
Appeal Decision

Site visit made on 18 November 2020

by N Holdsworth MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 December 2020

Appeal Ref: APP/D3830/W/20/3247297

3 Grange Farm Cottages, Turners Hill Road, Crawley Down, RH10 4EY

- 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 Howard Smith against the decision of Mid Sussex District Council.
 - The application Ref DM/19/2519, dated 25 June 2019, was refused by notice dated 21 August 2019.
 - The development proposed was originally described as 1 x 3 bedroom new dwelling adjacent west of 3 Grange Farm Cottage, Turners Hill Road, Crawley Down.
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Decision

1. The appeal is dismissed.

Main Issue

2. Whether or not the location proposed is suitable for new residential development having particular regard to the accessibility of services and facilities by means other than the private car.

Reasons

Accessibility

3. The site comprises land associated with an existing residential property, No.3 Grange Farm Cottages. It adjoins another open area of landscaped space that is visually associated with recent residential development within the settlement of Crawley Down. There appeared to be an informal track between the site and this housing estate.
4. The appellant advises that this is an established pedestrian right of way. However, the evidence before me does not demonstrate with certainty that there is a legal basis for this claim. I am not certain, on the evidence before me, that future occupants of the proposed building would benefit from access to this informal pedestrian route, for the lifetime of the development.
5. The alternative pedestrian route to the settlement of Crawley Down is circuitous. It involves walking across a track through Grange Farm, then along Turners Hill Road which is a busy road and an unwelcoming environment for pedestrians. Consequently, whilst the settlement is technically within reasonable walking distance it is unlikely that future occupants would ordinarily choose to access it on foot. This is particularly the case in the hours of

darkness, due primarily to the poor lighting. Nor is the route particularly attractive for cycling, given the frequency of traffic on Turners Hill Road.

6. In consequence, the accessibility from the site to services and facilities by means other than the private car is poor, despite the close physical proximity of the site to the settlement of Crawley Down. The location of the development is therefore unsuitable for the residential development proposed. The proposal therefore conflicts with policy DP21 of the Mid Sussex District Plan 2018 ("District Plan") and policy CDNP10 of the Crawley Down Neighbourhood Plan (2016) which require, amongst other things, that development proposals are located to minimise the need for travel and provide adequate pedestrian access.
7. The proposal also conflicts with policies DP6, DP12 and DP15 of the District Plan, which set out a restrictive approach towards new residential development in the Countryside. Considering the situation on the ground, the site could be reasonably regarded as contiguous with an existing built up area, in accordance with part 2 of policy DP6. However, the failure to demonstrate a reliable pedestrian access means that the development cannot be regarded as sustainable, within the terms set out in part 3 of policy DP6. In this respect, the proposal conflicts with the strategic objectives associated with the settlement hierarchy, which include the promotion of well-located development which, for the reasons discussed above, this proposal would not be.

Other Considerations

8. It is suggested that other housing development has been approved by the Council, outside the development boundary of Crawley Down. However, I do not know the full background to these decisions. They do not provide a persuasive justification to depart from the policies set out in the recently adopted plan.

Planning Balance

9. The proposal would provide an additional house, achieving good quality living conditions with a high standard of environmental performance. It is likely to fulfil a demand in the local market. There would be no significant loss of Countryside given the existing appearance of the site. There is support for the provision of new housing in the National Planning Policy Framework (the Framework). There would also be economic benefits, particularly associated with the construction process.
10. However, the Framework also states that, in rural areas housing should be located where it will enhance or maintain the vitality of rural communities. Because of the likely reliance on the private car to access services and facilities, this aim would not be achieved here. Overall, the considerations that weigh in favour of the proposed development do not outweigh the harm identified in the main issue.

Habitats sites

11. The Council's second reason for refusal refers to inadequate mitigation in relation to the potential impact on the Ashdown Forest Special Protection Area and the Special Area of Conservation. However, the appellant indicates that they are willing to provide such mitigation, in accordance with the identified policy requirements. Were I have been minded to grant planning permission, I

would have considered whether it is necessary to carry out an Appropriate Assessment, under the Conservation of Habitats and Species Regulations 2017. However, as the appeal is failing on other grounds, it is not necessary to do this.

Conclusion

12. The proposal conflicts with the development plan and there are no other considerations that outweigh this finding. The appeal should be dismissed.

Neil Holdsworth

INSPECTOR