Planning Inspectorate

Appeal Decision

Site visit made on 28 October 2026

by Claire Coles MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18th November 2026

Appeal Ref: 6012595
Winstons (formerly Jinkers Farm), Muttons Lane, Ashington, Horsham RH20 3AL

- 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 and Mrs James Thorns against the decision of Horsham District Council.
- The application Ref is DC/25/2104.
- The development proposed is permission in principle for the demolition of existing structure and erection of a dwelling.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of the proposal in the banner heading above has been amended to omit wording that is not a description of development and wording which references previous submissions.

3. 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 scope of the considerations is limited to location, land use and the amount of development. If permission in principle is granted, all other matters are dealt with as part of a subsequent technical details consent application.

Main Issues

4. The main issues are:

    - whether the site is suitable for residential development, having regard to its location, the proposed land use and the amount of development; and

    - the effect of the deemed consent for an agricultural barn on the proposed dwelling.

Reasons

5. The appeal site is a parcel of land within Winstons (Formerly known as Jinkers Farm), east of Muttons Lane. The site is west of Winstons Farmhouse, a Grade II Listed building and outside any settlement boundary in the countryside. The site is host to a stable building.

Location and land use

6. Policy 1 of the Horsham District Planning Framework (HDPF) sets out a presumption in favour of sustainable development, reflecting the wording in an

earlier version of the National Planning Policy Framework (the Framework). Policy 2 of the HDPF sets out the broad spatial strategy for the district and 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.

7. HDPF Policy 26 sets out that outside Built-Up Area Boundaries (BUAB's), any proposal must be essential to its countryside location, and in addition meet listed criteria. There is no compelling evidence before me which indicates that the scheme would meet any of the criteria listed. Therefore, the proposal would not be supported under HDPF Policy 26.

8. HDPF Policy 4 sets out that, outside BUAB's, the expansion of settlements will be supported where listed criteria are met. In terms of the criteria set out under this policy, the site is not allocated in the Local Plan or in a Neighbourhood Plan (NP). Moreover, since the appeal site is outside, and distinctly detached from the nearest settlement, the proposed development would not be an acceptable settlement expansion as defined in Policy 4.

9. The Shaping Development in Horsham District Planning Advice Note (SDPAN) provides guidance on how to assess development in Horsham District which comes forward outside settlement boundaries. The proposal must meet all of the criteria in the SDPAN to be considered acceptable. The proposal would not comply with all of the criteria of the SDPAN as the site would not adjoin an existing settlement edge.

10. National decision-making policies S3 to S5 of the Framework collectively define a presumption in favour of sustainable development. Policy S5 applies to development outside settlements and part 1 lists forms of development which 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 Framework. One of the forms of development is the redevelopment of previously developed land (including a material change of use to residential) (Policy S5 1(d)). It is common ground between the parties that the proposal constitutes previously developed land.

11. Policy S6 of the Framework states that for development proposals involving the provision of housing, the benefits of approving development are likely to be substantially outweighed by the adverse effects where a proposal would conflict with a NP, provided the following apply: a. the NP became part of the development plan five years or less before the date on which the decision is made; and b. the NP contains allocations to meet its identified housing requirement. The Ashington NP Policy ASH1 provides the spatial strategy for Ashington and allocates sites for development. Policy ASH1(d)(ii) allows for development outside the built-up area boundary and site allocations where it is on previously developed land and accords with local and national policy for such development. The NP is now more than 5 years old therefore Policy S6 is disapplied.

12. Policy CC2 1 of the Framework states that in order to contribute to climate change mitigation and the transition to net zero, development proposals should, where relevant to the proposal: a. accord with policies TR3 and TR4 so that sustainable patterns of movement are prioritised, opportunities are taken to improve walking, wheeling, cycling and public transport and infrastructure is provided to support the transition to zero emission vehicles.

13. The overall aim of Policy TR3 is to locate development where it can support sustainable patterns of movement, enable good accessibility for different users and make the most of existing and proposed transport infrastructure. Policy TR3(1)(a) requires development proposals which would generate a significant amount of movement, in the context of the area within which they would be situated, should be in locations that are sustainable. Policy TR3(1)(e). of the Framework states that in rural areas, opportunities to improve walking, wheeling, cycling and public transport and enhance the connectivity of an area should be taken where they exist and can be supported by the development proposed. Policy TR4(1) of the Framework states that in order to create well-designed places, transport considerations should be integral to the design of the development. In this respect, I consider Policy TR4 to relate to schemes of a larger scale than the appeal proposal.

14. The appeal site is located on an un-lit single-track road with no dedicated pedestrian footway or cycle path, which is subject to a 60 mile per hour (mph) speed limit. The closest bus stop is considered to be beyond a reasonable walking distance. There are public footpaths leading to Ashington, however, these are across fields and more suited to recreational walks than as commuting routes. In light of the above, it is unlikely that occupiers of the proposed dwelling would consider walking, cycling or using public transport to access day to day services and facilities.

15. The appellant accepts that future occupiers of the dwelling would rely on the use of the private car for accessing the site and the majority of everyday services. I have not been provided with opportunities to improve walking, wheeling, cycling and public transport to enhance the connectivity of the area, and, in the rural context of the area, the proposed development would lead to a noticeable increase in movement to and from the site from the future occupiers.

