



Appeal Decision

Site visit made on 9 July 2026

by G Sylvester BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14th July 2026

Appeal Ref: 6008207

1 Hilltop Cottages, The Mount, Ifield RH11 0LF

- 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 Derek McCulloch against the decision of Horsham District Council.
 - The application Ref is DC/25/1963.
 - The development proposed is the removal of existing outbuilding and erection of 1no detached self-build / custom build dwelling with associated works.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The information before me indicates that examination of the emerging Horsham District Local Plan 2023-2040 was due to resume in April 2026. In the absence of any firm update on progress with the examination or information on the extent of unresolved objections to its policies, I afford it very limited weight in the determination of this appeal.

Main Issues

3. The main issues in this appeal are:
 - Whether the appeal site would be in an appropriate location for the proposed dwelling with particular regard to the spatial strategy in the development plan, and accessibility to services and facilities.
 - Whether the proposed dwelling would provide occupants with adequate living conditions with particular regard to noise from aviation.

Reasons

Spatial strategy and accessibility to services and facilities

4. Policy 2 of the Horsham District Planning Framework 2015 ("the HDPF") sets the spatial strategy for the district. This includes maintaining its rural character whilst ensuring that the needs of the community are met through sustainable growth and suitable access to services and local employment. The objectives of the spatial strategy include managing development around the edges of existing settlements, encouraging the re-use of previously developed land, adapting to climate change and helping reduce the district's carbon emissions.
5. To that end, the settlement hierarchy in HDPF Policy 3, sets out that growth will be allowed across the district within the defined built-up area boundaries of the towns

and villages named in the Policy. Growth in those locations will reduce the need to travel and its associated carbon emissions through good access to facilities and services. Settlements without defined built-up area boundaries form the residual category of 'unclassified settlements', which have few or no facilities.

6. The appeal site is the garden of a residential dwelling that forms part of a small collection of buildings. They appear to include a few dwellings and some buildings reported to be in agricultural, business and equestrian uses. In my view, they do not comprise of a settlement. The main parties agree that the appeal site is located within the countryside for planning purposes I see no reasons to disagree. Therefore, the appeal site is not within the built-up area of any settlement, including those named in HDPF Policy 3.
7. The expansion of settlements on sites outside built-up area boundaries to meet identified local housing needs is supported by HDPF Policy 4, provided the site is, amongst others, allocated in the Local Plan or in a Neighbourhood Plan and adjoins an existing settlement edge. The Council has published guidance¹ on how policies, including HDPF Policy 4, should be applied more flexibly to give support for the development of unallocated land. This recognises that rigid application of HDPF is amongst the factors likely to impede housing delivery.
8. Even if previously developed land, the appeal site does not adjoin the edge of any settlement, including those with built-up area boundaries. Therefore, it does not meet the locational criteria in HDPF Policy 4, and it conflicts with HDPF Policy 3. The proposed dwelling does not meet the criteria in HDPF Policies 20 and 26 as it would not meet the essential accommodation needs of rural workers. For those reasons, the appeal proposal would conflict with HDPF Policies 2, 3, 4, 20 and 26, the requirements of which are set out above, and it would undermine the Council's spatial strategy for housing development and growth.
9. The appellant contends that the appeal scheme represents an appropriate form of development within a sustainable location, having regard to its distance from the settlements of Rusper and Crawley, and that limited weight should be afforded to the conflict with those policies. The Council's undisputed evidence indicates that the appeal site is located around 2.2km from the built-up area boundary of Rusper and some 2km from the built-up area of Crawley. Those distances are described as being the shortest straight-line distances between those points, ignoring the presence of roads or obstacles. Therefore, travel distances and journey times between them would be longer.
10. Facilities within Rusper include a village store, post office, primary school, and bus stops, according to the Neighbourhood Plan. I would expect Crawley to have a full range of services. The evidence before me does not indicate the travel distances between any of them and the appeal site, nor details of the bus services that operate from those settlements.
11. Although the road closest to the appeal site is a narrow and relatively quiet rural lane serving the few properties that front onto it, it joins the network of wider and busier roads not far from the appeal site. Those roads, which extend out across the rural landscape and towards Rusper, Crawley and beyond appear to be devoid of footpaths and streetlights. Traffic flows on those roads were relatively busy with vehicles travelling at speeds commensurate with the displayed limits.

