
Appeal Decision

Site visit made on 18 September 2025

by **R Lawrence BSc (Hons), PGDip (TP), MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 8th of October 2025

Appeal Ref: APP/D3830/W/25/3367543

Land at Coombe Hill Road, East Grinstead RH19 4LZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission in principle.
 - The appeal is made by Mr Stephen Streatfield against the decision of Mid Sussex District Council.
 - The application Ref is DM/25/0413.
 - The development proposed is a new residential dwelling.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have taken the description of development from that set out on the application form but have removed any wording that is unnecessary and does not in itself constitute development.
3. The proposal is for permission in principle. Planning Practice Guidance (PPG) explains that this is an alternative way of obtaining planning permission for housing-led development. The permission in principle consent route has two stages: the first stage (or permission in principle stage) establishes whether a site is suitable in principle while the second ('technical details consent') stage is when the detailed development proposals are assessed. This appeal relates solely to the first stage.
4. The scope of considerations for permission in principle is limited to three considerations: location, land use and the amount of development¹. All other matters would be considered as part of a subsequent Technical Details Consent (TDC) application if permission in principle is granted. I have determined the appeal on this basis.
5. The site lies within the High Weald National Landscape (HWNL). The statutory purpose of National Landscapes is to conserve and enhance the natural beauty of the area. Section 85 of the Countryside and Rights of Way Act 2000 (as amended) places a duty on relevant authorities to seek to further this purpose when exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty (now National Landscapes).

Main Issues

6. The main issue is whether the site is suitable for residential development, having regard to its location, the proposed land use and the amount of development.

¹ PPG Paragraph: 012 Reference ID: 58-012-20180615

Reasons

7. The appeal site lies outside the defined built-up area boundary of Crawley Down, as set out in the Mid Sussex District Plan (MSDP) 2018, and is therefore designated as countryside.
8. Policy DP15 requires special justification for new homes in the countryside. This may include compliance with Policy DP6: Settlement Hierarchy, which allows for limited expansion of settlements under specific conditions:
 - the proposal must be for fewer than 10 dwellings;
 - it must be contiguous with the built-up area boundary; and
 - the site must be demonstrated to be sustainable.
9. The proposal is for a single dwelling, well below the 10-dwelling threshold. The appellant argues that the site is contiguous with existing built development, including residential dwellings on either side and a nearby industrial estate. However, these developments also lie outside the built-up area boundary.
10. The wording of DP6 suggests that contiguity must be with development within the defined boundary. This interpretation is supported by the Council and a previous appeal decision at Thyme Cottage, Sandhill Lane, which cautioned that allowing development adjacent to built form outside the boundary could lead to incremental encroachment into the countryside, undermining its intrinsic character and beauty. This concern is echoed in Policy EG2A of the East Grinstead Neighbourhood Plan (EGNP), which seeks to resist ad hoc infill development outside the built-up area.
11. The appellant also refers to an appeal decision at London Road, Hickstead², where the Inspector found the site to be part of an identified settlement despite the absence of a built-up area boundary. However, that case involved materially different circumstances, as the site was located within a recognised settlement, albeit one outside of the built-up area boundary. In contrast, the appeal site here lies outside any such designation. As such, the comparison carries limited weight.
12. On this basis, the proposal does not satisfy the requirements of DP6 and therefore lacks the special justification required under DP12 and DP15.
13. Policy EG5 of the EGNP (2016) supports housing development on land that is predominantly previously developed, subject to criteria including sustainability and the provision of a mix of tenure types.
14. The appellant contends that the site qualifies as previously developed due to an extant permission for a replacement storage building, with works having commenced. The approved drawings show a shallow-pitched, single-storey building with a low profile. However, there is no certificate of lawfulness or other compelling evidence to confirm the extant status, although there is also no evidence to dispute the appellant's account.
15. Even if the permission remains extant, the site has been cleared and now consists of rough grassland and vegetation. The footprint of the approved building appears

² APP/D3830/W/18/3200756 dated 13 August 2019.

modest, and there is no evidence of permission for hardstanding or other associated development. In its current condition, the site does not exhibit the characteristics of previously developed land. On this basis, the site does not appear to be predominantly previously developed, and the proposal therefore conflicts with Policy EG5.

16. The site lies within the High Weald National Landscape (HWNL), where Policy EG1 of the East Grinstead Neighbourhood Plan permits only limited forms of non-major development, such as conversions of redundant buildings, replacements, or extensions to existing dwellings. The proposal does not fall within any of these exceptions.
17. The introduction of a new residential dwelling would result in a clear and material increase in built form, even when compared to the approved storage building. Unlike the storage use, a dwelling introduces a permanent and domesticated presence, with associated residential paraphernalia, which would visibly alter the character of the site. This change would erode its open and rural qualities, which contribute to the landscape's intrinsic value.
18. While the precise impact would depend on the final design, scale and appearance, the proposed land use, location and amount of development are sufficient to establish harm in principle. The proposal would therefore conflict with Policy EG1 and fail to conserve or enhance the HWNL.
19. Paragraph 110 of the National Planning Policy Framework (the Framework) recognises that opportunities to maximise sustainable transport solutions will vary between urban and rural areas. This principle is reflected in Policy DP21 of the MSDP, which seeks to ensure that development is sustainably located to minimise the need to travel and to promote walking, cycling, and public transport use.
20. Coombe Hill Road is a low-traffic, low-speed, shared-surface road with wide grass verges. These characteristics, along with the prioritisation of pedestrians and cyclists, suggest that the road is not inherently unsafe walking and cycling. The road is unlit, which may deter use during darker hours, but the short distance to the junction with West Hoathly Road, and the road's attractive rural setting, contribute positively to its walkability. The route also connects to the public right of way network and the High Weald Landscape Trail, further enhancing its appeal for walking. During my site visit, several pedestrians were observed using the road, reinforcing its suitability for active travel.
21. Beyond the junction, narrow footways connect the site to East Grinstead. While vehicle speeds are relatively high and overgrown trees obscure some street lighting, the built-up area remains within a comfortable walking distance for many. However, the narrowness of the pavement presents limitations, particularly for those with mobility impairments or pushchairs. During the site visit, pedestrians were seen stepping into the carriageway to pass others, highlighting this constraint.
22. Local services within walking distance include a nursery school, several businesses, a post box, a public house with a play area, a convenience store, a further play area, and a primary school. These facilities contribute to the

