a scale appropriate to its countryside character and location.

6.5 HDPF policy 2 is the Council's overarching policy that covers location and amount of development. The policy states that new development should be focused in and around the key settlement of Horsham, and to allow for growth in the rest of the district in accordance with the identified settlement hierarchy. This is set out at HDPF policy 3 and settlement expansion is referred to at HDPF policy 4.

6.6 Whilst it is acknowledged that the site is located within the countryside, in this case there are compelling reasons which justify the proposed development when considering the policies of the NPPF and HDPF *as a whole*. These material planning considerations are addressed as follows:

Planning History

6.7 As noted in the planning history, the Council initially granted planning permission for the conversion of the former The Royal Oak into a single dwelling in 2018 (DC/17/1579). The following

decision granted in 2019 allowed the conversion of The Royal Oak into two dwellings (DC/18/2707) and then later in 2019, planning permission was granted for the demolition of The Royal Oak and the construction of two semi-detached dwellings, now built (DC/19/0860).

6.8 Planning application DC/17/1579 established the acceptability of the residential development at the site. Whilst the permission related to the conversion of an existing building, the Council found the site to be in an appropriate location to accommodate a new dwelling and then subsequently two dwellings (DC/18/2007 and DC/19/0860). Specifically, paragraph 6.8 of the Council's Planning Committee Report for application DC/17/1579 states that ***'The application site, although in a countryside location, is set amongst a small cluster of buildings. The dwelling would not therefore be isolated and would be seen in the immediate context.....'***

6.9 Therefore, whilst in granting planning permission for two new build dwellings at The Royal Oak, the Council gave weight to the 'fall back' position of the previous conversion consents, it is also the case that the Council found the site to be in an

acceptable location to facilitate residential development. This is a material planning consideration of significant weight.

Housing Land Supply

- 6.10 The Council is unable to demonstrate a five year supply of housing as required by the NPPF. The latest AMR 2024/25 (published 19 December 2025) confirms that the Council can demonstrate just 1.7 years' supply (a drop from 2.9 years when the previous appeal was considered). As a result, the Council's policies in respect of the supply and location of new homes (HDPF policies 2, 3, 4, 15 and 26) still remain out-of-date and should be given less weight in the decision making process. The tilted balance of NPPF paragraph 11 d) is engaged and the proposal should be considered against the presumption in favour of sustainable development.
- 6.11 In respect of protected areas and assets, whilst the site is located within the setting of a listed building, it is demonstrated that the application of the relevant heritage policies does not provide a strong reason for refusing the development proposed.

- 6.12 In addition, the appeal site falls within an area identified as the Sussex North Water Supply Zone, where water abstraction has the potential to affect the Arun Valley Special Protection Area (SPA), Special Area of Conservation (SAC) and Ramsar sit. It is a European Designated Site afforded protection under the Conservation of Habitats and Species Regulations 2017 as amended. However, following Natural England's publishing of the Withdrawal of Natural England's Water Neutrality Position Statement, form 01 November 2025, development can come forward without water neutrality restrictions. As such, there is no conflict with NPPF paragraph 11 d) (i).
- 6.13 This Statement further confirms that there are other reasons or adverse impacts of granting planning permission for the proposal that would significantly and demonstrably outweigh the benefits of the provision of a new home of a high quality design, in a sustainable location and which makes effective use of land (11 d) ii).
- 6.14 The Government has set out a target of 1.5 million new homes to be built over the present Parliament. There is as such a significant need to build new homes and proposal will positively contribute towards the supply of windfall homes within the

district. This is an important source of supply as noted at NPPF paragraph 73 which states that ***‘Small and medium sites can make an important contribution to meeting the housing requirement of an area, are essential for Small and Medium Enterprise housebuilders to deliver new homes and are often built-out relatively quickly’***.

Location and Shaping Development

- 6.15 As set out, with particular regard to the spatial strategy of the HDPF, its policies in respect of the supply and location of new homes should be considered out of date (HDPF policies 2, 3, 4, 15 and 26) and less weight should be given to them in the decision making process due to the age of the HDPF and the lack of a five year supply of housing. Nevertheless, the relevant policies of the HDPF in respect of the location of new homes are addressed as follows:
- 6.16 HDPF policy 2 seeks to maintain the rural character of the District and states that new development should be focused in and around ***‘the key settlement of Horsham’*** with growth in the rest of the District in accordance with the settlement

hierarchy set out at HDPF Policy 3 and also in accordance with HDPF Policy 4.

