



Appeal Decision

Site visit made on 19 March 2021

by C J Leigh BSc(Hons) MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 April 2021.

Appeal Ref: APP/Z3825/W/20/3259636

Bonwycks Lodge Farm, Ilfield Wood, Ilfield, RH11 0LE

- 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 John Arthur against the decision of Horsham District Council.
 - The application Ref DC/20/1173, dated 24 June 2020, was refused by notice dated 21 August 2020.
 - The development proposed is described as 'replacement of existing mobile home (resubmission of 19/1308)'.
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Procedural matters

1. The application form set out the description of the proposed development as noted above. The Council's description of development as contained in the Decision Notice was 'replacement of existing mobile home with permanent single storey residential structure'. The appeal form stated in relation to Question E that the description of the development had not changed from that stated on the application form, but then went on to give the description in the same terms as that set out on the Decision Notice.
2. Submissions at the appeal stage describe the proposal as wishing to build a permanent home, with the submitted drawings showing a self-contained dwelling, and no restriction on occupation. Submissions at the application stage are not inconsistent with this. On the basis of the evidence I consider the Council's description to provide more precision regarding the development that is proposed and so I have determined this appeal on that basis.

Decision

3. The appeal is dismissed.

Main issue

4. The main issue in this appeal is whether the proposed dwelling would be acceptable when consideration is given to local planning policy regarding the location of development.

Reasons

Location of development

5. Planning permission was granted in 2011 for the existing mobile home on the site (ref. DC/11/1973). The Council informs me this was on the basis that the
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mobile home would be ancillary accommodation to Bonwycks Farm Lodge and that the occupant of the mobile home was wholly reliant on the facilities available at that property; the occupant having all meals there and undertaking activities such as laundry and general storage there. The appellant does not dispute this basis upon which permission was given. The planning permission was granted subject to a condition restricting occupation to purposes solely ancillary to the occupation and enjoyment of Bonwycks Lodge Farm, ie not as a separate dwelling.

6. The submitted drawings show that the existing mobile home has a kitchen, bathroom, living room and bedrooms and I saw these facilities at my site visit. Whilst this might suggest a degree of self-containment at present, the appellant has not disputed the status of the existing mobile home as still being used as ancillary to the occupation and enjoyment of Bonwycks Lodge Farm. Nor have I been provided any robust evidence to suggest to me anything other than the fact that the mobile home is still used and occupied in accordance with the terms of the 2011 planning permission.
7. On the basis of what I have read and seen I therefore consider this proposal to replace existing accommodation that is ancillary to Bonwycks Lodge Farm with a permanent dwelling that is unrestricted in occupation now or in the future.
8. The appeal site lies within the countryside, as defined in the Horsham District Planning Framework 2015 (HDPF). The settlement strategy for Horsham District is set out in Policies 2, 3 and 4 of the HDPF, which sees development to be permitted following a hierarchy of settlements. The appeal site lies within the countryside, as shown in the HDPF, and Policy 26 states any development proposal must be essential to its countryside location, and in addition meet one of certain defined criteria. This includes where the development would support the needs of agriculture or forestry.
9. The submissions at the appeal stage state that the new dwelling will be occupied by the appellant's daughter who works on the farm, but there is extremely limited evidence on this matter to substantiate this claim, with no assessments about any rural business that is being undertaken or why there is a functional need for a rural worker on the site. I also note that no such claim on this matter was made at the application stage. I therefore place little weight on the appellant's submissions, and so am not persuaded that the dwelling would satisfy the requirements of Policy 26 as demonstrating the proposal would be essential to its countryside location.
10. From what I have read and seen at the site visit, the appeal site is poorly located for local shops and services. I have not been made aware of any circumstances to suggest other than it being likely future occupiers will be reliant on the private car. It is therefore concluded on the main issue that the proposed development for a permanent dwelling with no restriction on occupancy or use would be contrary to planning policies that seek to ensure new housing is located to promote sustainable development. The proposal would therefore be in conflict with Policies 2, 3, 4 and 26 of the HDPF which, amongst other matters, seek to ensure that development takes place in the most sustainable locations as possible.

Other considerations and conclusion

11. The appellant points to the poor condition of the existing mobile home and the desire to provide a dwelling for his daughter and other relations which would be of better quality and more energy efficient. This is a material consideration of moderate weight in the appeal. However, the facts as presented to me in this appeal remain that the proposal is to replace ancillary accommodation with a permanent dwelling that could be occupied by any person at some point in the future. This leads to the conflict with the development plan as identified above. I must determine this appeal in accordance with the development plan unless material considerations indicate otherwise, and it is my judgement that provision of a better quality and more efficient home is not of significant weight to outweigh the conflict on the main issue.
12. For the reasons given, the proposal conflicts with the development plan and hence the appeal is dismissed.

C J Leigh

INSPECTOR