Planning Inspectorate

Appeal Decision

Site visit made on 20 May 2026

by A Wright BSc (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1 June 2026

Appeal Ref: 6006430
Southdown House, Church Street, Rudgwick, West Sussex RH12 3EE

- 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 Geoff Wightman against Horsham District Council.
- The application Ref is DC/24/1875.
- The development proposed is described as 'removal of an existing stable/outbuilding and erection of 1no self-build dwelling'.

Decision

1. The appeal is dismissed and planning permission for the removal of an existing stable/outbuilding and erection of 1no self-build dwelling is refused.

Preliminary Matters

2. The appeal is against the non-determination of a planning application. The Council's appeal statement indicates that it would have refused planning permission for reasons relating to suitability of the location for housing and character and appearance. The main issues below are therefore taken from the Council's appeal statement.

3. The Council has submitted a Local Plan for examination, but I have no substantive information on how this would affect the appeal site. In any event, as this continues to be examined by an Inspector, I give it limited weight.

Main Issues

4. The main issues in this appeal are:

   - whether the site would be a suitable location for housing, having regard to the provisions of the development plan; and
   - the effect of the proposal on the character and appearance of the area.

Reasons

Suitability of the location

5. Policies for Growth and Change in the Horsham District Planning Framework 2015 (HDPF) seek to focus development in and around Horsham and allow for growth in the rest of the district in accordance with the settlement hierarchy. Rudgwick and Bucks Green is identified as a medium village with a defined built-up area boundary (BUAB) in which development is permitted.

6. Policy 4 of the HDPF supports the expansion of settlements outside BUABs subject to several criteria. These include where the site is allocated in the Local Plan or a Neighbourhood Plan and adjoins an existing settlement edge. Outside BUABs, Policy 26 of the HDPF aims to protect the rural character and undeveloped nature of the countryside against inappropriate development. It requires any proposal to be essential to its countryside location and meet one of several criteria.

7. Policy RNP1 of the Rudgwick Neighbourhood Development Plan for the period to 2031 (RNDP) only supports new residential development outside defined BUABs on allocated sites or where they would accord with the residential exception policies in the development plan.

8. Only a small part of the appeal site is within the BUAB, with the remainder being outside it. A section of the proposed access and the front projecting gymnasium forming part of the proposed house would be within the BUAB. Nonetheless, the main part of the new dwelling, some of the proposed hardsurfaced driveway and the proposed rear residential curtilage would be located outside it.

9. No case is made that the proposed residential development would be essential in this countryside location and the appeal site is not allocated for development in the HDPF or the RNDP. As such, the appeal scheme would conflict with the spatial strategy and policies for development in the countryside and outside BUABs contained in the HDPF and RNDP.

10. There is reference to schemes at Oakfield and Sailtops for new dwellings on sites adjoining the Rudgwick BUAB recently approved by the Council[1] and to other residential developments outside BUABs granted by the Council or allowed on appeal. However, I have no substantive information on the circumstances which led to the approval of these, and thus I am unable to compare them with the scheme currently before me.

11. Consequently, I conclude that the site would not be a suitable location for housing, having regard to the provisions of the development plan. This would be contrary to Policies 1, 2, 3, 4 and 26 of the HDPF and Policy RNP1 of the RNDP which together seek to focus development within the BUABs of identified settlements and resist inappropriate development in the countryside.

Character and appearance

12. Most of the appeal site lies behind Southdown House, with the access from Church Street beside the existing dwelling. This part of Rudgwick has a linear development pattern with buildings on this side of Church Street largely close to and facing the road. Whilst there is some historic development behind, including Lower Kings and Little Kings Cottage, the rear environment largely comprises gardens with fields behind. The site comprises a modest stable building, gravel driveway and large areas of garden ground, much of which is grassed. These give it a rural and open character which closely relates to the countryside beyond.

13. The appeal site largely lies within the Rudgwick Conservation Area (CA) which runs along part of Church Street. The appellant's Design Access Statement (DAS) indicates that Rudgwick grew up as a medieval rural farming community with

[1] Planning application refs: DC/23/0235 and DC/24/0462

surviving historic timber-framed buildings located on either side of Church Street and grouped near the parish church. Despite modern development which has expanded the village, the DAS states that the linear arrangement of the original settlement is clear, and its traditional, rural and vernacular character remains virtually intact. Southdown House and the area behind, including the appeal site, reflect this pattern and thus positively contribute to the historic character of the CA.

14. The proposed dwelling would reflect a traditional Sussex barn and the Council's Conservation Officer considers that the new building would preserve the character of the CA and not affect the settings of listed buildings. Nonetheless, although the large property at Lower Kings is visible from the appeal site, the creation of a house in this backland location would be discordant with the primarily linear development pattern along this side of Church Street.

