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Our ref: CEB

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Neil Devereux
Planning Inspectorate
Appeals Case Officer, Team East 2

By email only: east2@planninginspectorate.gov.uk

Dear Mr Devereux

NPPF 2026
Appeal Ref 6007772 - The Lamb Inn, Lambs Green, Rusper, West Sussex RH12 4RG

This response is submitted on behalf of the Appellant in response to the Inspector's request for comments on the implications of the recently published National Planning Policy Framework (NPPF) for the appeal proposal.

The Appellant's position is that the new NPPF materially supports the case for allowing the appeal and, in particular, provides specific national policy support for the redevelopment of previously developed land outside settlements.

The appeal relates to the construction of two dwellings on land forming part of a former public house's car park, which is previously developed land. Planning permission DC/24/0874 has established and implemented residential use of the wider site through the conversion of the former public house into six flats.

The appeal proposal would provide two additional dwellings on previously developed land within an established cluster of development and within a site where the principle of residential use has already been accepted.

The new NPPF is now the operative national planning policy framework for decision-making. It introduces a revised approach to proposals outside settlements, including through Policy S5. The appeal proposal falls to be assessed against Policy S5 and the other relevant national decision-making policies in the Framework.

Policy S5 – Principle of Development Outside Settlements

The appeal site lies outside a defined settlement boundary and Policy S5 is therefore directly relevant.

Policy S5 identifies a range of forms of development which are acceptable in principle outside settlements. Of particular relevance to this appeal is:

S5(d) –The redevelopment of previously developed land

The appeal proposal comprises the redevelopment of previously developed land for residential purposes. The site's former use as the car park associated with The Lamb Inn means that it comprises established hardstanding and previously developed land. The proposal would therefore make more efficient use of land which has already been developed rather than requiring the development of an agricultural field or introducing built development into an otherwise undeveloped landscape.

The proposal is therefore not simply a case of seeking to develop land outside a settlement boundary. It is the redevelopment and more efficient use of an established area of previously developed land, within a site where residential use has already been accepted and implemented.

This is an important distinction in applying Policy S5. The national policy specifically identifies the redevelopment of previously developed land as an appropriate form of development outside settlements. The appeal proposal falls directly within that category.

The Appellant therefore considers that the proposal benefits from a clear principle of national policy support under Policy S5(d).

S5(e) - Limited infilling

The Appellant also considers that the proposal has characteristics of limited infilling within an existing group of development.

The appeal site forms part of the established cluster of development at Lambs Green and is surrounded on three sides by existing development. The wider site includes the former Lamb Inn, which has been converted to residential use, together with other established residential and commercial development in the immediate locality.

Policy S5 states that these forms of development should be approved, unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in the Framework.

For the reasons set out below, the Appellant considers that they would not.

Policy HO7 – Meeting the need for homes

Policy HO7 requires substantial weight to be given to the benefits of providing homes which will contribute towards meeting the evidenced accommodation needs of the local community.

> The provision of two additional homes makes a modest but positive contribution to housing supply in Horsham District. This should be considered in the context of the Council's housing delivery and supply position.
>
> The Appellant's Statement of Case recorded HDC's December 2025 position as 1.7 years' housing land supply, representing a substantial shortfall. The Statement of Case identified this as equivalent to a shortfall of 5,286 dwellings.
>
> The latest Housing Delivery Test result also demonstrates a significant historic shortfall in housing delivery, with the Council's performance identified as 44%.
>
> These matters provide clear evidence of an unmet need for housing within the District. The two dwellings proposed by the appeal scheme should therefore attract the substantial weight directed by Policy HO7.
>
> The contribution is modest, but the NPPF does not limit the application of HO7 to large housing schemes. The policy expressly requires substantial weight to be given to the benefits of providing homes which contribute towards evidenced local accommodation needs.

Policy HO11 – Isolated homes in the countryside

The Appellant has also considered Policy HO11 concerning isolated homes in the countryside.

Although the appeal site lies outside a defined settlement boundary, the proposal is not an isolated home in the countryside.

The site forms part of an existing cluster of development at Lambs Green and is physically associated with the former Lamb Inn, which has already been converted to residential use. The appeal proposal would therefore consolidate an established pattern of development rather than create an isolated residential development in the countryside.

The Appellant therefore considers that the proposal does not engage the policy concern which underlies Policy HP11, namely the creation of isolated residential development in the countryside.

Conflict with the Spatial Strategy

The Appellant acknowledges that the appeal proposal conflicts with the adopted spatial strategy insofar as the site lies outside the defined Built-Up Area Boundary.