- 6.17 Policy 3 establishes the settlement hierarchy for the district and confirms that development will be permitted within towns and villages which have defined built-up areas.
- 6.18 The application site is located just 2.5 miles (by road) to the north of Horsham which as per HDPF policy 3 is the ‘Main Town’ of the district comprising a large range of employment, services and facilities, education and good rail and bus accessibility.
- 6.19 The village of Rusper is also around 2.5 miles away (by road) to the east which falls within the category of a ‘Smaller Village’ at HDPF policy 3. Within Rusper there is a primary school. Village hall, a church and two public houses. As such, there is a wide range of local services and facilities, including employment and public transport, within a short distance from the application site which is not therefore situated within ‘isolated countryside’, The provisions of NPPF paragraph 84 do not therefore apply to the proposal.

- 6.20 The application site is also not remote from other built form, including residential development clustered nearby on both sides of Friday Street which form a small, attractive hamlet. Therefore as with the two dwellings already permitted and built on the former The Royal Oak site, the proposed dwelling will not appear out of keeping with the context of the site's surroundings.
- 6.21 Having regard to the cases of Braintree District Council v Secretary of State for Communities and Local Government (2018) and Bramshill v Secretary of State for Housing, Communities and Local Government (2021) (referred to previously at Section 2) the application site is not physically isolated from a settlement given its proximity to Horsham and Rusper as described and neither is it isolated from other built form.
- 6.22 NPPF paragraph 110 requires the planning system to actively manage patterns of growth. Whilst significant development should be focused on locations which are or can be made sustainable, it should also be recognised that *'opportunities to maximise sustainable transport solutions will vary*

between urban and rural areas, and this should be taken into account in both plan-making and decision-making'.

- 6.23 In addition, NPPF paragraph 115 states that sustainable transport modes should be prioritised when taking account the vision for a site, the type of development proposed and its location. A safe and suitable access to a site should be achieved for all users and any significant impacts from a development on the transport network should be mitigated.
- 6.24 The proposed construction of one dwelling is not 'significant' development and it will not in itself result in unsustainable patterns of vehicle movements within the rural area or result in any harmful impact upon the local transport network. Furthermore, and as set out, the proposed dwelling will not be remote from a main settlement.
- 6.25 HDPF Policy 4 supports the growth of settlements across the District in order to meet identified local housing, employment and community needs. Therefore, outside built up area

boundaries, Policy 4 permits the expansion of settlements subject to the following:

1. ***'The site is allocated in the Local Plan or in a Neighbourhood Plan and adjoins an existing settlement edge.'***
2. ***The level of expansion is appropriate to the scale and function of the settlement type.***
3. ***The development is demonstrated to meet the identified local housing needs and/or employment needs or will assist the retention and enhancement of community facilities and services.***
4. ***The impact of the development individually or cumulatively does not prejudice comprehensive development, in order to not conflict with the development strategy; and***
5. ***The development is contained within an existing defensible boundary and the landscape and townscape character features are maintained and enhanced'.***

6.26 The supporting text for HDPF Policy 4 (and 3) sets out the following justification - ***'to ensure that development takes place in a manner that ensures the settlement pattern and***

the rural landscape character of the District is retained and enhanced, but still enables settlements to develop in order for them to continue to grow and thrive' (HDPF paragraph 4.6).

6.27 Given the fact that the Council cannot demonstrate an appropriate supply of housing, the Council's SD PAN previously referred to acknowledges that the Council is likely to receive applications for residential development outside of the defined built up area boundaries and on unallocated sites.

6.28 As such, it is reiterated that the SD PAN (at paragraph 5.12) confirms that the Council will consider positively applications that meet all of the following criteria:

- ***'The site adjoins the existing settlement edge as defined by the BUAB;***
- ***The level of expansion is appropriate to the scale and function of the settlement the proposal relates to;***
- ***The proposal demonstrates that it meets all 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’.***

6.29 The above essentially follows the same principles of HDPF policy 4 with the exception that it does not contain the same requirement for sites to be allocated for development in the Local or Neighbourhood Plan.

6.30 The application site does not adjoin a settlement edge; however, as set out, it is very close to Horsham and Ruspur and visually appears to be connected to other development. The site is considered to be in a suitable position to accommodate a new dwelling without resulting in significant conflict with the Council’s development strategy of the principles of the NPPF when considered as a whole.

