n.j.a town planning Ltd

Applications & Appeals Services
The Beehive, City Place, Gatwick, RH6 0PA
Tel: 01403 252231 email: njaltd@gmail.com

FAO Sara Burke
The Planning Inspectorate
Temple Quay House
2 The Square
Bristol
BS1 6PN

NJA Ref: 23/237

03 March 2025

FINAL COMMENTS

Dear Ms Burke,

PINS Ref: **APP/Z3825/W/24/3357197**
Appellant: **Ms E Lee**
Site: **Berts Farm, Pickhurst Lane, Pulborough, West Sussex, RH20 1DA**

Thank you for your letter dated 25 February 2025. On behalf of the Appellant, please find enclosed final comments in respect of the Council's Statement of Case noting there are no third party comments.

If you have any queries or require any further information, please do not hesitate to contact me.

Yours sincerely

[redacted]

Nikolas J. Antoniou
BSc HONS DIPTP MRTPI
Chartered Town Planner
For and on behalf of NJA Town Planning Ltd

RTPI Chartered Town Planner

Appeal Ref: APP/Z3825/W/24/3357197

Appellant: Ms E Lee
Site: Berts Farm, Pickhurst Lane, Pulborough, West Sussex, RH20 1DA

APPELLANT'S FINAL COMMENTS

Comments on the Local Authority's Statement

1.0 Since the submission of the appeal, the Government has published the updated NPPF in December 2024. As set out within the Appellants' Statement of Case, the Council's most recent Authority Monitoring Report (AMR) 2022/23 (published 18 January 2024) demonstrates only 2.9 years' supply of housing. This is significantly below the reinstated five-year requirement of the updated NPPF. Furthermore, the new NPPF introduces an updated standard method to further increase the provision of new homes in order to meet the Government's objective to deliver 1.5 million new homes over the present Parliament. The provisions of NPPF paragraph 11 d) remain applicable to the appeal scheme and it is reiterated that there are no adverse impacts of granting planning permission which would outweigh the benefits of a new home, of a high-quality design, in a sustainable location and which makes effective use of land.

2.0 The Local Authority's Statement of Case refers to its delegated report which has been addressed and responded to within the Appellant's own appeal statement. It is noted that the Local Authority confirm that the site is not located within 'isolated' countryside, noting the site's '*proximity to a number of residential dwellings and buildings'*. It is reiterated that the site is also considered to be sustainably located, in close proximity to Pulborough. The Local Authority's Statement of Case acknowledges that the settlement has *'a reasonable number and range of shops, services and facilities. Future occupiers would not therefore be entirely reliant on the use of private cars to access local services and facilities that are ordinarily required for everyday living'.*

3.0 In reference to the spatial strategy set out at HDPF policies 2, 3, 4 and 26, as set out within the Appellant's appeal statement, these policies are out-of-date and should be given less weight in the decision making process. Indeed, the Local Authority's Statement of Case acknowledges that *'as the Council cannot currently demonstrate a*

five-year housing land supply, the provision of an additional dwelling towards this supply is afforded significant weight'. It is repeated that the cumulative contribution of small sites towards the supply of housing within an area should not be underestimated, as noted by NPPF paragraph 73.

4.0 The Councils Statement of Case does not correctly reflect the situation with regards to the s.106 in relation to Water Neutrality. The LPA is aware that at the point the appeal was submitted that the Appellant has instructed the LPA to draw up the necessary legal agreement to secure Water Neutrality.

The Inspectors attention is drawn to the email chain sent with these final comments which shows progression in relation to the s.106 and that the delay is on the part of the LPA and the Officer confirmed to the Appellant on 7th February that they had written to PINS to confirm that the delays were on the part of the LPA.

With this in mind it is not appropriate or fair for the LPA to maintain an objection on lack of s.106 when they are in control of its preparation and release. The Appellant would urge that the Council be given a set time period within this appeal to deliver the required agreement or that the refusal reason should be conditioned. Resolving this matter is not for the want of trying on the Appellants part.

5.0 There are no objections to the Council's suggested conditions including in relation to the proposed ecological and mitigation enhancement measures set out within the Preliminary Ecological Appraisal.

For the reasons set out above and within the Appellant's Statement of Case it is respectfully requested that this appeal be allowed.