
Appeal Decision

Site visit made on 23 February 2026

by **P Terceiro BSc MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 17th March 2026

Appeal Ref: APP/Z3825/W/25/3375662

Ashfolds, Horsham Road, Rusper, West Sussex RH12 4QX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Ms N Frankland against the decision of Horsham District Council.
 - The application Ref is DC/25/1256.
 - The development proposed is the erection of a single storey rear extension and alterations to existing garage/outbuilding to convert to a single dwellinghouse.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have taken the description of development from the Council's decision notice as this provides a more accurate description of the proposal and in addition was used by the appellant for the purposes of the appeal.

Main Issues

3. The main issues are:
 - whether the proposal would be in a suitable location for housing, having regard to the development strategy for the area; and
 - the effect of the proposal on the character and appearance of the area.

Reasons

Suitability of location

4. The site is located outside the built-up boundary of Rusper and, as such, it is within the countryside for the purposes of planning policy. Policy 2 of the Horsham District Planning Framework 2015 (HDPF) sets out the broad spatial strategy for the district. It seeks to focus development in and around the key settlement of Horsham and allow for growth in the rest of the district in accordance with the identified settlement hierarchy, which is set out in HDPF Policy 3.
5. HDPF Policy 26 sets out that, outside built-up area boundaries, any proposal must be essential to its countryside location, and in addition meet the criteria listed. There is no compelling evidence before me which indicates that the scheme would meet any of the exceptions listed. Therefore, the proposal would not be supported under HDPF Policy 26.

6. HDPF Policy 4 allows for some growth outside of built-up areas, provided that the site is allocated in the local plan or in a neighbourhood plan and adjoins an existing settlement edge. There is no evidence before me to suggest that the site is allocated either in the local plan or in the Rusper Neighbourhood Plan 2018 – 2031 (2020) (NP). Therefore, the proposal would not be supported under HDPF Policy 4.
7. The Council's document Facilitating Appropriate Development 2022 (FAD) maintains the overall spatial strategy of the HDPF but removes the requirement under HDPF Policy 4 for sites outside built-up areas to be allocated within a local plan or neighbourhood plan. It does, however, still require the site to adjoin the existing settlement edge. The appellant draws my attention to the Shaping Development in Horsham District Planning Advice Note 2025 (PAN), which replaced the FAD. The PAN largely repeats the relevant criteria for housing development proposals within the FAD.
8. The site is located on Horsham Road, a rural lane that to the south of Rusper includes sporadic development in groupings along its length that are interspersed with paddocks and agricultural land. The site forms part of one such small cluster of development and it is located at some distance from the defined built-up area boundary of Rusper. Within the built-up area of Rusper the character is one of a planned village, with the houses on Gardeners Green arranged around a local green space. Consequently, there is a distinct change in character, and on the ground the site feels spatially and visually divorced from Rusper.
9. Thus, the proposal would not be in a suitable location for housing, having regard to the development strategy for the area. The scheme would therefore be contrary to HDPF Policies 2, 3, 4 and 26, which among other things seek to restrict development outside of settlement boundaries.

Character and appearance

10. Ashfolds is a large two-storey detached dwelling which occupies a substantial plot comprising a few outbuildings scattered around the land. The appeal building is a detached outbuilding with roof accommodation that is situated at the end of the driveway which provides access into the property off Horsham Road. It is used as a garage with a home office above. The front boundary treatment of Ashfolds includes mature trees and a hedgerow.
11. The site lies within a small pocket of development which includes dwellings normally set within large plots and buildings in commercial uses. The surrounding agricultural fields and paddocks marked by tree and hedgerow boundaries provide a spacious and verdant quality and distinctly rural character to the area.
12. The proposal includes the conversion and extension of the existing outbuilding to create a dwelling. Consequently, the form and appearance of the building would change from what is clearly an ancillary domestic outbuilding of low key and subservient character, to an independent dwelling within its own curtilage and associated paraphernalia.
13. Given the extent of the appeal site and its location within a rural area, the introduction of a new residential plot within the wider property would give the site a more formal appearance and intensify the residential use within the wider property. Moreover, the proposed plot sub-division would be at odds with the prevailing

pattern character of nearby dwellings, which normally sit within generous plots. As such, the proposal would erode the loose pattern of development within the pocket of development that the site lies within, thereby harming the rural character of the area.

