Planning Inspectorate

Appeal Decision

Site visit made on 3 February 2026

by J Heppell BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11th March 2026

Appeal Ref: APP/Z3825/W/25/3375892
Gardeners Cottage, Kithurst Lane, Storrington, West Sussex RH20 4BF

- 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 Mr Philip Orpwood on behalf of the Norbertine Order against the decision of Horsham District Council.
- The application Ref is DC/25/0533.
- The development proposed is to construct new detached chalet style house & garage to passive house standards.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. Natural England's document entitled "Withdrawal of Natural England's Water Neutrality Position Statement" was issued after the determination of the application. It confirmed that as of 1 November 2025, development could come forward without water neutrality restrictions. The Council subsequently advised that it was withdrawing its reason for refusal relating to water neutrality.

3. Since determining the application the subject of this appeal, the Council has granted planning permission for a change of use of volunteers agricultural storage barn to 1 no. residential unit at Priory Field Barn, Monastery Lane[1], which is located close to the appeal site. I have noted and had regard to the details of this approved scheme.

Main Issues

4. In light of the above, the main issues in this appeal are:

   - whether the appeal site would be a suitable location for the proposed development having regard to local planning policy; and

   - the effect of the proposal on the character and appearance of the area.

Reasons

Location

5. The proposal is to erect a dwelling in the countryside. Policies 1, 2, 3, 4 and 26 of the Horsham District Planning Framework November 2015 (HDPF) and policies 1

[1] LPA reference DC/25/1329

and 8 of the Storrington, Sullington & Washington Neighbourhood Plan 2018-2031 (SSWNP) together focus growth on Horsham and the built-up areas in order to maintain the district's unique rural character.

6. Policy 4 of the HDPF identifies that outside built-up area boundaries (BUABs), 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.

7. Shaping Development in Horsham District Planning Advice Note (SDHD), which was endorsed by the Council on 17 September 2025, is a material consideration in decision-making. The SDHD addresses locational suitability and scale, and in so doing modifies the criteria in Policy 4 by removing the requirement for sites outside BUABs to be allocated, but continues to require that sites adjoin an existing settlement edge. The remaining criteria in Policy 4 are unchanged.

8. The appeal site abuts the BUAB of Storrington on two sides and thereby satisfies the first criterion of HDPF Policy 4 as modified by the SDHD, despite not being allocated for development. Furthermore, the proposal would be appropriate to the scale and function of Storrington & Sullington (criterion 2); provide a family dwelling which meets local housing needs (criterion 3); and would not prejudice comprehensive long-term development (criterion 4).

9. Criterion 5 requires development to be contained within an existing defensible boundary, and for landscape and townscape character features to be maintained and enhanced. The appeal site forms part of a well maintained, landscaped area which includes a cemetery and a pond. Whilst the appeal site is delineated by post-and-rail fencing and a laurel hedge, it shares its essential character with the countryside rather than the adjoining built-up area. The proposed vehicular access to Kithurst Lane does not have an existing fully defensible boundary and would intrude into the landscaped area. As a consequence, the proposal would conflict with the final criterion of HDPF Policy 4 and the SDHD.

10. Although the appellant has indicated that they would live in the dwelling and work on the land, an essential need to live in the countryside has not been demonstrated. Whilst the proposal would not significantly increase the overall level of activity in the countryside, it would not conserve the key features and characteristics of the landscape character area in which it is located. The proposal would therefore conflict with Policy 26 of the HDPF.

11. For the reasons set out above, the appeal site would not be a suitable location for the proposed development having regard to local planning policy, being in conflict with the relevant parts of policies 1, 2, 3, 4 and 26 of the HDPF, Policy 1 of the SSWNP, and the SDHD, the aims of which I have outlined above.

Character and appearance

12. The landform of the area is dominated by the chalk escarpment of the South Downs to the south of Storrington[2]. The land falls gently down from the appeal site before rising in the direction of Kithurst Hill, which is part of the chalk escarpment. Owing to this topography, the appeal site is visible in longer views, albeit intervening vegetation helps to filter these views.

13. There is a clear delineation between the built up area and the countryside, with a well-defined defensible boundary separating the two. The open area of which the appeal site forms a part is characterised by its tranquil, landscaped character, which is distinct from the residential character of the adjacent built-up area. The development of the appeal site with a dwelling and driveway would alter its character, representing an incursion of the built-up area into the countryside, with a resultant erosion of the quality of the countryside.

14. The hedge and fence which border the appeal site do not fundamentally alter the site's relationship with the countryside, and whilst the hedge may in due course screen the site from view, it would not ameliorate the effect on the area's character of extending the built-up area into the countryside.

15. The proposal is for a chalet style dwelling with a relatively low eaves and ridgeline, which would help to minimise the visual impact of the proposal. The appellant has contrasted their design approach with the bulkier and taller flats near the appeal site. However, these flats are within the BUAB where such development is appropriate. A chalet style dwelling in the countryside, by contrast, would not be appropriate, for the reasons I have set out.

