
Appeal Decision

Site visit made on 27 June 2017

by J Ayres BA Hons, Solicitor

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

Decision date: 11th July 2017

Appeal Ref: APP/Z3825/W/17/3172109

Land at Coombelands Lane, Pulborough RH20 1BS

- 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 Dr Simon Burton against the decision of Horsham District Council.
 - The application Ref DC/16/1082, dated 11 May 2016, was refused by notice dated 21 September 2016.
 - The development proposed is two dwellings and access.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The application was made in outline with all matters reserved for future consideration. I have determined the appeal on this basis, treating the plans and details provided as illustrative.

Main Issue

3. The main issue is whether, having regard to the requirements of local and national planning policy for the delivery of housing, and the effect of the proposed development on the character and appearance of the area, the appeal site is an appropriate location for the development proposed.
4. For reasons of clarity, I have addressed the main issue under discrete headings below.

Reasons

Local Policy Context

5. Policies 1, 2, 3 and 4 of the Horsham District Planning Framework 2015 (HDPF) seek to direct development toward the key settlement of Horsham, with additional growth in the district directed to settlements, in accordance with a clear settlement hierarchy, with Built up Area Boundaries (BUAB). Development beyond BUABs is restricted, by Policies 4 and 26, other than in accordance with specific criteria. The appeal site is outside any BUAB and the proposal fails to accord with these criteria. Thus, the appeal proposal conflicts with the locational requirements of the HDPF, as noted above.

6. Paragraph 55 of the National Planning Policy Framework (the Framework) is also clear that local planning authorities should avoid new isolated homes in the countryside, unless specific criteria are met. Although there are a few other dwellings located sporadically along Coombelands Lane, the appeal site is to all intents and purposes 'isolated', insofar as it is in the open countryside, remote from any sizeable settlement.
7. As the appeal proposal would fail to accord with any of the exceptional criteria, it would conflict with the requirements of paragraph 55.

Character and Appearance

8. Coombelands Lane is a predominantly single track road, lined on either side by vegetation and open land. It features some sporadic residential development but overall the area has a strong rural feel and character. The current use of the appeal site for grazing makes a positive contribution to the area's characteristic sense of openness and undeveloped countryside. Given the size of the site, the appeal proposal would be likely to introduce a significant level of built form onto land that currently, except for a small field shelter, is an open paddock. It would extend residential development onto both sides of Coombelands Lane at this point, encroaching further into the more open countryside. This extension and intensification of built form would, in my view, be at odds with the predominantly rural character of the lane and the wider area. Given this context, it would also have an adverse impact upon the setting of the South Downs National Park, the boundary of which is to the west of Coombelands Lane.
9. Although the Appellant has indicated that the dwellings would be sympathetically designed, with screening provided, and use advanced zero carbon technologies, I do not have anything more than assertion about such details as the application was made in outline. Therefore, based on the evidence before me, I do not consider that there can be any certainty that the proposal would promote or reinforce the rural character of this area or be of particularly innovative construction. Notwithstanding this, irrespective of any subsequent design approaches, I consider that the addition of two dwellings to the appeal site would result in incongruous development that would adversely harm the character and appearance of this rural area.
10. I find that the appeal proposal would have an adverse impact upon the character and appearance of the area. It would conflict with HDPF policies 30 and 33, which seek, among other things, to ensure that new development has no adverse impacts upon the natural beauty of protected landscapes and respects the character of the surrounding area.

Other Matters

11. It may be that there is an outstanding need for new local housing, but there is no evidence of this before me. Indeed, there is no dispute that the Council is able to demonstrate a five-year supply of deliverable housing sites. Even if that were not the case, there is no reason to consider that housing could not be provided in a policy compliant location. Consequently, I give little weight to the benefit of the provision of two extra houses in an area at odds with development plan policy.

12. In addition, although the appellant may disagree with the HDPF's approach to the distribution of new residential development generally, and with regard to Pythingdean specifically, it is a recently adopted, up-to-date development plan, compliant with national planning policy. Very significant weight is afforded to it, and to the appeal scheme's conflict with it.
13. It is suggested that the proposed dwellings are intended to be smaller and more affordable than many others in the area, compliant with HDPF policies 16 and 17. This is an outline application, however, and there is no certainty in relation to their size, form or purchase price at this stage. More significantly, the proposed dwellings would not be 'affordable' in the planning sense of the word, and affordability in relation to open market dwellings is a relative concept.
14. I have been referred to several other permissions for new dwellings outside of the BUAB, including around Pythingdean. However, in the evidence before me I do not have the full details of the circumstances that led to those proposals being accepted, or whether they were permitted under the current development plan. As such, I cannot be sure that they represent a direct parallel to the appeal proposal. In any case, I have determined the appeal on its own merits.
15. Planning permissions for extensions to existing dwellings have also been drawn to my attention, but these are not comparable to an application for two new houses. As such, they attract very little weight as precedents for the appeal proposal.
16. Reference is made to the Pulborough Parish Neighbourhood Plan Basic Conditions Statement. This is not, however, policy in an adopted development plan and attracts little weight.
17. The Appellant has raised concerns relating to the processing of the application by the Council. This is, however, a matter for the parties and not one for my consideration.

Conclusion

18. I conclude that, having regard to the requirements of local and national planning policy for the delivery of housing, and the effect of the proposed development on the character and appearance of the area, the appeal site is not an appropriate location for the development proposed.
19. The appeal proposal would conflict with the requirements of the development plan when taken as a whole. There is no weight of material considerations sufficient to override this conflict and, thus, for the reasons given above, and taking into account all other matters raised, I conclude that the appeal should be dismissed.

J Ayres

INSPECTOR