14. Public views to the site are restricted by the extensive boundary hedgerow and trees, although the outbuilding can be seen through the site access. From this perspective, the building is located well back, against a backdrop of vegetation and other buildings within the site. However, the associated change of use would be unacceptably harmful to the surrounding rural character of the area.
15. Any external lighting associated with the proposal could be controlled by condition, were I minded to allow the appeal. In addition, the existing building already comprises a home office, and the amount of glazing associated with the proposal would not be excessive. As such, the effect of the proposal on the dark skies would be acceptable. However, this would not justify the proposed development.
16. Thus, while the proposal would have an acceptable effect on the dark skies, in accordance with NP Policy RUS10, it would nonetheless have a harmful effect on the character and appearance of the area, contrary to HDPF Policies 25, 26, 32 and 33, and NP Policy RUS3. Amongst other things these policies seek to protect the countryside from inappropriate development, and support development that respects the character of the surrounding area.

Other Matters

17. Reference is made to recent appeal decisions which have allowed residential development outside of defined built up areas within the Borough. These examples illustrate that given the lack of a five-year supply of housing delivery sites, the presumption in favour of sustainable development applies. This is acknowledged and is addressed in the planning balance. However, any weight attached in the planning balance to the benefits and harms associated with the schemes before those Inspectors is a matter of planning judgement based on the evidence before them. Therefore, these decisions are of little influence in my assessment of this appeal, which I have determined having regard to its specific details and circumstances.
18. The evidence provided in relation to the development at Potters Field¹ shows that this site represents an infill plot along Mill Lane, with existing development present to either side and immediately opposite, which is a different context to the appeal site. Moreover, I have not been provided with the full details and circumstances pertaining to the developments at Westons House², and the development at Millfields Farm³ was a major development comprising 43 dwellings. This precludes me from drawing any meaningful comparison between those schemes and the proposal before me. Therefore, as I am required to do, I have determined the case before me on the site-specific circumstances and on its own merits.
19. The proposal would enable the appellant to maintain and family ties. However, there is no compelling evidence before me to suggest that the proposal is the sole means to achieve this. Therefore, this would not justify the proposed development.

¹ LPA Ref: DC/24/1887

² LPA Ref: DC/24/1818

³ LPA Ref: DC/24/0699

Planning Balance

20. The Council accepts that it is unable to demonstrate a five-year supply of deliverable housing sites, with the supply currently calculated as being 1-years, which is a significant shortfall. In such circumstances paragraph 11 d) ii of the National Planning Policy Framework (the Framework) states that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
21. Although the appellant has indicated that the proposal is for a self-build dwelling, no mechanism to secure it as self-build is before me. I am therefore unable to afford weight to the appellant's aspiration for a self-build development.
22. In terms of benefits, the proposal would utilise an existing outbuilding and make an effective use of land. The scheme would contribute to boosting the supply of housing in a location not far from Rusper, where services, facilities and public transport are available. The proposal would support the viability of local services and facilities. There would be associated economic benefits during construction of the home and related employment for its duration, as well as future occupiers spending in the local economy. Some ecological enhancements would be delivered. The Framework also recognises that small sites can be built out relatively quickly. Owing to the Council's housing land supply position, taken together these benefits attract considerable weight in favour of the appeal scheme.
23. Given the housing shortfall within the borough, I attach limited weight to the conflict with Policies 2, 3, 4 and 26. These policies seek to protect the countryside and restrict development outside of built-up area boundaries.
24. The proposed development would harm the character and appearance of the area for the reasons outlined above. That harm would be long lasting, and it therefore attracts substantial weight against the proposal. The Framework seeks to ensure that development is sympathetic to local character, including the surrounding built environment. Therefore, the conflict between the proposal and HDPF Policies 25, 26, 32 and 33, and NP Policy RUS3 should be given significant weight in this appeal.
25. Taking the above into account, the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits when assessed against the Framework as a whole. As a result, the presumption in favour of sustainable development does not apply.

Conclusion

26. The proposal conflicts with the development plan as a whole and the material considerations do not indicate that the appeal should be decided other than in accordance with it. For the reasons given above the appeal is dismissed.

P Terceiro

INSPECTOR