¹ Facilitating Appropriate Development October 2022

12. Walking in the roads would be hazardous. The most confident and able cyclists may make some journeys between the appeal site and the closest settlements, as recognised by the Local Highways Authority, most likely when the better weather conditions and the hours of daylight coincide. However, walking and cycling would be unattractive and unrealistic modes of travel for most, if not all, future occupants of the proposed development to reach the services and facilities that they are likely to visit frequently to meet their day-to-day needs. This is due to the combination of road and traffic conditions, together with the distances of travel involved.
13. The appellant refers to a nearby PRow as offering a walking route between the appeal site and Crawley. However, the evidence indicates that the route is particularly circuitous and likely to exceed the travel distance quoted by the Council. Its bare earth surface is likely to become muddy and slippery from time-to-time. Whilst the PRow could provide a leisure route for future occupants to access and experience the beauty of the countryside, it would not be an attractive or convenient walking route to reach Crawley.
14. On the evidence before me, I consider that future occupants of the proposed dwelling would be heavily, if not wholly, reliant on private car travel to meet their day-to-day needs. The number of daily car journeys associated with occupation of the proposed dwelling would be small and the journey times and distances would not be especially long. Nonetheless, the negative effects of the greenhouse gas emissions likely to be associated with those car journeys would add up cumulatively over the lifetime of the development causing harm.
15. The appellant contends there is a strong desire to live in rural areas where people in rural areas live and work differently to those in urban areas. However, they will be reliant on travel by car and the Council's spatial strategy seeks to direct housing growth to areas where the need to travel and its associated carbon emissions can be reduced through good access to facilities and services. The appeal site does not meet those objectives.
16. Paragraph 110 of the National Planning Policy Framework ("the Framework") states that opportunities to maximise sustainable transport solutions will vary between urban and rural areas. However, this does not mean that all housing in rural areas should be approved.
17. Taking all the above into account, the proposed development would not be in an appropriate location for the proposed new dwelling with particular regard to accessibility to services and facilities. As such, future occupants would be heavily, if not wholly, reliant on private car travel and the negative environmental effects of its greenhouse gas emissions. Even if built on previously developed land, I conclude on this main issue that the proposed development would conflict with HDPF Policies 2, 3, 4, 20 and 26, and thus undermine the spatial strategy for housing development and growth.

Living conditions

18. I have taken account of the revised Noise Impact Assessment (NIA) dated March 2026 that accompanied the appeal. The Council and interested parties have had an opportunity to comment on its content through the appeal timetable and it does not alter the substance of the appeal scheme. Based on the revised NIA, I am advised that the Council's Environmental Health Officer has no fundamental objection to the development in principle, subject to the implementation of specific

mitigation measures. These include enhanced glazing and mechanical ventilation systems to avoid overheating and maintain comfortable living conditions whilst windows remain closed to avoid harmful noise effects from aviation.

19. Precise details of those mitigation measures and how they would be incorporated into the proposed dwelling are not before me. However, on the evidence before me, those measures are fairly conventional. There is nothing about them that strikes me as highly complex from a technological perspective or novel. As such, I see no clear barrier to their implementation in the construction of the proposed dwelling and full details could have been secured, such as through a planning condition.
20. Policies 32 and 33 of the HDPF require development to avoid noise causing unacceptable harm to the living conditions of future occupiers. Even if the implementation of those measures were secured by planning conditions to achieve compliance with those policies an absence of harm to the living conditions of future occupiers would be a neutral factor that would not weight in favour, nor against the proposed development.

Other Matters

21. The conflict with HDPF Policies 2, 3, 4, 20 and 26 brings the proposed development into conflict with the development plan as a whole. To my mind, the spatial strategy in the HDPF is consistent with the Framework's objectives of managing patterns of housing growth to reduce greenhouse gas emissions, including by prioritising sustainable transport modes, whilst providing some support for rural housing to maintain vital rural communities and avoiding isolated homes in the countryside. Therefore, the appeal proposal would be in conflict with those objectives of the Framework.
22. The undisputed evidence before me indicates a current housing land supply of some 1.7 years, which is a substantial shortfall against the housing requirement. The Council is unable to demonstrate a 5-year supply of deliverable housing sites. The latest Housing Delivery Test (HDT) results show that 62% of the housing requirement was delivered over the relevant period. The evidence also identifies delays in bringing forwards a new Local Plan to replace the HDPF.
23. The proposed development would make a small but beneficial contribution to addressing the shortfall in housing supply, including the provision of a self-build home. Economic benefits would accrue from its construction and occupation, including future occupants providing a small level of support to services in rural villages. There would be opportunities to deliver biodiversity enhancements. Those cumulative benefits are small and attract modest weight in its favour.
24. Paragraph 11.d) of the Framework is relevant and the policies most important for determining the application are deemed to be out-of-date. However, the Framework does not mandate the weight that should be afforded to policies deemed out-of-date in substance by the application of paragraph 11.d).
25. The weight to be attached to the conflict with the policies of the HDPF and the spatial strategy is, in my view, a matter of judgement based on the facts and circumstances of a particular case, including locational factors such as the extent to which services and facilities would be accessible to future residents. This would include distances of travel and the quality of the routes, together with opportunities

for prioritising journeys by walking, cycling and public transport over the private car.