6.31 In terms of criterion 2 of the SD PAN and HDPF policy 4, the level of expansion, just one dwelling is small. The low density

of development is wholly appropriate to site’s location, density and pattern of adjacent residential development.

6.32 The proposed development meets local housing needs in respect of the clear need for new housing within the district (which has declined further since the determination of the appeal) and the impact of the proposal will neither individually nor cumulatively prejudice comprehensive long term development. The proposal complies with criteria 3 and 4 of the SD PAN and HDPF policy 4.

6.33 In respect of criterion 5 of the SD PAN and HDPF policy 4, the application site is contained by an existing defensible boundary and the proposed dwelling will not harmfully encroach into open countryside.

6.34 In summary of HDPF policies 1, 2, 3 and 4, these policies encourage sustainable development and allow for the expansion of settlements outside of built up area boundaries where the level of expansion is appropriate to the scale and function of the settlement type.

6.35 Given the small scale of development proposed, the sustainable location of the application site, the lack of any harm caused to the visual amenities of the rural setting and countryside landscape (as further addressed within this Statement) and the high need for new homes within the district, it is reiterated that the proposal does not significantly conflict with the overarching principles of the Council's spatial strategy or the Council's SD PAN. However as set out, any conflict must be weighed in balance with the provisions of NPPF paragraph 11 d) and the presumption in favour of sustainable development.

6.36 It should also be noted that the proposed dwelling is deliverable in the short term in accordance with the NPPF and the Council's SD PAN (paragraphs 5.13 – 5.17).

Rural Housing and Countryside Impact

6.37 The NPPF seeks to avoid the development of 'isolated' homes within the countryside unless certain circumstances apply (NPPF paragraph 84). In this case it is demonstrated that the application site is not located within truly isolated countryside

and the Planning Inspector agreed (paragraph 4 of the appeal decision notice).

6.38 As set out, HDPF policy 26 seeks to protect the rural character and undeveloped nature of the countryside against inappropriate development. However policy 26 must also be read in the context of the text at HDPF paragraph 9.18 which sets out that ***'The Council is seeking to identify the most valued parts of the district for protection, as well as maintain and enhance this natural beauty and the amenity of the district's countryside'.***

6.39 The NPPF supports the provision of rural homes at paragraph 83 where it states:

'To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local

services. Where there are groups of smaller settlements, development in one village may support services in a village nearby'.

- 6.40 This recognises the importance of allowing new residential development within the rural areas which can help to sustain local rural communities. As such, appropriate residential development on sustainably located sites, such as the application site is arguably 'essential' in supporting the sustainable development of rural areas (HDPF policy 26, criterion 4).
- 6.41 As set out, the proposed dwelling will be situated close to other built form. The site is not located within a prominent or isolated position and it is enclosed within well-defined and screened boundaries to the application site.
- 6.42 The proposed dwelling is of high quality, low impact design which is appropriate to and in keeping with the rural character of the area. In particular, the proposed dwelling is a chalet/barn style design which limits its overall height and it is set back from

the road. More than sufficient space is retained to the boundaries of the site and this will allow for additional soft landscaping. This addresses the Planning Inspector's comments at paragraph 14 of the appeal decision notice in respect of the previous scheme's proximity to the public highway with limited landscaping or vegetation to help soften the visual impact.

- 6.43 Furthermore, just one dwelling will not result in any significant or harmful increase in the overall level of activity within the countryside and it will not affect the tranquillity of the area or dark night skies (Neighbourhood Plan policy RUS10).
- 6.44 Given the proximity of the site to main settlements and residential development, the new dwelling will not appear at odds with the context of the site's surroundings. There is as such also no conflict with policy 26 in respect of its requirement for proposals to be of a scale appropriate to the countryside character and location and to protect/conserv/enhance key features and characteristics of landscape character.

Efficient Use of Land

- 6.45 Paragraph 124 of the NPPF states that ***‘Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions’***. Paragraph 128 requires that a positive approach is taken to applications for alternative uses of land which is currently developed but not allocated for a specific purpose in plans, where this would help meet identified development needs.
- 6.46 In addition HDPF policy 2 (criterion 8) supports sustainable development including the encouragement of the ***‘effective use of and by reusing land that has been previously developed (brownfield land), provided it is not of a high environmental value’***.
- 6.47 The application site formed the car parking area to The Royal Oak and it therefore falls within the NPPF’s definition of previously developed land:

‘Land which has been lawfully developed and is or was occupied by a permanent structure and any fixed surface infrastructure associated with it, including the curtilage of developed land (although it should not be assumed that the whole of the curtilage should be developed). It also includes land comprising large areas of fixed surface infrastructure such as large areas of hardstanding which have been lawfully developed. Previously developed land excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape’.

