
Appeal Decision

Site visit made on 2 May 2017

by David Troy BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 26 May 2017

Appeal Ref: APP/Z3825/W/17/3168570
Spear Hill, Spear Hill, Ashington RH20 3BA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr Alastair Barnfield against the decision of Horsham District Council.
 - The application Ref DC/16/1895, dated 17 August 2016, was refused by notice dated 18 November 2016.
 - The development proposed is for 1 new 2 bedroomed dwelling.
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Decision

1. The appeal is dismissed.

Procedural matters

2. The application was made in outline with all matters other than access and layout reserved for future consideration. I have determined the appeal on this basis, treating the submitted plans and details provided as illustrative, insofar as they relate to matters other than access and layout.

Main Issues

3. The main issues are: (i) whether the proposal would be in conflict with the Council's strategy for housing development in the District, and (ii) the effect of the proposal on the character and appearance of the area.

Reasons

Development Strategy

4. The National Planning Policy Framework (the Framework) seeks to boost significantly the supply of housing, including through local planning authorities identifying the objectively assessed needs for housing and identifying sites to provide five years' worth of housing against their requirements. In this case, it is not disputed that the Council are able to demonstrate a 5 year housing land supply so that, in accordance with paragraph 49 of the Framework, full weight can be attached to policies within the development plan, comprising the Horsham District Planning Framework 2015 (HDPF).
 5. Policies 1, 2, 3 and 4 of the HDPF seek to direct development toward the key settlement of Horsham, with additional growth in the rest of the district in accordance with the identified settlement hierarchy. Policy 3 identifies Ashington as a 'medium village' in its settlement hierarchy, and Policy 4
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provides a number of criteria for the expansion of settlements outside the built-up area boundaries, such as where the site is allocated in the Local Plan (including the HDPF) or in a Neighbourhood Plan (NP) and adjoins an existing settlement edge or where it meets the identified local housing needs.

6. The appeal site is located in an open rural location approximately 600m to the north of the village of Ashington. The appellant considers that the proposal would constitute a sustainable form of development despite its location beyond the built-up area boundary of the village. The appellant states that the future occupants would have access by foot to the range of services available in the village sufficient to meet their day to day needs and access to a good public transport service into the nearby larger settlements such as Horsham, Worthing and Crawley on an hourly basis during the day Mondays to Saturdays until early evening and a more limited Sunday service.
7. The appellant argues that the appeal scheme, as a sustainable form of development, would qualify as a windfall site under HDPF Policy 15 relating to the scale of housing and various sources from which this will be delivered in the district, including windfall sites. The appellant in support of this argument sets out the HDPF Glossary definition of windfall sites, as a site not specifically allocated for development in the HDPF and considers that there is no requirement for such windfall sites to lie within the built-up area boundary of a settlement. In making these assertions the appellant attributes substantial weight to the Inspector's comments on an appeal allowed for eight dwellings at West Chiltington¹ that a site is not automatically unsustainable if it is not allocated outside the built-up area boundary.
8. However, a number of recent appeal decisions in the district² advance a contrary view that does not support windfall development on an unallocated site outside the built up area boundary of a settlement. Based on the evidence before me, I share this view, that whilst HDPF Policy 15 recognises that a proportion of the housing in the district will come forward as windfall sites, it is not an allocation policy and development would need to come forward in accordance with the HDPF development strategy. This seeks to direct most development to the larger settlements in the district and restrict development outside the built-up area boundaries in accordance with the criteria in HDPF Policy 4. As such there is no indication that the appeal scheme would specifically meet any of the criteria in HDPF Policy 4, in which the Council's countryside policies apply.
9. Residential development in the countryside is restricted to particular types of essential development to support the rural economy and protect the countryside. These types of development are set out in detail in Policy 26 of the HDPF. This reflects paragraph 55 of the Framework that confirms isolated homes in the countryside should be avoided unless there are special circumstances. No information has been provided to suggest that the proposed development would be essential to its countryside location and nor would it comply with the criteria listed in Policy 26 of the HDPF, or fall within the special circumstances listed in paragraph 55 of the Framework.