16. In conclusion, the proposal would be contrary to policies 1, 2, 3, 4 and 26 of the HDPF, the SDPAN, ASH1 of the NP and policies CC2 and TR3 of the Framework. Policy S5 (1)(d) provides support for the scheme and I will weigh up whether the identified harm would substantially outweigh the benefits of the scheme in the planning balance.

Amount

17. Policies 25, 32 and 33 of the HDPF promote development that protects, conserves and enhances the landscape character from inappropriate development. Proposals should take into account landscape characteristics, with development seeking to provide an attractive, functional and accessible environment that complements the locally distinctive character of the district. Buildings should contribute to a sense of place, and should be of a scale, massing, and appearance that is of a high standard of design and layout which relates sympathetically to the landscape and built surroundings.

18. Policy DP3 of the Framework requires development to respond to its context, so that it integrates with and enhances its surroundings; such as through the arrangement of development plots and buildings, the use of materials and architectural features.

19. The amount of development proposed is a single dwelling which would replace an existing building on the site. As this is a permission in principle appeal, no details

have been provided of the design of the development. The proposal would however be sufficiently distanced from neighbouring dwellings to ensure there would be no significant effect on the living conditions of neighbouring properties.

20. A Public Right of Way (2621) runs parallel with the sites northern boundary and affords views into the appeal site. Whilst the character of the site would change from equestrian use to residential, with associated domestic paraphernalia, the site would be viewed within the context of existing residential development with two residential dwellings within approximately 62 metres of the proposed dwelling. The scale of the proposal would be small and I have not been provided with substantive evidence the scale of the proposed development would not protect, conserve or enhance the landscape character of the area.

21. The scale of the proposed development would be unlikely to significantly urbanise the area, or detract from the informal, sporadic residential development in the area. I have not found conflict with Policies 25, 32 and 33 of the HDPF or Policy DP3 of the Framework.

Deemed Consent

22. Deemed consent was granted for the erection of two agricultural buildings at Winstons after the submission of the appeal. One of the agricultural buildings would be located approximately 18 metres away from the proposed dwelling, the subject of this appeal. Whilst the Council are of the opinion the agricultural buildings do not benefit from permitted development, the appellant has stated their intention to proceed with the agricultural development. The lawfulness of the agricultural buildings is is not a matter that I can consider under this appeal.

23. If the appellant were to erect an agricultural building within such close proximity to the proposed dwelling, the subject of this appeal, the information before me indicates the proposal would inherently harm the living conditions of the occupants of the proposed dwelling. This harm would come from noise, disturbance, smells and vehicle movements from the agricultural activities associated with the barn, which would be unrestricted.

24. The Council have requested a restrictive informative be placed on the occupation of the proposed dwelling if the appeal were to be allowed, due to concerns relating to the proximity of the proposed agricultural barn to the proposed dwelling and the potential impact of the agricultural activity on the residents of the dwelling. However, this informative cannot be secured through a permission in principle application. In light of the potential for the living conditions of the occupants of the dwelling to be affected by the agricultural activities at the barn, the appellant would need to provide a planning obligation relinquishing the deemed consent for the agricultural barn closest to the proposed dwelling for the appeal to be acceptable. No such obligation is before me.

Other Matters

25. I have taken into consideration the appellants description of the site as previously developed land in this appeal and as agricultural land in the prior approval application. From the evidence before me, the stables on the appeal site have been lawfully erected and therefore the use of the land has changed to equestrian.

26. Interested parties raise concern the site sits within an isolated location. Both the Council and the appellant agree the site does not constitute an isolated location.

27. S66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) requires me to have special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses. Winstons (formerly Jinkers Farmhouse) is Grade II listed and is a two storey dwelling with a hipped tiled roof, hipped dormers and constructed of coursed stone with red brick at each end. The Grade II listed building would be sufficiently distanced and screened from the proposed dwelling to ensure the proposal would preserve the setting of the listed building.

Planning Balance

28. The benefits of the scheme are an additional dwelling on previously developed land with an existing access. The proposal is therefore one of the forms of development that should be supported in principle according to Policy S5 of the Framework. I note the absence of technical objections and statutory designations covering the site and these are neutral in my consideration.

29. The supply of homes in Horsham District is significantly below Government expectations for a minimum of five years supply. This indicates there are major difficulties in the provision of housing sites in Horsham District and there is no indication of how or when this will be resolved. Policy HO7 of the Framework says that substantial weight should be given to the benefits of providing homes which will contribute towards meeting the evidenced accommodation needs of the community. However, the extent of the benefit would be limited by the contribution a single dwelling would make to the housing land supply.

30. The adverse effects comprise the unsustainable location of the proposal, where future occupiers would have limited means to access the site or day to day facilities other than by the private car. I have also identified potential for conflict in terms of suitability of the site for residential use given the appellants stated intention to implement deemed consent for an agricultural barn within close proximity of the proposed dwelling. This potential conflict could be resolved if I had a planning obligation from the appellant relinquishing their rights to build the agricultural barn closest to the proposed dwelling, however this is not before me and weighs against the proposal.

31. The proposal complies with national policy regarding the principle of development outside settlements, however, the material considerations in this case are not of sufficient weight to indicate that a decision should be made other than in accordance with the development plan when read as a whole.

Conclusion

32. 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.

Claire Coles

INSPECTOR