Planning Inspectorate

Appeal Decision

Site visit made on 14 January 2026

by C Walker BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16th January 2026

Appeal Ref: APP/Z3825/W/25/3374889
Ghyll House Farm, Recadera Stud, Broadwater Lane, Copsale, West Sussex RH13 6QW

- 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 and Mrs R Sherwood against the decision of Horsham District Council.
- The application Ref is DC/25/1096.
- The development proposed is described as 'construction of dwelling with attached double garage'.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. Given the stage of the emerging Local Plan and the outstanding unresolved objections, the Council assert that it attracts limited weight, and the appellant does not seek to rely on it. In any event, I have not been provided with the relevant policies, so I have not had regard to it.

3. During the appeal process, the appellant has submitted a NatureSpace Great Crested Newt Licence Certificate. The Council has been afforded the opportunity to comment and previously advised that upon receipt of such documents, they would not maintain their objection. From what I have read and seen, I see no reason to disagree. Thus, the second reason for refusal falls away and I do not deal with this matter any further.

Main Issue

4. In light of the above, the main issue is whether the appeal site is an appropriate location for the proposal, having regard to relevant provisions of the development plan and the National Planning Policy Framework (the Framework).

Reasons

5. The appeal site relates to part of a field located on Broadwater Lane, Copsale that lies within the civil parish of Nuthurst. Copsale is a small settlement that does not have a defined boundary. Therefore, the appeal site lies in the open countryside as defined in the Horsham District Planning Framework (adopted 2015) (the HDPF) and the Nuthurst Parish Neighbourhood Plan 2015-2031(made 2015) (NNP).

6. A strategic approach to development is set out in HDPF Policy 2 which focuses development in and around the key settlement of Horsham, which sits at the top of the district's five tier settlement hierarchy. As an 'unclassified village', Copsale falls

within the bottom tier of the hierarchy contained in HDPF Policy 3. These are defined as settlements with few or no facilities or social networks and limited accessibility, that are reliant on other villages and towns to meet the needs of residents.

7. Within the built-up area boundaries (BUAB's) HDPF Policy 3 supports development of an appropriate scale and nature to maintain characteristics and function of settlements, and Policy 1 of the NNP is permissive of development within the BUAB of Mannings Heath and very small-scale limited infill development in 3 other named settlements. Copsale is not one of these.

8. HDPF Policy 4 states that outside of BUABs, the expansion of settlements will be supported where the site is allocated in the Local Plan or in a Neighbourhood Plan and adjoins an existing settlement edge, where the level of expansion is appropriate to the scale and function of the settlement type. In addition, the development must be demonstrated to meet the identified local housing needs or assist the retention and enhancement of community facilities and avoid prejudice to comprehensive long-term development. The final criterion is that the development should be within an existing defensible boundary, and the landscape and townscape character features are maintained and enhanced.

9. While the proposal for one dwelling would be appropriate for the scale and function of the settlement type, the site is not allocated, nor does it adjoin an existing settlement edge. Given the Council's inability to meet its five-year housing land supply (5YHLS), the proposal would help to address an unmet housing need and would not prejudice long-term development.

10. Although I acknowledge that the existing boundary screening would be retained, forming part of a larger open agricultural field, I am not satisfied that the site would be adequately contained to the south. Occupying part of a green field, set visually apart from other development in the area, development here on this open and undeveloped site would leave the wider field vulnerable to similar forms of development and undermine the established settlement pattern. As a result, the proposal is contrary to HDPF Policy 4. Neither has it been demonstrated how the proposal would make efficient use of land as a resource, contrary to the aims of the Framework.

11. Policy 26 of the HDPF seeks to protect the countryside from inappropriate development, requiring development outside of BUAB's to be essential to its countryside location and to meet one of 4 listed exceptions. This proposal would not meet any of these exceptions, also bringing the scheme into conflict with this policy.

12. The Council has produced a Planning Advice Note entitled 'Shaping Development in Horsham District' (PAN) (September 2025) in light of its housing land supply challenges. Whilst not policy, this guides a less restrictive approach to residential development outside of BUAB's. Notably, it omits the need for a site to be allocated in the development plan where a site adjoins a built-up area. However, the appeal site is nowhere near to any settlement boundary. Consequently, the proposal would not comply with the relevant criteria set out in the PAN. It follows that the provisions of this document do not add weight to the appellant's case.

13. While the site is not isolated given the presence of farmsteads and some modern dwellings in the vicinity, it would be relatively remote from the services and

facilities upon which future occupants would rely. Evidence indicates the appeal site is around 1 mile (around 1.6km) to the northeast of Copsale, a settlement with no obvious facilities. Southwater, a settlement falling within Tier 2 of the development hierarchy (Small Towns and Larger Villages) is said to be 3 miles (around 4.8km) away where a good range of services and facilities and reasonable public transport provisions are on offer.

14. The Framework highlights that priority should be given first to pedestrian and cycle movements and second to access to high quality public transport. However, in this case, reaching the facilities in Southwater that could meet residents' daily needs would highly likely be by private car owing to the lack of public transport connections within the area, and the lack of footpaths and streetlights for much of the journey. The inaccessible location is not a matter that could be adequately mitigated by condition. I acknowledge that opportunities to maximise sustainable transport solutions will vary between urban and rural areas and the proposal is not a significant development. Nevertheless, the proposal would not represent a location which is sustainable, as contrary to the Framework, it would not be located where the need to travel would be limited.

