
Appeal Decision

Site visit made on 15 July 2026

by Alice James BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 September 2026

Appeal Ref: 6009032

5 Kingsfold Close, Billingshurst, West Sussex RH14 9HG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr Peter Williams of PWA Designs Ltd against Horsham District Council.
 - The application Ref is DC/25/2126.
 - The development proposed is erection of a single storey detached granny annexe together with a detached single storey multipurpose workshop and gym.
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Decision

1. The appeal is dismissed and planning permission for erection of a single storey detached granny annexe together with a detached single storey multipurpose workshop and gym is refused.

Preliminary Matters

2. A new National Planning Policy Framework (NPPF) was issued on 17 August 2026, which replaces the previous NPPF published in December 2024, and all other iterations. I have given the main parties the opportunity to comment and taken their responses into consideration. The policies in the NPPF are material considerations which must be taken into account in decision-making from the day of its publication. Therefore, I have taken into consideration the NPPF policies in this decision.
3. I sought clarification from the main parties with regards to the description of development. The main parties have confirmed the description of development should be "Erection of a single storey detached granny annexe together with a detached single storey multipurpose workshop and gym". I have assessed the appeal on this basis.

Main Issue

4. The Council did not issue a decision within the prescribed period or within an agreed extension of time period. As there is no decision notice, I have identified what I consider to be the main issue based on the Council's statement of case and the other evidence before me. The main issue is the effect of the proposed development on the character and appearance of the host dwelling and surrounding area.

Reasons

5. The properties in Kingsfold Close are detached two storey large dwellings in spacious plots lined by mature vegetation. The dwellings and outbuildings generally have dual pitched or hipped roofs and are set back from the road with a large front

garden and parking area. There is a degree of architectural variation between the dwellings in the close. However, they generally share similar materials such as brown roof tiles with red brick detailing, and some have timber cladding.

6. 5 Kingsfold Close is a large, detached, two-storey property set within a spacious plot and positioned back from the road with a front garden and parking area. The site is lined by mature vegetation, but an existing shed is visible from the street scene. 5 Kingsfold Close is reflective of the other properties in Kingsfold Close and its spacious plot makes a positive contribution to the character and appearance of the area.
7. The proposed development would create two detached single storey outbuildings within the rear garden of the host property. The larger outbuilding which has a flat roof is proposed to be used as an annex. It would consist of a single bedroom with kitchen facilities and living area and would have solar panels on the roof. The proposed smaller outbuilding would have a dual pitched roof and would consist of a workshop and gym.
8. The proposed annex would be located to the rear of 5 Kingsfold Close but would remain visible through the gap between the host property and 4 Kingsfold Close. Owing to its siting, width and height, the annex would occupy a substantial proportion of this gap, reducing the visual separation between the two properties and diminishing the sense of openness within Kingsfold Close. When considered alongside its overall scale, the proposed annex would appear at odds with the spacious and open pattern of development that characterises the area.
9. The annex would have a flat roof with solar panels projecting up which is not reflective of the prevailing hip and dual pitch roofs in the area. Its overall height and position would make it an incongruous feature in the street scene. Even with the existing landscaping or a condition requiring further landscaping, the building would remain visible through gaps in the hedges and such vegetation cannot always be relied upon to provide consistent long-term screening. The landscaping does not provide sufficient mitigation in this case to overcome the harm I have identified regarding the character and appearance of the area.
10. The proposed annex would be clad in Siberian Pine to attempt to mirror the host dwelling which is partly clad in dark timber. The use of similar materials can be one way of creating synergy between buildings. However, taking into account the position, flat roof shape and scale of the proposed annex, it would appear bulky and not relate well to the existing host dwelling. It would be an unsympathetic addition which would harm the character and appearance of the host dwelling.
11. The appellants have indicated that a similar size outbuilding could be erected under permitted development rights and this represents a fallback position. However, the appellant has acknowledged that the proposed use of the annex as additional living accommodation would fall outside the relevant permitted development rights, casting doubt on whether that option would actually be taken up. The outbuildings allowed under permitted development rights would also be shorter in height than the proposed annex and therefore would likely have a less harmful impact than the appeal scheme. Thus, I give the fallback position limited weight.
12. The proposed gym / workshop is smaller in scale, positioned further back in the plot and has a dual pitched roof. In this context, the proposed gym / workshop would not harm the openness of the site. Thus, the proposed gym / workshop would have

a neutral effect on the character and appearance of the host dwelling and surrounding area and the Council has not alleged that this aspect of the proposal would be harmful.