26. Before me are several appeal decisions and a few planning permissions granted by the Council for new dwellings on sites beyond the built-up area boundaries of settlements. Those decisions appear to relate to sites not allocated and/or did not adjoin the existing edges of those settlements, contrary to HDPF Policy 4.
27. The appellant contends that I should give limited weight to the conflict with the settlement strategy as the Inspectors did in appeals for dwellings in Tower Hill² and Southwater³. However, as those appeals related to sites that were close to the town of Horsham and the designated 'small town/large village' of Southwater, with reasonably good access to a range of facilities, it seems understandable why limited weight attached to the conflict in those instances.
28. The Inspector allowed an appeal⁴ for a dwelling comparatively closer to the centre of Cowfold, a designated 'medium village' where there was a bus service that provided access to services and facilities without relying on private cars. The dwelling allowed on appeal at Billingshurst Road⁵, was comparatively closer to Coolham where services and facilities were available, including a primary school and bus stops providing links to the higher order settlements of Billingshurst and Horsham, and reachable via a pavement.
29. The Inspector gave moderate weight to the conflict with the development plan in allowing an appeal for a new dwelling situated next to a housing estate with bus stops on both sides of the road giving access to regular bus services to the centre of Storrington⁶. Storrington appears to be a higher order settlement classified as a 'small town/larger village'.
30. Planning permission granted for 2 dwellings at Partridge Green⁷ was on a site located a short distance from the designated 'medium village' where walking and cycling are viable options. Another planning permission was granted for a dwelling relatively close to Storrington⁸, classified as a Small Town/Larger Village. Those permissions indicate the Council's approach to assessing proposals against HDPF Policy 4 in a more flexible manner when justified by site and locational specific factors, including accessibility to services and facilities by sustainable transport modes.
31. The evidence indicates how those cases involved sites that were either closer to settlements where services and facilities were available and/or future occupants of those developments had markedly better opportunities for reaching them by walking, cycling or public transport. Consequently, none represent a direct parallel to the appeal scheme before me, and they do not alter my conclusion on the first main issue.
32. Those appeal decisions show that development plan is being breached in some circumstances to deliver housing, with limited weight being given to the policy conflicts. However, I have found significant locational differences between the

² APP/Z3825/W/25/3360134

³ APP/Z3825/W/22/3303603

⁴ APP/Z3825/W/23/3325926

⁵ APP/Z3825/W/25/3361339

⁶ APP/Z3825/W/25/3375774

⁷ DC/24/1887

⁸ DC/25/1831

appeal site and those other sites drawn to my attention. In the context of the appeal scheme before me, the conflict with HDPF Policies 2, 3, 4, 20 and 26, together with the harm arising from the greenhouse gas emissions associated with private car travel, carries greater than moderate weight against the appeal, and is not outweighed by the proposal's benefits.

33. The Council found that the urbanising effect of the proposed dwelling and its erosion of the countryside would not be significantly harmful and did not warrant a refusal reason. Even if I was to find that no harm would be caused to the character and appearance of the countryside, an absence of harm is a neutral factor that would not weigh in favour of the appeal.

Planning Balance

34. The Government's objective is to significantly boost the supply of homes. In view of the shortfall in housing supply and the Council's HDT results, paragraph 11.d)ii. of the Framework is relevant and planning 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. This includes having particular regard to key policies for directing development to sustainable locations, making efficient use of land, securing well-designed places and avoiding isolated homes in the countryside.
35. The proposed development could be built out quickly to make more efficient use of land as encouraged by Framework paragraph 129. It would deliver a self-build dwelling that would be designed and built to the occupants' specifications, thus meeting their requirements, albeit no mechanism has been put before me to properly secure it as such. It would make a proportionally small but beneficial contribution to addressing the shortfall in housing supply.
36. Economic benefits would accrue from its construction and occupation, including future occupants providing a small level of support to services in rural villages. There would be opportunities to deliver biodiversity enhancements. However, even if previously developed land was to be reused, the cumulative benefits of the proposed development would be small and attract modest weight in its favour.
37. Opportunities to maximise sustainable transport solutions will vary between urban and rural areas, but this does not mean that all rural homes should be approved. In this instance, the proposed dwelling would constitute an isolated home in the countryside where future occupants of the proposed dwelling would be heavily, if not wholly, reliant on private car travel and its harmful greenhouse gas emissions.
38. The proposed development would be contrary to the Framework's objectives for managing patterns of growth to prioritise sustainable modes of transport, locating development where it would help reduce greenhouse gas emissions, and avoiding isolated homes in the countryside. It would therefore conflict with key policies for directing development to sustainable locations.
39. Policy 1 of the HDPF states that proposals will be determined in accordance with the Framework's presumption. In this instance the adverse impacts of the proposed development would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole. As a result, the presumption in favour of sustainable development does not apply.

Conclusion

40. The proposed development would be contrary to the development plan and there are no other material considerations, including the benefits of the proposal and the provisions of the Framework, which outweigh this finding. Therefore, for the reasons given, the proposal is unacceptable and the appeal should be dismissed.

G Sylvester

INSPECTOR