



Appeal Decision

Site visit made on 14 February 2022

by Tim Wood BA(Hons) BTP MRTPI

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

Decision date: 28th February 2022

Appeal Ref: APP/Z3825/W/21/3279450

Birchfield Nursery, Kidders Lane, Henfield BN5 9AB

- 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 Robert Dunckley against the decision of Horsham District Council.
 - The application Ref DC/20/1906, dated 1 October 2020, was refused by notice dated 24 June 2021.
 - The development proposed is change in use of the premises to mixed-use purposes for Use Classes B8, E and as a base for a garden design and landscaping business.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are whether the site is in an appropriate location for the proposed use and its effects on the character and appearance of the area.

Reasons

3. The appeal relates to this former plant nursery site which is located within the open countryside. The site sits adjacent to the A281 Brighton Road and is within a predominantly open and rural landscape. The site contains numerous buildings and structures, many associated with its previous use as a nursery. There is evidently a number of activities within the site including an element of plant sales and others include a landscaping business, storage, vehicle storage and a scaffolding business. I have noted the planning history of the site, including the recent enforcement appeal dated 15 February 2020 (Ref: APP/Z3825/C/19/3227981).
4. Policy 2 of the Horsham District Planning Framework (2015) (HDPF) seeks to maintain the District's rural character whilst ensuring that the needs of the community are met through, amongst other things, focusing development in and around Horsham and bringing forward strategic development areas. Policy 10 of the HDPF relates to rural economic development and establishes a range of criteria against which development in the countryside will be considered, including the requirement that any development must contribute to the wider rural economy. The site is not within an area designated for development in the HDPF and it is located in the countryside.
5. Policy 25 of the HDPF states that the natural environment and landscape character of the District, including the landscape, landform and development

- pattern, will be protected against inappropriate development. Policy 26 states that outside built-up areas the rural character and undeveloped nature of the countryside will be protected against inappropriate development and that any proposal must be essential to its countryside location and, in addition meet one of the following criteria: 1) support the needs of agriculture or forestry, 2) enable mineral extraction or waste disposal, 3) provide quiet informal recreation, or 4) enable sustainable development of rural areas.
6. A number of the existing structure on the site were previously associated with the plant nursery use, although many are not now used in association with the smaller plant business on the site. Areas within the centre and south of the site would be used for open storage and the appellant has suggested height limits for these areas. Taking account of the policies set out above, it is clear to me that the proposed uses would not comply with the requirements of them. The proposal would amount to an inappropriate use in the countryside raising conflict with those policies.
 7. The site is in a prominent position adjacent to the busy A281. The surrounding area is made up of mainly open fields with low fences and mature trees. Where buildings exist, they are mainly close to the roads and mainly appear to be associated with the agricultural/rural uses in the landscape. As the site currently stands, views of the structures and storage are available from the road and outside the site.
 8. The appellant includes proposals for landscaping around parts of the site, with the intention that the site would be screened from views. Whilst this may reduce the visibility of the inappropriate uses and features within the site, I consider that they would still be seen when passing the site but particularly when within the site and within the proposed 'woodland walk'. The proposal would be at significant odds with the requirements of Policies 25 and 26 and would fail to protect the landform and development pattern of the area and would be in conflict with Policy 3.2 of the Henfield Neighbourhood Plan. Therefore, on this second issue, I consider that the proposal would have an unacceptable effect on the character and appearance of the surroundings.
 9. The appellant indicates that the proposal would bring with it a number of benefits. In relation to landscaping, I have concluded that any such benefits would be outweighed by the inappropriate use of the site and the presence of the associated features. With regard to employment, there is no detailed evidence which would allow me to make a reasoned comparison between the former use as a plant nursery and the proposed use of the site and so I can come to no meaningful conclusion on that matter. I have taken account of all other matters, including the alleged fall-back position. Notwithstanding these matters, I consider that the proposal would bring about harm to the rural location, contrary to those policies set out above and there are no benefits or other matters which are sufficient to outweigh that harm

Conclusion

For the reasons set out above, the appeal is dismissed.

T Wood

INSPECTOR