¹ APP/Z3825/W/16/3150965

² APP/Z3825/W/16/3146083, APP/Z3825/W/16/3159519, APP/Z3825/W/16/3151676, APP/Z3825/W/16/3145622 and APP/Z3825/W/16/3146231

10. I am aware that there is on-going work on an Ashington NP, including a site assessment that has rejected the appeal site on the basis of its location outside the built-up area boundary of the village. However this is at a very early stage in the process and whilst some public input has gone into the assessment there has been no publication or testing of the information and conclusions. On this basis I can afford this little weight.
11. I have noted the other development in the area drawn to my attention by the appellant. The planning appeal at Yew Tree Cottage³ is located on the edge of Ashington just beyond the built up area boundary of the village and was allowed in a different policy context when the Local Planning Authority could not demonstrate a 5 year land supply. I therefore accord this limited weight as a precedent in this case.
12. Consequently, I conclude that the proposal would be in conflict with the strategy for development as set out in Policies 1, 2, 3, 4 and 26 of the HDPF insofar as it is not allocated for development in the Local Plan or in a NP, is not required to meet an identified housing need in the locality and is not a particular type of development essential to its countryside location. In addition, it would conflict with paragraph 55 of the Framework which seeks to avoid isolated homes in the countryside.

Character and appearance of the area

13. The proposal is an open parcel of land that forms part of the garden area at the side of Spear Hill House, a two storey detached house set back from the road surrounded by a boundary wall/mature hedging and accessed via an unmade track off Spear Hill. It is set behind the residential properties running along the south-eastern side of Spear Hill outside the village within a countryside location, typically characterised by large detached properties set in mature spacious landscaped plots. A single dwelling is located to the south, with open fields to the east and west. This gives the area an open and rural character and appearance, which is further enhanced by the presence of mature landscaping and trees within the surrounding gardens and countryside.
14. The proposal would involve the construction of a detached dwelling with parking and garden area. The indicative details show a two storey dwelling of traditional design of a similar height and materials to Spear Hill House.
15. The proposed dwelling would be situated on what would be an atypically small and narrow plot and would introduce an uncharacteristic layout into the area. HDPF Policies 32 and 33 state that it is proper to complement and respect the locally distinctive character of the surrounding area. In this case, the indicative scale and layout of the proposed development would not amount to a subservient form of development in this location and would fail to promote or reinforce the distinctive characteristics of the area.
16. The consequential harm would not in my view be sufficiently resolved by the limited effect of the proposed dwelling on the street scene. In any case, the site is viewed from the rear of the adjacent properties and the public bridleway running along the front of the site. As such, irrespective of the design approach, I consider the proposed development would result in an incongruous

³ APP/Z3825/W/15/3035788

and out-of-keeping addition that would adversely harm the rural character and appearance of the area.

17. Consequently, I conclude that the proposed development would have a harmful effect on the rural character and appearance of the area. The development conflicts with Policies 25, 26, 31, 32 and 33 of the HDPF. These policies, amongst other things, seek to ensure that all new development is of a high standard of design and layout that preserves and enhances the natural environment and landscape character, complements and respects the locally distinctive character of the surrounding area and protects the rural character and undeveloped nature of the countryside.

Other matters

18. The appellant considers that the proposal would constitute a sustainable form of development. Sustainable development is identified as having social, economic and environmental roles. HDPF Policy 1 in line with the Framework identifies how decisions should be consistent with the principles of sustainable development. The appellant considers that the proposal would be well connected to existing services and facilities and provide some social and economic benefits through contributing to the supply of housing in the area, providing construction jobs, New Homes Bonus and Council Tax, although a single dwelling would make a limited contribution in this instance.
19. However, while I note the appellant's views that the appeal site would conform to the definition of previously developed land and that the scheme's design together with its limited visibility in the wider area would amount to environmental benefits, I consider that the adverse impacts arising from locating the proposed development in this rural location, together with the harm identified to the area's character and appearance, would conflict with the environmental dimension of sustainable development. In my view, these adverse impacts would be sufficient to outweigh the scheme's benefits. The proposal would not therefore amount to sustainable development in terms of the Policy 1 of the HDPF and the Framework.
20. I have noted the objections from Ashington Parish Council and a local resident to the proposal. However, in light of my findings on the main issues of the appeal, my decision does not turn on these matters.

Conclusion

21. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

David Troy

INSPECTOR