site's accessibility and offer meaningful opportunities for day-to-day trips on foot. The town centre and train station, while further afield, are also within a reasonable distance for walking or cycling.

23. The nearest bus stop lies within the built-up area and offers services to East Grinstead and Crawley, including school routes. However, the service is limited to five buses per day, with only one in the evening. Even allowing for the rural context and the hail-and-ride service between Dunnings and Turners Hill, the low frequency is unlikely to support regular commuting or daily needs.
24. Nonetheless, this limitation is not a decisive factor in this case. Key services are accessible on foot, reducing reliance on public transport and supporting the site's sustainability. While some dependence on the private car is expected in a rural setting, this does not, in itself, render the location unsustainable. There is no evident conflict with Policy DP21 of the MSDP.
25. However, compliance in this respect does not outweigh the clear policy conflicts identified. While the site's accessibility and its location within a row of dwellings are acknowledged, there are no policies within the development plan that expressly support a dwelling of this type in this location. Accordingly, I conclude that the site is not suitable for residential development with regard to its location and the proposed land use, and would be in conflict with Policies EG1, EG2A and EG5 of the EGNP, and Policies DP6, DP12 and DP15 of the MSDP.

Other matters

26. The appellant refers to an intention to construct the dwelling to passive house standards. However, as this is an application for permission in principle, no technical details have been provided, nor are there mechanisms available at this stage to secure such standards. While this may be a relevant consideration at the technical details consent (TDC) stage, it carries very limited weight in the current assessment.
27. If constructed, the proposal could make a small but meaningful contribution to the local housing supply and support the government's objective to significantly boost housing delivery, particularly at a time when the Council cannot demonstrate a five-year supply of housing. However, I am mindful that until TDC is granted, any permission in principle—regardless of the number of dwellings—cannot meaningfully contribute to addressing the five-year housing land supply shortfall. Accordingly, the weight attributed to this benefit is very limited.
28. Economic benefits may arise during the construction phase and from future occupants supporting local services and facilities. However, given that the scheme comprises a single dwelling and construction benefits are short-term, the extent of these benefits would be limited.
29. The appeal site lies within 7km of the Ashdown Forest Special Protection Area (SPA) and Special Area of Conservation (SAC), both of which are European Designated sites. The proposal has the potential to result in likely significant effects on the SPA through recreational disturbance and on the SAC through atmospheric pollution.

30. As the competent authority, I am responsible for undertaking an Appropriate Assessment (AA) of the implications of the proposal on these designated sites, having regard to their conservation objectives and the effectiveness of any proposed mitigation. Had I been minded to allow the appeal, it would have been necessary to examine this matter further, including whether, in the absence of any mechanism to secure obligations at the permission in principle stage, there is sufficient certainty that adverse effects on site integrity could be avoided. However, as I am dismissing the appeal for other reasons, it is not necessary to consider this matter further.
31. The appellant refers to an allowed appeal at Danehill, Haywards Heath, highlighting the Inspector's conclusion that proximity to key services within a 10-minute walk supported the site's suitability in terms of sustainable transport. I have reached a similar conclusion in this case. In both appeals, the sites lay outside the built-up area boundary, with no development plan policies supporting housing in those locations.
32. However, unlike the Danehill appeal, I have identified harm to the HWNL. This triggers relevant policies in the Framework which provide a strong reason for refusal. In contrast, no such policies applied in the Danehill case, and the presumption in favour of sustainable development under paragraph 11(d)(ii) was engaged. The adverse impacts there did not significantly and demonstrably outweigh the benefits.
33. Accordingly, despite some similarities, key differences between the two cases have led to different outcomes.

Planning Balance and Conclusion

34. There are no policies within the development plan that actively support new residential development in this location. The proposal would conflict with the relevant policies identified above, resulting in a conflict with the development plan when read as a whole.
35. The Council cannot demonstrate a five-year supply of deliverable housing sites. In such circumstances, footnote 8 of the Framework confirms that the most important policies for determining the application are considered out-of-date. However, the Framework also states that permission should be granted unless policies that protect areas or assets of particular importance provide a strong reason for refusal. These include policies relating to National Landscapes.
36. As defined by policy EG1, the proposed residential use in this location within the HWNL is unacceptable and would fail to conserve or enhance the HWNL. The Framework requires that great weight be given to conserving and enhancing the landscape and scenic beauty of National Landscapes, which are afforded the highest status of protection in relation to these issues. Accordingly, the Framework's policies provide a strong reason for refusing the development, and the presumption in favour of sustainable development does not apply.

37. The proposal would conflict with the development plan as a whole and there are no other considerations, including the provisions of the Framework, which outweigh this finding. Therefore, for the reasons given, the appeal is dismissed.

R. Lawrence

INSPECTOR