15. Drawing the above together, the appeal site is not a suitable location for the development, having regard to the relevant provisions of the development plan and the Framework. The appeal scheme runs counter to policies 1, 2, 3, 4 and 26 of the HDPF and NNP Policy 1, the objectives of which I have outlined above, and amongst other matters, seek to achieve sustainable development. The weight to be attributed to the development plan is a matter I return to later in my decision.

Other Matters

16. The Council can only demonstrate a 1-year supply of housing land, representing a substantial deficit against the required five years supply requirement. Paragraph 11(d)(ii) of the Framework states that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, as is the case here, granting permission 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, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

17. The proposal would be valuable in boosting housing stock and could deliver a quality dwelling designed to be water and energy efficient, in the short term. However, given that the proposal would only result in one additional dwelling, this tempers the positive weight I attribute to it.

18. The proposal would also have limited economic, social, and environmental benefits. For example, biodiversity enhancements are proposed although their extent is limited. At construction phase it would provide some jobs in the local building industry trade, create demand for materials and would broaden the availability of much needed housing in the area. However, given that the proposal would only involve one dwelling and given the distance it is away from services and facilities in Southwater, it would have very limited impact on enhancing and maintaining the vitality of a rural community.

19. The Council has a duty under the Self Build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016) to keep a register of persons who are interested in acquiring a self-build or custom-build plot, and to also grant enough suitable development permissions for serviced plots to meet identified demand for the district. The appellant advances the proposal as a Self Build and Custom Build (SBCB) dwelling.

20. The Framework supports small sites to come forward for SBCB housing. The addition of a self-build dwelling on the appeal site would help to meet the demand for such housing in the area. However, the weight afforded is tempered by the fact that the proposal would only result in one additional dwelling. Moreover, and crucially there is no planning obligation to secure the proposal would be constructed for such use. No condition is suggested, and in my view, monitoring and enforcing such a condition would be extremely difficult. As such, I am not satisfied that it would meet the necessary tests as set out in the relevant Planning Practice Guidance and the Framework. Given the inability to secure the proposal as SBCB, it significantly reduces the weight afforded to this matter.

21. Having regard to the contribution the appeal scheme would make in addressing the housing land supply shortfall and the other matters that weigh in favour of the proposal, I afford the totality of the benefits moderate weight.

22. A number of appeal decisions have been drawn to my attention. These include those at Cowfold Lodge Cottage, Henfield Road, Cowfold[1], Marlpost Meadows, Bonfire Hill, Southwater[2] and Wappingthorn Lodge, Horsham Road, Steyning[3]. However, these are materially different to the scheme before me.

23. All were considerably closer to services and facilities. The Cowfold Lodge Cottage appeal site was just 190m from the BUAB of Cowfold, a 'Medium Village' (Tier 3 of the development hierarchy) with a moderate level of services and facilities and had availability of access to bus services, so was not wholly inaccessible by means other than the private car. From the limited information available, the Marlpost Meadows appeal appears to have been better related to a cluster of dwellings, with the site itself forming previously developed land as a garden and, at a distance of 1.5km, was considerably closer to Southwater with a public right of way as an alternative means of access. At 1.5km from Steyning, a settlement in Tier 2 of the development hierarchy, the appeal at Wappingthorn Lodge related to a change of use of existing buildings, thus was inherently more sustainable, making better use of resources and land than the scheme before me.

24. My attention is also drawn to an application approved by the Council at Potters Field, Mill Lane, Partridge Green[4] for two dwellings. However, this is markedly different from the appeal before me as it was located a shorter distance from Partridge Green, a 'medium village' in Tier 3 and had access to good transport links. Moreover, this was infill development between two dwellings in contrast to this appeal.

25. Reference has been made to residential development at Ghyll House, Broadwater Lane, located west of the appeal site. I have limited information on the circumstances of that development. The evidence suggests it involved former

[1] Appeal Ref: APP/Z3825/W/23/3325926
[2] Appeal Ref: APP/Z3825/W/22/3303603
[3] Appeal Ref: APP/Z3825/W/24/3341171
[4] Planning Ref: DC/24/1887

agricultural buildings of significant intensity, some conversions, and was considered a visual improvement. These factors are not relevant to the current appeal, and the cases are not directly comparable. Accordingly, it does not establish a precedent or influence my findings in this case.

26. As a result, these decisions have limited weight in the determination of the appeal.

Planning Balance and Conclusion

27. When weighing the totality of the benefits of a scheme for just one dwelling, paying particular regard to directing development to sustainable locations and making effective use of land, which I have found this scheme does not achieve, I find the adverse effects of granting planning permission to significantly and demonstrably outweigh these, when assessed against the policies in the Framework taken as a whole. As a result, the presumption in favour of sustainable development at Paragraph 11(d)(ii) of the Framework does not apply. Given that finding, Policy 1 of the HDPF which reflects the provisions of Paragraph 11(d) also does not weigh in favour of allowing the appeal.

28. Planning applications should be determined in accordance with the development plan, unless material considerations indicate otherwise. In this case, the proposal conflicts with the development plan when considered as a whole and the material considerations, including the Framework, do not indicate that the appeal should be decided otherwise.

29. For the reasons set out above, the appeal fails.

C Walker

INSPECTOR