- 6.48 The Planning Inspector agreed that the site forms previously developed land (paragraph 16 of the appeal decision notice) and given the adjacent residential development, the proposal

will not introduce a use that would be incongruous to its surroundings. The proposal makes efficient use of previously developed which complies with the NPPF and HDPF policy 2 (criterion 8).

Case Studies

6.49 The following appeals permit the creation of single dwellinghouses within the HDC countryside. In the cases of Thornhill Stables, Cowfold Lodge and Marlpost Meadows in particular, weight was given to the Council's insufficient supply of housing and the provisions of NPPF paragraph 11 d). These cases are summarised as follows:

1. DC/24/1486 – Land at Thornhill Stables, Billingshurst Road, Coolham

6.50 Planning permission was granted at appeal on 28 October 2025 for the construction of a two storey dwelling on land at Thornhill Stables, near Coolham (see Appendix NJA/2).

6.51 The Planning Inspector did not find the appeal site to be in isolated countryside in the context of NPPF paragraph 84 but also did not consider the site to be in a suitable location having regard to local and national policy in respect of the accessibility of the site to services, facilities and employment opportunities.

6.52 However, when considering the proposal in the planning balance, the Planning Inspector found the following:

'Balanced against the harm are a number of benefits. The overall housing supply remains significantly deficient, and the provision of an additional dwelling would make a meaningful contribution to addressing this shortfall. The Framework recognises that small sites can make an important contribution to housing supply and are often built out quickly. There would also be modest economic benefits during constriction and through local spending, as well as a small contribution to housing diversity. While the scale of these benefits is modest given that only one dwelling is proposed, in the context of the current housing pressures, even a single additional home represents a valuable and positive contribution.'

Taking all matters into account, the adverse impacts of granting planning permission would not significantly and demonstrably outweigh the benefits when assessed against the Framework as a whole. Consequently, the proposal benefits from the presumption in favour of sustainable development as defined in paragraph 11d of the Framework’.

2. DC/22/2250 - Cowfold Lodge Cottage, Cowfold

6.53 Planning permission was granted at appeal for the construction of a log style dwelling at Cowfold Lodge Cottage, near Cowfold (see Appendix NJA/3). Cowfold Lodge is located outside of the settlement boundary of Cowfold which it is reiterated is classed by the HDPF as a ‘Medium Village’ with a moderate level of services and facilities. The Planning Inspector found that the site was not in isolated countryside and that the appearance of the dwelling (a log cabin design) would not be inappropriate to the rural area and close to other buildings.

6.54 Whilst the Planning Inspector found that there would be some harm to the character and appearance of the area by way of a

reduction in the openness of the countryside (and thereby resulting in conflict with HDPF policies 25, 26, 32 and 33), as the site is not isolated and the dwelling would not be unduly prominent, this harm would be modest.

6.55 In respect of location, the Planning Inspector found that the site would not be in a suitable location when judged against the policies of the HDPF but gave weight to the Council’s deficient housing land supply situation. The Planning Inspector found that the proposed dwelling would contribute towards the much needed supply of houses noting that:

‘Small sites can often be built-out relatively quickly and in this case the appellant intends to occupy the dwelling. There would be economic benefits arising from construction to spend in the local economy. Although these benefits are tempered by the small contribution that one house would make in the economic context of the current circumstances the additional dwelling would be valuable’ (paragraph 24).

6.56 Importantly and having regard to the provisions of NPPF paragraph 11 d), the Planning Inspector found that the adverse impacts of granting planning permission would not significantly or demonstrably outweigh the benefits of an additional dwelling when assessed against the policies of the NPPF taken as a whole. As a result, the Planning Inspector in applying the NPPF's presumption in favour of sustainable development found that planning permission should be granted.

3. DC/22/0495 – Marlpost Meadows, Southwater

6.57 Planning permission was granted at appeal for the construction of a detached dwelling, outside of a built-up area boundary at Marlpost Meadows near Southwater (see Appendix NJA/4).

6.58 Marlpost Meadows is located approximately 1.5km from the village centre of Southwater (a 'Small Town/Larger Village', as per HDPF policy 3). In noting the provisions of NPPF paragraph 11 d) and the lack of a five year supply of housing within the District, the Planning Inspector found the proposal to be acceptable in the planning balance.