15. Further, the introduction of a sizeable new building along with large areas of hardstanding, a terrace, retaining walls and a gated access would substantially urbanise the site, significantly at odds with the prevailing rural, open character. Whilst it would be largely screened in views from the public realm, it would be visible from neighbouring properties.

16. The appellant refers to a recently allowed appeal[2] for a new dwelling in an open field away from a BUAB which the Council had not refused on design or landscape grounds. It has been put to me that the current proposal would have comparatively less impact on landscape character than this allowed scheme. However, given its context and location, I have found that the proposal would be an incongruous form of development.

17. Therefore, I conclude that the proposal would harm the character and appearance of the area. This would be contrary to Policies 32 and 33 of the HDPF and Policy RNP2 of the RNDP. Amongst other things, these seek development which complements and responds to the locally distinctive character and relates sympathetically with the built surroundings and landscape.

Other Matters

18. The Council did not find harm or development plan conflict in relation to several other matters, including living conditions, archaeology, highway and fire safety, sewer connection, trees and ecology. Nevertheless, even if I were to agree with the Council on these points, the absence of harm would be a neutral matter which would not carry weight in favour of the proposed scheme.

19. In relation to water neutrality and the Sussex North Water Supply Zone, the Council considers that the proposed development would not have an adverse effect on the integrity of the Arun Valley Special Area of Conservation, Special Protection Area and Ramsar site, either alone or in combination with other plans and projects. Irrespective of this, given my conclusion below there is no need for me to consider the implications of the proposal on the protected sites because the scheme is unacceptable for other reasons.

Planning Balance and Conclusion

20. The Council accepts that it cannot currently demonstrate a five-year housing land supply required by the National Planning Policy Framework (the Framework). The

[2] Appeal ref: APP/Z3825/W/25/25/3361339

Council's published position from the AMR December 2025 is that it has a 1.7-year supply, although the appellant indicates that this has since reduced to 1 year. As there is a shortfall in housing provision, paragraph 11(d) of the Framework is engaged.

21. Paragraph 11(d)(ii) of the Framework confirms that in such circumstances, permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole, having particular regard to key policies including directing development to sustainable locations, making effective use of land and securing well-designed places.

22. The Framework seeks to boost housing supply and highlights the important contribution small and medium sized sites can make. The proposal would make a modest contribution of one dwelling to the supply of housing on a small site close to village facilities and bus services, making more efficient use of the land. The three-bedroom home would accord with the RNDP's support for smaller houses. It would contribute towards Horsham's housing supply, making a modest difference to addressing the shortfall, and therefore I attribute moderate weight to this benefit.

23. There would also be some economic benefits during the construction phase and once occupied when future residents would spend locally. Nonetheless, given the scale of the proposed development, these benefits would be limited.

24. The appellant asserts that the site is previously developed land, which is not disputed by the Council. However, while the Framework requires substantial weight to be given to the value of using suitable brownfield land for homes, this is for land within settlements which would not be the case for the scheme before me.

25. The proposal is described as a self-build dwelling but in the absence of a mechanism to secure it as such, I afford this matter only limited weight.

26. In contrast, the site would not be a suitable location for housing, and the proposed scheme would harm the character and appearance of the area. I have concluded that the proposal would conflict with Policies 1, 2, 3, 4, 26, 32 and 33 of the HDPF and Policies RNP1 and RNP2 of the RNDP.

27. The Council accepts that in the absence of a five-year housing land supply, locational Policies 1, 2, 3, 4 and 26 of the HDPF and RNP1 of the RNDP should be afforded moderate weight in the planning balance, whilst the appellant considers that they should carry limited weight. The Council's Shaping Development in Horsham District Planning Advice Note 2025 outlines a more positive stance on applications for housing outside BUABs, indicating that unallocated sites can be supported, subject to meeting certain criteria.

28. The HDPF dates from 2015 and the RNDP was made in June 2021, but the weight to be given to these documents does not hinge on their age. The Framework states that existing policies should not be considered out-of-date simply because they were adopted prior to its publication. Rather, due weight should be given to them, according to their degree of consistency with the Framework.

29. The Framework promotes sustainable development, including the provision of accessible services. In rural areas, the location of housing should maintain the vitality of rural communities and the Framework also seeks to maximise

sustainable transport solutions. Policies 1, 2, 3, 4 and 26 of the HDPF and RNP1 of the RNDP broadly comply with these objectives, but the absence of a five-year housing land supply reduces the weight they can be accorded.

30. Irrespective of this, the Framework requires development to be sympathetic to local character, including the surrounding built environment and landscape setting. Policies 32 and 33 of the HDPF and Policy RNP2 of the RNDP are generally consistent with these aims. Therefore, I give significant weight to the conflict between the proposal and these development plan policies in this appeal. Consequently, the adverse impacts I have identified would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

31. For the reasons given above, 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. Therefore, the appeal should be dismissed, and planning permission should be refused.

A Wright

INSPECTOR