16. I find that the proposal would have a harmful effect on the character and appearance of the area, in conflict with policies 25, 32 and 33 of the HDPF, which together seek to protect, conserve and enhance the landscape and townscape character, and require development to respect the character of the surrounding area including its overall setting and views.

Other Matters

17. Section 85 of the Countryside and Rights of Way Act 2000 imposes a duty to seek to further the purpose of conserving and enhancing the natural beauty of National Parks. The duty extends to consideration of the setting of a National Park when development is proposed outside of but close to it. As the appeal site is located some distance from the boundary of the National Park, and partially screened by intervening vegetation, the proposal would not affect its setting.

18. Storrington Conservation Area is located on the far side of the cemetery which lies adjacent to the appeal site. Given the distance involved and the intervening presence of the cemetery, the appeal site does not make any contribution to the significance of this designated heritage asset, and the proposed development would not adversely affect its setting.

19. The proposal is described as a self-build dwelling. The Framework requires planning policies to reflect the needs of people wishing to commission or build their own homes. As of 2024 there were 162 people on Horsham's self-build register, with only 10 planning permissions granted for self-build homes in the 12 months

[2] Landscape and Visual Technical Note prepared by Huskisson Brown Associates

prior. Moreover, there are no self-build housing allocations in the development plan. However, in the absence of a mechanism to secure the development as self-build, I afford only limited positive weight to the appellant's intention in this regard.

20. The proposal is for a passive house. As of 2023, Horsham Council had not granted any planning permissions for passive houses. There is however no policy imperative for the Council to grant passive homes, and I therefore afford limited positive weight to the sustainability credentials of the proposal.

21. The appellant sought unsuccessfully via the development plan process to include their land within the BUAB and disagrees with the Council's reasons for excluding it. However, I can only have regard to the BUAB as it is currently defined. I have been referred to numerous planning permissions for new houses on sites outside the BUAB, including several in the Storrington area, but in the absence of detailed information in respect of these permissions, they have limited relevance to the circumstances of the current appeal.

22. Several appeals for residential development on the land have been dismissed in recent years. Inspectors have offered qualified support for specific aspects of the schemes but overall have concluded that the proposals were unacceptable. I have had regard to these previous decisions, and my findings are consistent with them.

23. I have given consideration to the recent planning permission to convert a barn to a dwelling at Priory Field Barn, close to the appeal site. Whilst that site is also outside the Built-Up Area Boundary, the proposal was a conversion rather than a new build, which distinguishes it from the current appeal in terms of its impact on the countryside and the relevant development plan policies. I therefore attached limited positive weight to the granting of this permission.

24. Although the updated Framework was published as a consultation draft on 16 December 2025, in its draft form the proposed changes carry limited weight in decision-making.

25. The concerns of the appellant regarding their dealings with Council staff have played no part in my decision-making.

Appropriate Assessment

26. 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). It is incumbent upon me as competent authority to consider whether the development is likely to have a significant effect on the integrity of the site.

27. The site supports rare and diverse plant, invertebrate and bird assemblages as qualifying features. It consists of low-lying grazing marsh, largely on alluvial soils. Variation in soils and water supply lead to a wide range of ecological conditions and hence a rich flora and fauna. Natural England has previously advised that due to the additional demand for water abstraction, it could not be concluded with the required degree of certainty that new development in this zone would not have an adverse effect on the integrity of the site.

28. Based on a voluntary licence reduction and a commitment to delivering a package of mitigation, Natural England is now satisfied that there is sufficient certainty that there would be no adverse impact on the integrity of the European Designated Site. From 1 November 2025, therefore, development is able to come forward without water neutrality restrictions. As I am dismissing the appeal for other reasons, it has not been necessary to consider these matters further.

Planning Balance

29. A house is proposed, and the Council has confirmed that it cannot currently demonstrate a five year supply of housing, with its most recent Annual Monitoring Report 2024/25 showing a supply of 1.7 years. Therefore, paragraph 11(d) of the Framework applies, 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.

30. 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. Although the appeal site abuts the BUAB, the harm I have identified as arising from the proposal relates to its incursion into the countryside beyond the well-defined boundary which separates it from the built-up area, and the resultant erosion of the tranquil character and landscaped appearance of this part of the countryside. Given the extent of this harm, I attach substantial negative weight to the degree of conflict I have identified with the development plan.

31. The delivery of a sustainably located home would be a social benefit, whilst economic benefits would accrue from the construction phase and from expenditure on goods and services by future occupiers. The dwelling would be sustainably constructed as a passive house and would provide additional landscaping and biodiversity enhancement. A single dwelling is capable of being constructed quickly. The proposal is for a self-build dwelling, but the weight that this benefit attracts is limited in the absence of a mechanism to secure it as such. 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 1.7 year housing land supply. I therefore attach moderate positive weight to the benefits that the scheme delivers.

32. Taking all matters into account, the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits when assessed against the Framework as a whole.

Conclusion

33. The proposal would conflict with the development plan as a whole. 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