6.59 Limited weight was given to HDPF policy 26 in respect of development outside of built-up area boundaries on the basis that the housing shortfall dictates that those boundaries are out of date. The Planning Inspector found that the site's location outside of a settlement boundary did not therefore constitute a reason for refusing planning permission and found the proposal to be acceptable for the following reasons:

'The proposal would increase the supply of housing in the District and help to address the identified shortfall in new homes. The benefits of a single dwelling are very modest, but cumulatively windfall sites have a significant influence on supply. The Framework explains that small and medium sized sites can make an important contribution to meeting the housing requirement of an area and are often built out relatively quickly. The land forms part of the curtilage of an existing dwelling in the countryside and it would qualify as previously developed land under the definition set out at Annex 2 of the Framework. The site has reasonably good accessibility to services and facilities within Southwater, despite its location outside of the built-up area' (paragraph 17).

6.60 The Planning Inspector concludes that:

'In the overall planning balance, I conclude that there are no adverse impacts that would significantly and demonstrably outweigh the benefits. The proposal would therefore constitute an acceptable form of development in terms of the Framework, and this would be a material consideration sufficient to outweigh the conflict with the development plan arising from the location of development outside of settlement boundaries' (paragraph 18).

4. DC/23/0627 – Wappingthorn Lodge, Steyning

6.61 On 10 December 2024, planning permission was granted at appeal for the extension and conversion of existing buildings at Wappingthorn Lodge into a dwelling (Appendix NJA/5). The main issue (having regard to the Council's reasons for refusal) related to whether the proposed development would provide a suitable location for housing having regard to the Council's spatial strategy.

6.62 The Planning Inspector found the proposal to conflict with the Council's spatial strategy in terms of the site's location but whilst

future occupiers would have to travel by car to reach local services and facilities, the distance would be short. When considering the proposal in the planning balance, the Planning Inspector found that the level of harm and the level benefit carry a comparable level of weight and therefore (having regard to NPPF paragraph 11d), ***'the adverse impacts of granting planning permission would not significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. Consequently, the proposal benefits from the presumption in favour of sustainable development as defined in paragraph 11d of the Framework and the similar provisions in Policy 1 of the HDPF'*** (paragraph 36).

Sustainable Development

6.63 Given that the tilted balance at NPPF paragraph 11 d) is engaged in this case, it is reiterated that the proposal should be considered against the presumption in favour of sustainable development set out within the Framework. Having regard to the three key objectives of sustainable development set out at

paragraph 8 of the NPPF, the proposed development complies as follows:

- a) an economic objective – the proposal will make a small contribution to the local building industry and associated trades in constructing the new dwelling. Furthermore, occupiers of the new dwelling will help to support local services and facilities. The proposal complies with the economic objective of sustainable development.
- b) a social objective – the proposal provides a suitable site for the creation of a new dwelling in close proximity to local services and facilities including schools, public transport and work opportunities. The proposal will also make a modest but important contribution to the supply of new homes within the district. The proposal complies with the social objective of sustainable development.
- c) an environmental objective – the proposal makes efficient use of previously developed land and no harm will result to the visual amenities of the countryside landscape or to the setting of heritage assets (see below). The proposed dwelling is sustainably located and it is of a sustainable

design. The proposal is considered to comply with the environmental objective of sustainable development.

7.0 LAYOUT, DESIGN & APPEARANCE

7.1 The NPPF sets out that the Government attaches great importance to the design of the built environment and that good design is a key aspect of sustainable development. Developments should be visually attractive and sympathetic to the local character of the surrounding area and should optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (paragraphs 131 and 135).

7.2 HDPF policy 32 requires high quality design for all development in the District. In addition, HDPF Policy 33 sets out the Council's key development control criteria and states that development should make efficient use of land, should not cause harm to neighbouring residential amenities, should be appropriate in scale, massing and appearance and be of a high standard of design. Development should also be locally distinctive in character and should use high standards of building materials, finishes and landscaping.

7.3 HDPF Policy 33 is addressed in detail as follows:

In order to conserve and enhance the natural and built environment developments shall be required to:

1. Make efficient use of land, and prioritise the use of previously developed land and buildings whilst respecting any constraints that exist;

7.4 The proposal makes efficient use of a small parcel of previously developed land with well-defined boundaries and there will be no harmful encroachment into undeveloped countryside. The proposal complies with criterion 1.