13. The proposed annex and gym / workshop together have sizeable footprints, but the single storey design means the proposed building would be viewed as subordinate to the main dwelling. Nevertheless, this does not outweigh the harm I have identified regarding the proposed annex and its effect on the character and appearance of the area.
14. For these reasons, the proposed development would cause harm to the character and appearance of the host dwelling and the surrounding area. The proposed development would not comply with the provisions set out in policies 32 and 33 of the Horsham District Planning Framework (2015) and Policy Bill 2 of the Billingshurst Parish Neighbourhood Plan. Amongst other things, these policies seek to ensure that development is of a high standard of design, that compliments the host dwelling and the surrounding area. It therefore follows that the proposal would fail to comply with paragraph 1 of policy DP3 of the NPPF as the proposed development does not respond to its context or enhance its surroundings.
15. The appellant has referred to Policy DP4 of the NPPF, which relates to the design process and the role of the Council. The policy finds that design quality should be considered throughout the evolution, assessment and delivery of development proposals. There appears to be no evidence of pre-application engagement in this case and it appears the council offer of submitting amendments was also not accepted. Thus, it would appear that the design process advocated in Policy DP4 was not adequately followed. This coupled with the harm I have identified means the proposed development would not be good quality of design. The proposal does not comply with policy DP4 of the NPPF.

Other Matters

16. My attention has been drawn to developments at 1 and 8 Kingsfold Close, both of which have flat roofs. However, these developments appear to be of a smaller scale than the proposed annex. I have also noted the presence of swimming pools within neighbouring properties; however, this does not have the same scale or massing as the proposed development and does not detract from the open character of the close.
17. Consequently, I do not consider these developments to be directly comparable to the proposal before me. In any event, I do not have full details of these developments and therefore cannot be certain of the circumstances that applied in those cases. I have therefore determined this appeal on its own merits, having regard to its individual circumstances.
18. I have had regard to *Uttlesford DC v SSE & White* [1992], as cited by the appellant, and note their intention to use the proposed annex to provide ancillary accommodation for friends and family or to provide a home for a carer if their health declines in the future. The annex would be part and parcel of the existing dwellinghouse and there is no compelling reason why such accommodation should consequently become a separate planning unit from the main dwelling. Therefore, this matter weighs neutrally in my decision.

19. I acknowledge that the proposed development is designed to meet Passivhaus standards, which contributes to its scale. Those measures, along with the roof-mounted solar panels, would help to provide an energy-efficient development, helping to meet the challenges of climate change. The building would also provide flexible living accommodation which is accessible. I give these matters positive weight.
20. The appeal proposal would meet some other planning policy objectives, including in respect of being in a settlement, parking, impact on trees and living conditions. Following updated advice from Natural England, the Council has concluded that there would be no likely significant effect on Habitats Sites, with regard to water neutrality. However, there is no dispute between the appellant and Council on these matters, and these have not led me to an alternative conclusion on the main issue.

Planning Balance and Conclusion

21. Due to the position, flat roof shape and scale of the proposed annex, it would appear bulky and not relate well to the existing host dwelling. It would be an unsympathetic addition which would harm the character and appearance of the host dwelling and wider street scene.
22. Policy S4 of the NPPF sets out that development proposals within settlements should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects when assessed against the national decision-making policies in the NPPF.
23. I acknowledge that the proposed development is designed to meet Passivhaus standards, along with the roof-mounted solar panels, which would help to provide an energy-efficient development, helping to meet the challenges of climate change. In accordance with Policy CC2 point 2 of the NPPF, I give this substantial weight. It is also an aspect of the design which finds some support in NPPF Policy DP3, as do the design features to support accessibility. However, in providing mitigation with regards to climate change, the proposed development, by reason of its position, height and scale, would conflict with Policy DP3 as a whole, as well as with Policy DP4. Furthermore, Policy DP3 requires that substantial weight should be given to compliance with relevant development plan policies when assessing the design quality of proposals. It is also among the policies in the Framework which state that development should be refused in specific circumstances.
24. The proposal would create additional floor space but it would not be consistent with the overall street scene and would be visible from the street frontage. Consequently, it does not find support from policy L2(1d) of the NPPF.
25. The appellant has also cited Policy S5 of the NPPF, which concerns the principle of development outside settlement boundaries, but as the appeal proposal is located within the settlement boundary, that policy is not applicable.
26. Taken together, I find the benefits of the proposal would be substantially outweighed by its adverse effects when assessed against the national decision-making policies of the NPPF. As such, policy S4 of the NPPF does not point to permission being granted in this instance.

27. In the final balance, material considerations in the proposal's favour are not of sufficient weight to suggest the decision should be made other than in accordance with the development plan.
28. Therefore, for the reasons given, the proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. For the reasons given above planning permission should be refused, and the appeal should be dismissed.

Alice James

INSPECTOR