



Appeal Decision

Site visit made on 20 August 2019

by L Perkins BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17th September 2019

Appeal Ref: APP/Z3825/W/19/3226892

Tisserand Farm, Stane Street, Billingshurst RH14 9AE

- 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 Mrs S Cross against the decision of Horsham District Council.
 - The application Ref DC/18/2722, dated 20 December 2018, was refused by notice dated 8 February 2019.
 - The development proposed was described as: Demolition of existing buildings. Construction of two dwellings with detached double carports.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the site would be an appropriate location for housing, having regard to its position within the countryside and its accessibility to everyday local services and facilities.

Reasons

3. Policy 3 of the Horsham District Planning Framework 2015 (the HDPF) sets out categories of settlement within the district. It directs development to within specified towns and villages which have defined built-up areas to ensure the settlement pattern and rural landscape character of the district is retained and enhanced.
4. The appeal site is located at the end of a track accessed from the A29 outside of any of the towns or villages specified in Policy 3. It is therefore in the countryside in planning policy terms where the HDPF states development will be more strictly controlled. The site contains disused piggery buildings which form part of Tisserand Farm. A limited number of dwellings are sited on neighbouring land but the site is otherwise surrounded by open fields.
5. Policy 4 of the HDPF supports the expansion of settlements outside built-up area boundaries subject to 5 specified criteria. These criteria are: that the site is allocated in the Local Plan or a Neighbourhood Plan and adjoins an existing settlement edge; that the level of expansion is appropriate to the scale and function of the settlement type; that the development is demonstrated to meet the identified local housing needs and/or employment needs or will assist the retention and enhancement of community facilities and services; that the impact of the development individually or cumulatively does not prejudice comprehensive long term development, in order not to conflict with the

- development strategy; and that the development is contained within an existing defensible boundary and the landscape and townscape character features are maintained and enhanced.
6. Whilst the proposed 2 houses would broadly replace existing buildings, the site is not allocated for development nor does it adjoin an existing settlement edge. Therefore, it does not comply with all of the criteria of Policy 4 noted above. I appreciate that existing built form would be removed as part of the scheme. But the existing buildings are agricultural and so the land does not fit the definition of previously developed land as defined in the National Planning Policy Framework (the Framework).
 7. Moreover, the agricultural appearance of the existing buildings is not inappropriate in this countryside setting. In any event, they are largely screened from public viewpoints and so they are not visually harmful either. For the same reason, improvements to the appearance of the site which may arise from the development are limited to the site itself and some immediately adjoining land. As such I do not accept this is a good enough reason to allow the scheme in light of the Council's strategy for the location of development set out in the policies identified in the Council's decision.
 8. Policy 26 of the HDPF states that outside built-up area boundaries the rural character and undeveloped nature of the countryside will be protected against inappropriate development. The policy seeks that any proposal must be essential to its countryside location. However, on the basis of the information provided, I am not satisfied that a countryside location is essential for the dwellings proposed and so the development does not comply with this policy.
 9. The appellant considers the appeal site is close to Billingshurst which has a good range of services and facilities including shops, schools, public transport options, a GP surgery and employment opportunities. Given the appeal site's location relative to other dwellings I am satisfied it is not isolated for the purposes of paragraph 79 of the Framework. However, as I saw on my site visit, accessing the nearest everyday services and facilities from the site would involve using the A29.
 10. The A29 is a narrow road carrying fast moving traffic and which is lacking in street lighting. Closest to the appeal site there is a footpath on the opposite side of the road only. This footpath is narrow and is overgrown by vegetation. As such, considering the above points, journeys to and from the appeal site would not be comfortable if undertaken by walking, cycling or public transport, making the appeal development feel remote from day to day services unless occupants relied on private motor vehicles.
 11. I appreciate a bus route may run on the A29 but I have limited information on the frequency or quality of this service to satisfy me that this makes the site accessible. In my judgement, due to its location, the appeal scheme presents limited opportunities to promote walking, cycling or public transport in accordance with the transport policies of the Framework. So whilst opportunities to maximise sustainable transport solutions will vary between urban and rural areas, this must be balanced with the Council's strategy for the location of development referred to above.

12. Taking into account all of the above points, I am not satisfied that the appeal site is an appropriate location for housing, having regard to its position within the countryside and its accessibility to everyday local services and facilities. I therefore also conclude that it does not comply with Policies 3, 4 or 26 of the HDPF.
13. Policy 1 of the HDPF is an overarching policy that provides support for development which accords with other policies of the HDPF and the presumption in favour of sustainable development. As I have found that there would be conflict with various policies of the HDPF, I consider that this development would also be contrary to Policy 1.

Other Matters

14. My attention has been drawn to other decisions of the Council and it is alleged that the Council has taken an inconsistent approach. But based on the information provided I am not satisfied the circumstances in the cases referred to in support of the appeal scheme are the same as those in the appeal scheme. In particular, the case at Chalk Farm is located on a different road and so I am not satisfied its accessibility characteristics are the same. I therefore give limited weight to the other decisions referred to and I have determined the case before me on its individual merits.
15. In the Beacon Hill Croft case referred to in the evidence, it was established that future occupants would be reliant on the private car and permission was granted. But I am not satisfied this case is a good enough reason for allowing the appeal scheme in light of the harm identified above and the Council's strategy for the location of development set out above.
16. I also note that for the Beacon Hill Croft case it was established that a fallback position existed. Whilst I recognise it can be possible to convert some agricultural buildings to dwellings and this may be a material planning consideration, in this case the evidence indicates there is no approved fallback position. Whether an approval were pursued via a planning application or an approval under the prior approval regime, both options would be subject to specific requirements/criteria. Limited information has been provided to satisfy me that either type of approval would be forthcoming on the appeal site. As such I give limited weight to the notional fallback position I have been referred to.
17. I accept the proposal would contribute to the supply of new homes and as a small site it could be built relatively quickly. But the evidence indicates the Council can demonstrate a 5 year supply of land for housing and so I give limited weight to the contribution the scheme would make to housing supply.
18. I appreciate the appeal scheme may be a substantial reduction in scale from a previous proposal. But this in itself does not make the scheme acceptable in light of the harm identified above nor does the lack of objection to the design or the effects on landscape, living conditions or highway safety.
19. I accept that there would be some local economic and social benefits arising from building and occupying the proposed houses but these would be limited given the scale of the development.

20. My attention has been drawn to a permission for a mix of uses on land north of Hilland Farm. But I have no information which satisfies me if or when any services proposed as part of this scheme would be available and accessible to occupants of the appeal scheme and so this permission does not change my overall conclusion in this case.

Conclusion

21. For the reasons given above the appeal is dismissed.

L Perkins

INSPECTOR