2. Ensure that it is designed to avoid unacceptable harm to the amenity of occupiers/users of nearby property and land, for example through overlooking or noise, whilst having regard to the sensitivities of surrounding development;

7.5 The proposed residential use will not be unduly intensive and as such, there will be no harmful impact in respect of noise. The proposed dwelling is sited sufficiently away from other residential development and appropriately orientated to ensure that no harm will be caused to neighbouring residential amenity. The proposal complies with criterion 2.

3. Ensure that the scale, massing and appearance of the development is of a high standard of design and layout and where relevant relates sympathetically with the built surroundings, landscape, open spaces and routes within and adjoining the site, including any impact on the skyline and important views;

7.6 The proposed dwelling is of an appropriate scale, massing and height in relation to the site's character and location. As a result, the proposed dwelling and overall development will not appear unduly prominent to views from outside of the site and the dwelling is of a high quality, traditional barn style design which will relate sympathetically to the surroundings.

7.7 The Planning Inspector previously objected to the introduction of a **'more uniform and continuous run of built form. Despite the potential for future landscaping, the cumulative visual effect of four dwellings in close proximity would have a pronounced suburbanising appearance'** (paragraph 16). A single dwelling would offer a different type and style of residential development to Royal Oak Cottages and this contrast would address the Planning Inspector's comments.

7.8 In particular, a single dwelling of a traditional design, with use of materials typically found in the rural area, would better reflect the **'more informal and spacious pattern of development'** on Friday Street as noted by the Planning Inspector at paragraph 14 of the appeal decision notice. In addition, the design, scale and siting of the proposed dwelling would not adversely affect the **'green buffer that currently contributes to the rural setting'** noted by the Planning Inspector at paragraph 15 of the appeal decision notice and the layout would not appear cramped.

7.9 Importantly, the proposed dwelling will fit comfortably within the site including by being set back from Friday Street and the

adjacent cottages. As a result, the cumulative impact of development will not result in the appearance of harsh built form, incongruous to the informal pattern of development on Friday Street and the rural setting of the site. The proposal complies with criterion 3.

4. Are locally distinctive in character, respect the character of the surrounding area (including its overall setting, townscape features, views and green corridors) and, where available and applicable, take account of the recommendations/policies of the relevant Design Statements and Character Assessments;

7.10 For the reasons described, the proposed dwelling which is of a high quality design, will appropriately fit in with the established and distinctive character and appearance of the area along Friday Street. The proposal complies with criterion 4.

5. Use high standards of building materials, finishes and landscaping; and includes the provision of street furniture and public art where appropriate;

7.11 The proposed materials will be of a high quality and appropriate to the rural setting. There is as such no conflict with criterion 5.

6. Presume in favour of the retention of existing important landscape and natural features, for example trees, hedges, banks and watercourses. Development must relate sympathetically to the local landscape and justify and mitigate against any losses that may occur through the development;

7.12 The specific details of hard and soft landscaping can be agreed by condition. There will be no loss of any important natural features and the proposal complies with criterion 6. In addition, the Council did not previously raise any objections in this regard.

7. Ensure buildings and spaces are orientated to gain maximum benefit from sunlight and passive solar energy, unless this conflicts with the character of the surrounding townscape, landscape or topography where it is of good quality.

7.13 The design of the proposed dwelling is appropriately laid out to ensure sufficient daylighting and a sufficiently sized private garden area is provided. The dwelling will also be well insulated and energy efficient and built in accordance with Building Control standards. The proposal complies with criterion 7.

Proposals will also need to take the following into account where relevant:

8. Incorporate where appropriate convenient, safe and visually attractive areas for the parking of vehicles and cycles, and the storage of bins/recycling facilities without dominating the development or its surroundings;

7.14 There is more than sufficient car parking (and turning) space proposed on site for the new dwelling (at least two spaces) and the proposal complies with criterion 8.

9. Incorporate measures to reduce any actual or perceived opportunities for crime or antisocial behaviour on the site and in the surrounding area, and create visually attractive frontages where adjoining

streets and public spaces, including appropriate windows and doors to assist in the informal surveillance of public amenity areas by occupants of the site;

10. Contribute to the removal of physical barriers; and

11. Make a clear distinction between the public and private spaces within the site.

7.15 The application site is safe and secure having regard to criterion 9 and there are no implications in respect of criteria 10 and 11. Overall the proposal complies with HDPF Policies 32 and 33 together HDPF policies 24, 25 and 26 in the protection of landscape character and with the proposed use being appropriate to this particular countryside location.

