


The Planning Inspectorate

Appeal Decision

Site visit made on 23 September 2024

by J E Jolly BA (Hons) MA MSc MCiH MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10th October 2024

Appeal Ref: APP/C3810/W/24/3344161

Land at Toddhurst Farmhouse, Lake Lane, Barnham, West Sussex PO22 0AL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant permission in principle.
 - The appeal is made by Mr Chris Halstead against the decision of Arun District Council.
 - The application Ref is WA/12/24/PIP.
 - The development proposed is permission in principle for construction of up to 3 self-build dwellings.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The National Planning Policy Framework (the Framework) was revised in December 2023. However, on 30 July 2024 the new Government published a consultation on proposed reforms to the Framework and other changes to the planning system. However, no final document has been published. Consequently, in reaching my decision I have therefore had regard to the Framework published in December 2023, and any reference to Paragraph numbers are to this version.
3. In addition, the parties were given the opportunity to comment on the changes to the Framework. These are noted and form part of my reasoning in the determination of this appeal.
4. The proposal is for permission in principle. Planning Practice Guidance (PPG) advises that this is an alternative way of obtaining planning permission for housing-led development. The permission in principle consent route has 2 stages: the first stage (or permission in principle stage) establishes whether a site is suitable in-principle and the second ('technical details consent') stage is when the detailed development proposals are assessed. This appeal relates to the first of these 2 stages.
5. The PPG also says that the scope of the considerations for permission in principle is limited to location, land use and the amount of development permitted. All other matters are considered as part of a subsequent Technical Details Consent application if permission in principle is granted. I have determined the appeal accordingly.

Main Issue

6. In view of the above, the main issue in this appeal is whether the site is suitable for residential development, having regard to its location, the amount of development and the proposed land use on the character and appearance of the area.

Reasons

7. The appeal site is a tree and hedge lined garden space laid to grass to the rear of Toddhurst Farmhouse. Access to the site from Lake Lane is currently prevented by a brick-built former agricultural building associated with the Sussex Business Village (SBV) to the south, including a workshop which opens onto the site. However, the site can be accessed via a gate from the SBV car park. It is currently being used to store/park a small number of campervan type vehicles and other general open storage.
8. The proposed development would be located outside a recognised settlement boundary and therefore, for planning purposes, located in the countryside. However, the day-to-day services of Barnham, including a mainline rail station to the wider area are a short distance away and can be easily accessed by foot, cycle or motor vehicle via a pavement or the main highway. Indeed, the services and transport connections found in Barnham would be accessed in a similar way to the occupiers of the existing dwellings found on Lake Lane. As such, I conclude that the proposal would be in a suitable location.
9. Moreover, given the number of dwellings proposed is relatively low and the fact that the overall figure in this respect could be finalised at the technical stage, the amount of development would be acceptable.
10. Turning to the use of the land and its effect on the character and appearance of the area. The appellant argues that the proposal would contribute to the overall number of sites available in the district for self-build homes. The appellant has also brought to my attention that the Council does not have a recognised policy mechanism to deliver such sites, particularly those that are in the ownership of large-scale housebuilders. However, even if the previous government's commitment to at least double the amount of custom and self-build is to remain, of which I cannot be certain, the fact remains that the Council has identified strategic sites¹ including Ford and Nursery Fields that could deliver up to 42 new self-build properties or more. Indeed, whether the appeal site is previously developed land and appropriately connected to services or not, given the relatively low number of households with an interest in self-build registered with the Council, I can only attribute the self-build scheme limited weight in respect of the use of the land.
11. In addition, I acknowledge the SBV site has been allocated in the Walberton Neighbourhood Plan (WNP) for a mixed-use development. However, while the SBV lies directly adjacent to the appeal site, I have limited details of that allocation before me, or the acceptability of any proposed future scheme to the Council. I give this matter little weight.

¹ WA/12/24/PIP and BE/129/23/S73.

12. The application does not include details of the intended layout or design of the proposed dwelling and no such details are required with an application for permission in principle. However, the proposed self-build development would be accessed from the main highway and hence be shielded from Lake Road by Toddhurst Farmhouse and the SBV. This would be at odds with the immediate surrounding area which is typified by established loose-knit development lining the highway with nursery buildings and glasshouses to the rear. Nonetheless, the appellant contends, even if the SBV is included, that the existing road facing development is limited and does not represent an influential building line in this location.
13. I find to the contrary. In combination with the nearby fields, the thin ribbon of residential development in this specific location helps to create a sense of space which counterbalances not only the developed nursery land but also the small cluster of timber clad and brick and tile agricultural type buildings of the SBV. As such, while there would only be limited glimpses of the development from the footway to the east, the proposed development would appear as incongruous built form within the relatively open garden space of Toddhurst Farmhouse. I conclude therefore, that the proposal would differ to the established line of development along Lake Road that runs towards Barnham, and while the amount of development would be in a suitable location, the use of the land to the rear of the host dwelling would be an alien addition and harm the character and appearance of the area.
14. Accordingly, the proposal would be contrary to Policy C SP1 of the ALP, Policy HP1 of the WNP, which say amongst other things, that the Council will take into account cumulative impact of development in the consideration of planning applications, and Paragraph 14 of the Framework.

Other Matters and Planning Balance

15. My attention has been drawn to a number of self-build schemes² in support of the appellant's case. Some of these schemes are in a different location altogether³. Moreover, the local schemes are described by the appellant as 'notably different' to the proposed development before me. Hence, while noted, they do not attract weight in the planning balance.
16. The Council has a recorded Housing Land Supply (HLS) shortfall. As such, Paragraph 11 (d) of the Framework is engaged. Up to 3 new dwellings would be constructed on previously developed land. This would contribute to the Council's HLS. Nonetheless, the very limited social, economic and environmental benefits associated with the small-scale development, including provision of self-build housing for local young families, do not outweigh the harm I have found above.

Conclusions

17. For the reasons given above, I conclude that the appeal should be dismissed.

J E Jolly

INSPECTOR

² WA/111/23/OUT, and WA/79/23/PIP,

³ APP/W0340/W/15/3051146 and APP/Y3940/W/16/3150774