Planning Inspectorate

Appeal Decision

Site visit made on 28 August 2025

by J Heppell BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21st October 2025

Appeal Ref: APP/Z3825/W/25/3366188
Clockhouse Cottage, Stonehouse Lane, Cowfold, West Sussex RH13 8DL

- 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 Maurice and Gerry Huggett against the decision of Horsham District Council.
- The application Ref is DC/25/0108.
- The development proposed is removal of existing garden room/outbuilding, erection of 1no detached self-build dwelling and creation of new access.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Horsham District Local Plan 2023-2040 (Regulation 19) (HDLP) has been submitted for examination but the Inspector has raised significant soundness concerns, so I have accorded it very limited weight. The Council has confirmed that it cannot currently demonstrate a five year supply of housing, with its most recent Annual Monitoring Report 2023/24 showing a supply of only 1.0 years. In response to this, the Council endorsed a Shaping Development in Horsham District Planning Advice Note (SDHD) on 17 September 2025, which is a material consideration in decision-making.

3. The Council has confirmed that, since the submission of the appeal, the Cowfold Neighbourhood Plan 2019-2031 (CNP) has been 'made' and therefore carries full weight in decision-making.

Main Issue

4. The main issue in this appeal is whether the appeal site would be a suitable location for the proposed development having regard to local and national planning policy and guidance.

Reasons

5. The appeal site comprises part of the long rear garden of Clockhouse Cottage, which sits within a small cluster of dwellings at the junction of the A272 and Stonehouse Lane. The site contains a garden house and a number of mature trees and is screened by a mature hedgerow. The site and the cluster of dwellings lie approximately 1km to the west of the village of Cowfold, separated by agricultural land and clearly divorced from the village.

6. The proposal is to erect a two bedroom bungalow in the countryside. Policies 2, 3, 4 and 26 of the Horsham District Planning Framework November 2015 (HDPF) and

Policy 9 of the CNP together focus growth on Horsham and the built-up areas in order to maintain the district's unique rural character.

Principle

7. Specifically, Policy 4 of the HDPF identifies that outside built-up area boundaries, the expansion of settlements will be supported where: the site is allocated and adjoins an existing settlement edge; the level of expansion is appropriate to the scale and function of the settlement type; the development is demonstrated to meet the identified local housing needs; the impact of the development individually or cumulatively does not prejudice comprehensive long term development; and the development is contained within an existing defensible boundary and the landscape and townscape character features are maintained and enhanced.

8. The SDHD addresses locational suitability and scale and in so doing modifies the criteria in Policy 4 by removing the requirement for sites outside built-up area boundaries to be allocated, although continuing to require that sites adjoin an existing settlement edge. The remaining criteria in Policy 4 are unchanged.

9. The appeal site is located in the countryside and does not adjoin the built-up area of Cowfold, and it does not therefore satisfy either the first criterion in Policy 4 of the HDPF or the first criterion under locational suitability and scale in the SDHD. However, the appeal site forms part of a small cluster of dwellings, and when assessed against the remaining criteria in Policy 4 and the SDHD, the proposal would be appropriate to the scale and function of Cowfold; provide a family dwelling which meets local housing needs; not prejudice comprehensive long-term development; and benefit from existing defensible boundaries which will be retained.

10. Likewise, although not essential to its countryside location in accordance with Policy 26 of the HDPF, I consider that the proposal satisfies the detailed criteria contained in that policy: the proposal would be of a scale appropriate to its countryside character and location, not lead to a significant increase in the overall level of activity in the countryside, and conserve the key features and characteristics of the landscape area in which it is located.

Accessibility

11. Cowfold is a Medium Village in the settlement hierarchy set out in Policy 3 of the HDPF, with a moderate level of services and facilities and community networks, together with some access to public transport. The site is 1km away from Cowfold via the A272, and the nearest bus stop is located at the junction of the A272 with Maplehurst Road, a similar distance in the opposite direction.

12. Occupiers of the proposed dwelling would need to walk or cycle along the A272 to access local facilities, as the alternative of using a footpath across fields is susceptible to changes in weather and daylight and not suited to regular use. The A272 is a busy road with a 50mph speed limit which possesses neither street lights nor a pavement. The grass verge is narrow and in places overgrown.

13. I therefore consider it unrealistic to expect future residents to access local facilities or bus services on foot via the A272. Furthermore, it is not an easy route for cyclists, who would feel under pressure from drivers wishing to overtake. The difficulties for pedestrians and cyclists would be exacerbated in bad weather and at

night. Even taking account of the advice in the National Planning Policy Framework (the Framework) that opportunities to maximise sustainable transport will vary between urban and rural areas, it is likely that future occupiers would be heavily reliant on the car.