Heritage

7.16 Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires (inter alia) special regard to be made to the desirability of preserving listed buildings, their settings or any features of special architectural or historic interest.

7.17 Section 16 of the NPPF refers to heritage assets and paragraph 205 refers to the impact of a proposed development upon the significance of designated heritage assets (including their settings).

7.18 HDPF policy 34 requires development to reinforce the character of the historic environment and should make a positive contribution to the character and distinctiveness of the area. Similarly, Neighbourhood Plan policy RUS3 states that proposals should satisfactorily take account of the significance of heritage assets and their settings.

7.19 There are three listed building close to the application site; Friday Farm, Howells and Little Benhams (all Grade II listed). In respect of Friday Farm, the Planning Inspector's decision notice at paragraph 20 confirms the following:

'Friday Farm provides an attractive backdrop and views from the east along Friday Street. From this vantage point, the proposal would be clearly visible on the left-hand side of the street, forming part of the wider view towards the listed building. The proposal, in combination with the

adjoining pair of semis, would create a run of buildings across a relatively large area which would appear in the view as a sprawling and suburbanising development, which would be in stark contrast to the rural setting of the listed building. As a consequence, there would be less than substantial harm to the setting of Friday Farm'.

7.20 In respect of the two other listed buildings, the Planning Inspector's decision notice at paragraph 21 confirms the following:

'There are two other Grade II listed buildings, known as Howells and Little Benhams. The significance of these listed buildings is derived mostly from their age and historical quality. The proposal would be located some distance from Howells, separated by the built form of intervening dwellings, and would not be prominent in views of the listed building. Whilst the appeal site is opposite Little Benhams, given that listed building's significant set back from Friday Street, there would be limited intervisibility of the properties. Consequently, the proposal

would have a neutral effect on the setting of these other, nearby properties’.

7.21 Having regard to the above, the Planning Inspector’s main concern related to the impact upon the setting of Friday Farm and as such, the scale and form of the proposed development has been considerably altered. In support, this planning application is accompanied by a revised Heritage Statement which provides an assessment of significance in accordance with the NPPF together with an impact assessment having regard to the proposed development.

7.22 The Heritage Report confirms in the Conclusions that:

‘The proposed design is seen as a notable improvement over the previously refused scheme. It would adopt a traditional vernacular style of architecture, being set well back from Friday Street and subservient to the existing buildings around it. The design by reason of its scale, bulk and material finish is considered appropriate to the proposed site.

The proposal would utilise a previously developed site for residential use, which is considered to be appropriate. The proposed dwelling would be set back behind the principle elevation of the neighbouring Royal Oak Cottages and be of a lower ridge height, remaining subservient to the heritage assets.

The setting of the listed buildings will not only be preserved but also arguably enhanced over and above the existing incongruous appearance of the site. The way in which the listed buildings are experienced and best appreciated as part of their setting will be upheld, with no loss of significance’.

Ecology and Biodiversity

7.23 NPPF paragraph 192 requires the protection and enhancement of biodiversity and geodiversity. Paragraph 193 states that when determining planning applications, local planning authorities should avoid significant harm to biodiversity which should be adequately mitigated or, as a last resort, compensated for. Development should not result in the loss of

deterioration of irreplaceable habitats unless there are wholly exceptional reasons and a suitable compensation strategy exists. Similarly, HDPF policy 31 requires the protection and enhancement of biodiversity.

- 7.24 The application site is a former car parking area and the Council previously raised no objections in respect of ecology. This revised proposal continues to comply with the NPPF, HDPF policy 31 and Neighbourhood Plan policy RUS5 in respect of the protection of biodiversity.

Contamination

- 7.25 The previous planning application was accompanied by a Phase 1 Contamination Risk Assessment and the Case Officer's report (following consultation with Environmental Health) raised no objections to the proposed development subject to conditions.

8.0 ACCESS AND CAR PARKING PROVISION

- 8.1 The NPPF sets out at paragraph 116 that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 8.2 HDPF Policy 40 (Sustainable Transport) requires (inter alia) new development to be appropriate in scale to the existing transport infrastructure. Development should also minimise the distance people need to travel. HDPF Policy 41 states (inter alia) that adequate car parking must be provided within new developments.
- 8.3 The proposed dwelling will be accessed via two new vehicle accesses from Friday Street. This vehicle access arrangement is suitable to also serve the proposed dwelling and there will be no significant intensification in its use. Furthermore, and as set out, adequate on site car parking and turning can be provided. Overall, the proposal complies with the provisions of the NPPF

and HDPF policies 40 and 41 in respect of highway and car parking matters.

