
Appeal Decision

Site visit made on 14 November, 2017

by S. J. Buckingham, BA (Hons) DipTP MSc MRTPI FSA

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

Decision date: 4th January, 2018

Appeal Ref: APP/Z3825/W/17/3180808

Greenfield Farm House, Charlwood Road, Ifield, RH11 0JZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr James Hardman against the decision of Horsham District Council.
 - The application Ref: DC/16/2776 dated 30 November, 2016 was refused by notice dated 4 May, 2017.
 - The development proposed is replacement of existing mobile home with a newer one, to be used initially for occasional farm use for farm/equestrian personnel for holiday cover/emergencies etc., then to be used as temporary accommodation while rebuild of house is in progress.
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Decision

1. The appeal is allowed and planning permission is granted for replacement of existing mobile home with a newer one, to be used initially for occasional farm use for farm/equestrian personnel for holiday cover/emergencies etc., then to be used as temporary accommodation while rebuild of house is in progress at Greenfield Farm House, Charlwood Road, Ifield, RH11 0JZ in accordance with the terms of the application Ref: DC/16/2776 dated 4 May, 2017 and the plan submitted with it.

Main Issue

2. The main issue is the effect of the development on the rural character, including the settlement pattern of the area.

Reasons

3. The appeal site is within Greenfield Farm, a mixed equestrian and construction business. It sits outside any built up settlement boundary and is therefore considered to be in the countryside. The removal of the pre-existing mobile home and its replacement with a new mobile home of standard design and size has already taken place.
 4. The appellant indicates that the pre-existing mobile home on site had been there for many years without any enforcement action taken by the Council, and had acquired lawful status due to the passage of time. Although there have been a number of refused applications for retention of a mobile home on site, the most recent of these was in 1996, and no evidence has been put before me to contradict this assertion. The balance of probability therefore is that the
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- new mobile home is a replacement, rather than a new dwelling in the countryside.
5. The provisions of paragraph 55 of the National Planning Policy Framework (the Framework) in relation to new housing in rural areas do not therefore apply, and it would not be necessary for the appellant to demonstrate the essential need for a rural worker to live permanently at or near their place of work.
 6. Greenfield Farm is a working site, containing a number of large, functional buildings, vehicle parking areas, storage containers and chalets. The replacement mobile home lies some metres south of that which it replaced, adjoining the working area, and screened from Charlwood Road by a thick band of mature trees and vegetation. In this context it has no effect on the wider rural character or appearance of the area.
 7. Policy 2 of the Horsham District Planning Framework 2015 (excluding South Downs National Park) (the HDPF) sets out the Strategic Policy intended to maintain the district's unique rural character and settlement hierarchy, while ensuring that the needs of the community are met through sustainable growth, including through the use of previously developed land, provided it is not of high environmental value. The site can reasonably be considered to be within previously developed land. No evidence of high environmental value has been put before me. Consequently, and as the replacement of one mobile home with another would not materially affect the existing settlement pattern, I conclude that the development would not be in conflict with this policy.
 8. Policy 1 of the HDPF sets out the Council's positive approach reflecting presumption in favour of sustainable development contained in the Framework. As the Framework seeks to encourage the re-use of previously developed land and to support the sustainable growth of businesses in local areas, and as the development would not be harmful to its rural setting, I conclude that it would not conflict with this approach or, thereby, with policy 1.
 9. While Policy 3 of the HDPF seeks to direct development towards existing settlements, as the development would be within the site of an existing business use, and would not harm the settlement hierarchy, I conclude that it would not conflict with this policy. Policy 4 of the HDPF relates to the expansion of existing settlements, and as the replacement of one mobile home with another would not materially expand the settlement into the rural area, I conclude that the development would not conflict with this policy either.
 10. Since the mobile home would be sustainable within the previously developed land, and as it would not affect the characteristics of the landscape in which it sits, it would not conflict with Policy 26 of the HDPF, which seeks to protect the rural character and undeveloped nature of the countryside.

Conclusion

11. For the reasons given above, therefore, I conclude that the appeal should be allowed. As the appeal structure is already in situ, I do not consider it necessary to attach any conditions.

S J Buckingham

INSPECTOR