Other appeal decisions

14. The parties have supplied me with a number of decisions in support of their respective positions. Some of these decisions relate to conversions of rural buildings or rely on an established fallback position, and consequently carry limited weight in the planning balance as they are not directly comparable.

15. With regard to the Cowfold Lodge Cottage appeal[1], the site is situated outside the defined boundary of Cowfold, where the Inspector considered that walking or cycling into Cowfold was unlikely to be attractive, but the presence of a bus service along Henfield Road meant that there would be some opportunities for travel by means other than the private car. The Marlpost Meadows appeal[2] site is located outside the village of Southwater and, although Bonfire Hill has no pavements or footpaths, the Inspector considered that walking would be a realistic possibility in daylight and good weather. Both appeals were allowed.

16. Lancasters Cottage[3] is located outside the defined boundary of Partridge Green, and the Inspector concluded that Littleworth Lane was not conducive to walking or cycling into the village or to the nearest bus stop; consequently, there was no ready means of travel other than the private car. Arundene Orchard[4] is located outside the built-up area of Bucks Green and Rudgwick, and both Loxwood Road and the A281 were considered unsuitable for walking and cycling to local services and bus stops; with future occupiers would be largely dependent on private vehicles as a result. Both appeals were dismissed.

17. I note that all four decisions were made where there was an agreed failure to provide a five year supply of housing land and therefore the presumption in favour of sustainable development applied. Even so, the theme linking these decisions is that to provide occupiers in rural areas with a realistic alternative to the car, local roads need to provide safe and suitable pedestrian and cycle routes to nearby services and/or bus stops. In situations where such provision is not available, new dwellings in the countryside would give rise to inappropriate patterns of transport, resulting in heavy reliance on the car. My conclusion that the A272 is not suited to walking and cycling, leaving future residents reliant on the car, is therefore consistent with these appeal decisions.

Overall

18. For the reasons set out above, the appeal site would not be a suitable location for the proposed development having regard to local and national planning policy and guidance, being in conflict with the relevant parts of policies 2, 3, 4 and 26 of the HDPF, Policy 9 of the CNP, and the SDHD, the aims of which I have outlined above. The proposal would also be in conflict with the parts of the Framework dealing with sustainable transport, as outlined above.

[1] PINS reference APP/Z3825/W/23/3325926
[2] PINS reference APP/Z3825/W/22/3303603
[3] PINS reference APP/Z3825/W/24/3352708
[4] PINS reference APP/Z3825/W/24/3353984

Planning Balance

19. A house is proposed, and the Council cannot demonstrate a five year supply of housing land. Therefore, paragraph 11(d) of the Framework applies. The application of policies in the Framework that protect areas or asset of particular importance, as defined in Footnote 7, do not provide a strong reason for refusing the development proposed. Therefore, the presumption in favour of sustainable development applies as set out in paragraph 11(d)ii and permission should be granted unless any adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole.

20. The delivery of a small home on previously developed land would be a social benefit, whilst economic benefits would accrue from the construction phase and from expenditure on goods and services by future occupiers. A single dwelling is capable of being constructed quickly, which counts in its favour. 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, and I am therefore unable to afford weight to the appellant's aspiration for a self build development. Nevertheless, positively contributing to the Council's housing land supply, albeit in a modest manner for a single dwelling, is a particular benefit given the Council's one year housing land supply. I therefore attach moderate weight to the benefits that the scheme delivers.

21. The HDPF sets out a clear strategy for focussing growth on Horsham and the built-up area. The SDHD modifies this strategy by supporting development adjacent to built-up area boundaries. The harm I have identified as arising from the proposal relates to its countryside location in respect to the spatial strategy of the Council, and the resultant unsustainable transport patterns which would arise for future occupiers.

22. The Framework guides that sustainable transport modes should be prioritised, and whilst I recognise that opportunities to maximise sustainable transport solutions vary between urban and rural areas, future occupiers would have no realistic alternative to the car, resulting in unsustainable patterns of transport. I attach considerable weight to this harm. I consider therefore that the adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

European Protected Sites

23. The appeal site falls within an area identified as the Sussex North Water Supply Zone where water abstraction has the potential to adversely affect the Arun Valley Special Protection Area (SPA), Special Area of Conservation (SAC) and Ramsar site. It is a European Designated Site afforded protection under the Conservation of Habitats and Species Regulations 2017 as amended (the Habitats Regulations).

24. Had I been minded to allow the appeal, it would have been incumbent upon me as competent authority to consider whether the development would be likely to have a significant effect on the integrity of the site. However, as I am dismissing the appeal, it has not been necessary for me to pursue this issue further.

Conclusion

25. The proposal would conflict with the development plan as a whole, and the material considerations, including the Framework, do not indicate that the appeal should be

decided other than in accordance with it. Accordingly, the appeal should be dismissed.

J Heppell

INSPECTOR