9.0 CONCLUSIONS

- 9.1 This Statement supports the proposal for the construction of a three bedroom, barn style dwelling on the car parking area to the former The Royal Oak public house, on Friday Street, Rusper, RH12 4QA.
- 9.2 As set out at Section 2, case law confirms when considering whether a proposal complies with a development plan, it is not necessary to say that it must accord with every policy of the development plan and the question is whether it accords with the development plan overall. In addition, paragraph 3 of the NPPF confirms that the Framework should be read as a 'whole' and the Government's Planning Policy Guidance (PPG) states that any conflicts between the development plan should be considered in light of all material planning considerations including local priorities and needs, as guided by the NPPF.
- 9.3 Therefore whilst the site is located outside of a built-up area boundary, it is necessary to consider the following aspects of the proposal in the planning balance:

- The Council's HDPF is over five years old and the Council is unable to demonstrate a five year supply of housing as required by the NPPF. As a result, the Council's policies in respect to the supply and location of new homes are out of date (HDPF policies 1, 2, 4, 4, 15 and 26) and the provisions of NPPF paragraph 11 d) and the tilted balance are engaged. This requires the proposal to be considered against the presumption in favour of the proposed development.
- In respect of NPPF paragraph 11 d) (i), the application site is located within the setting of a listed building (Friday Farm), however, the proposed development of just one dwelling has been carefully considered to take into account the Planning Inspector's comments on this matter and to subsequently ensure that no harm will be caused to the significance of this heritage asset. The proposal complies with the relative heritage policies of the NPPF, HDPF policy 34 and Neighbourhood Plan policy RUS3 and as such, there is no conflict with NPPF paragraph 11 d) (i) in respect of protection of assets of particular importance.

- In respect of NPPF paragraph 11 d) (ii), the below confirms that there are no adverse impacts of granting planning permission that would significantly and demonstrably outweigh the benefits of the provision of a new home, when assessed against the policies of the Framework as a whole;
- The proposal will make a small but important contribution towards windfall housing provision within the district. The cumulative provision of individual homes should not be underestimated as acknowledged by NPPF paragraph 73. The long term, continued lack of housing supply within the district undermines the Government's intentions to **'significantly boost'** the supply of new homes (NPPF paragraph 61).
- NPPF paragraph 83 encourages the sustainable development of rural areas and sets out that housing should be located where it will enhance or maintain the vitality of rural communities. Occupiers of the proposed dwelling will help to support local services and facilities within the rural community.
- NPPF paragraph 110 makes it clear that whilst the planning system should actively manage patterns of growth (and

significant development should be focused on locations which are or can be made sustainable), opportunities to maximise sustainable transport solutions will vary between urban and rural areas. This should be taken into account in both plan-making and decision-making. The proposal is not for significant development and neither will it generate significant levels of vehicle movements.

- The application site is not located within isolated countryside the proposal will not result in unsustainable modes of travel, out of keeping with the character of the area. The new dwelling will not be remote from a settlement or other built form - it is close to Horsham in particular where there is a wide range of local amenities, services, employment, education and public transport.
- The proposed dwelling is not remote from other built form and have been carefully designed to ensure that it is of a high quality construction and appearance and of an appropriate siting, height, scale and mass. As a result, there will be no significant or harmful impact upon the rural character and appearance of Friday Street or upon wider countryside views and special

landscape qualities. The proposal does not conflict with HDPF policy 26 in this regard which seek to protect the countryside from inappropriate development and it complies with HDPF policies 25, 32 and 33 and Neighbourhood Plan policy RUS3.

- The proposal makes effective use of previously developed land as encouraged by the HDPF and NPPF, no harm will be caused to neighbouring residential amenity.

9.4 This Statement demonstrates that there are no adverse impacts of granting planning permission that would significantly and demonstrably outweigh the benefits of a new home in a sustainable location which will make a small but important contribution towards the supply of much needed new homes within the district. Therefore, in accordance with paragraphs 11 and 39 of the NPPF and HDPF policy 1, planning permission should be granted for the sustainable development proposed.