That conflict remains a consideration in determining the appeal. However, the weight to be given to that conflict must be assessed in the context of the new NPPF and, in particular, the specific national policy support for redevelopment of previously developed land outside settlements.

The existence of a settlement boundary does not remove the operation of Policy S5. Indeed, Policy S5 expressly establishes a national policy framework for determining which forms of development may appropriately come forward outside settlements.

The appeal proposal falls within one of the forms of development specifically identified by Policy S5.

The Appellant therefore considers that the conflict with the adopted settlement boundary policy should attract limited weight in the overall planning balance.

Character and appearance

The second reason for refusal concerns the alleged over-intensification of the site and a suburbanising effect on the rural character and appearance of the locality.

The Appellant does not consider that the new NPPF alters the conclusions reached in the Statement of Case on this matter.

The proposal is modest in scale, comprising a detached coach house containing only two residential units. The building has been designed to reflect the character of a traditional coach house and to remain subservient to the former Lamb Inn. The proposal also retains existing mature boundary hedging and incorporates additional native planting.

The Council's Conservation Officer raised no objection and considered that the proposed building would have a neutral impact on the setting of the neighbouring listed building.

The appeal site is also not an undeveloped parcel of countryside. It is a former car park associated with the public house and forms part of an established group of development.

The Appellant therefore considers that any effect on the rural character and appearance of the area would be limited and would not substantially outweigh the benefits arising from the proposal.

Highways, ecology and other technical matters

The proposal attracted no objection from the Highway Authority, which concluded that it would not have an unacceptable impact on highway safety or result in severe cumulative impacts on the operation of the highway network.

Similarly, the consultation responses recorded no objection from Natural England, Conservation, Environmental Health or Ecology. The Ecology Officer considered that there was sufficient ecological information to support determination of the application, subject to appropriate conditions.

The drainage position should be distinguished. The Council's Drainage Engineer raised a holding objection because they considered further information to be required. That additional information has subsequently been provided through the drainage strategy submitted with the appeal.

The drainage evidence confirms that the site is within Flood Zone 1 and at low risk of flooding. It identifies a reduction in impermeable area from approximately 1,285m² to 872m² and proposes permeable paving and a controlled discharge to the existing watercourse. The proposed discharge rate is 2.8 litres per second compared with a pre-development rate of 17.7 litres per second, and the system is designed to accommodate a 1-in-100-year event with a 40% allowance for climate change.

The drainage issue should therefore be considered in light of the additional evidence now before the Inspector. The original holding objection arose from the absence of sufficient information at the application stage rather than from evidence that the site could not be satisfactorily drained.

Overall planning balance

The Appellant accepts that the proposal conflicts with the adopted Spatial Strategy.

However, the new NPPF materially changes the policy context in which that conflict falls to be considered.

The proposal is specifically identified by Policy S5 as a form of development capable of being acceptable outside settlements because it involves the redevelopment of previously developed land.

The proposal also:

- provides two additional homes in an area with an evidenced housing need;
- makes effective use of previously developed land;
- consolidates an existing cluster of development;
- extends an already established residential use;
- is modest in scale;
- has been designed to respond to its rural and historic context;
- has attracted no objection from the Highway Authority;
- has attracted no substantive objections from the relevant heritage and ecological consultees; and

- is supported by drainage evidence demonstrating that a satisfactory drainage solution can be achieved without increasing flood risk.

The Appellant therefore considers that the adverse effects identified by the Council are limited and do not substantially outweigh the benefits of the proposal.

The new NPPF's explicit support for the redevelopment of previously developed land outside settlements and on infill sites, together with the substantial weight required by Policy HO7 to the provision of homes contributing towards evidenced local needs, provides significant national policy support for the appeal.

Conclusion

The Appellant respectfully submits that the new NPPF supports the grant of planning permission.

The proposal falls within Policy S5(d) as the redevelopment of previously developed land outside a settlement. It also falls within Policy S5(e) as an infill site. It is not an isolated home in the countryside and is physically and functionally related to an existing cluster of development.

The proposal would provide two additional homes on land which has already been developed and within a site where residential use has already been established. The identified environmental and technical effects are limited, and the drainage matters raised during the application process have been addressed through further evidence submitted with the appeal.

Having regard to the NPPF as a whole, the Appellant considers that the benefits of the proposal would not be substantially outweighed by its adverse effects.

We trust this information will be of assistance to the Inspector in their consideration of the appeal.

Yours sincerely

[redacted]

Clare Bartlett MRTPI PISEP
Director – Planning