



Appeal Decision

Site visit made on 10 September 2024

by C Rafferty LLB (Hons), Solicitor

an Inspector appointed by the Secretary of State

Decision date: 30 October 2024

Appeal Ref: APP/Z3825/W/23/3335655

Land north of Stonepit Lane, Henfield, West Sussex BN5 9QT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Hamish DeBaerdemaecker against the decision of Horsham District Council.
 - The application Ref is DC/22/1874
 - The development proposed is the erection of workshop building.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are: whether the proposal would be in a suitable location having regard to planning policies; and the effect of the proposal on the character and appearance of the area.

Reasons

Suitable Location

3. The appeal site is a grassed, open area of land on Stonepit Lane, which sits outside of the built-up area boundary of Henfield. Policy 2 of the Horsham District Planning Framework (the HDPF) establishes that development should be focused in and around Horsham. Policy 26 states that outside of built-up area boundaries, a proposal must be essential to its countryside location, and must: support the needs of agriculture or forestry; enable the extraction of minerals or the disposal of waste; provide for quiet informal recreational use; or enable the sustainable development of the area. This is echoed by the Henfield Neighbourhood Plan, which states that outside of built-up area boundaries proposals will be supported where, among other things, they conform to HDPF policies relating to development in the countryside.
4. The proposal relates to the erection of a mixed purpose workshop at the site. The appellant's business is as an ecological contractor. This includes tree work and site clearance, providing access to timber which the appellant intends to use to make products such as fencing and firewood at the site. In addition, the proposal would introduce a coppice at the site which, once established, would provide further material for such purposes.
5. A Woodland Management Plan has been submitted with the appeal, which establishes a 25 year plan in respect of the coppice to be provided at the site. The appellant has set out equipment that would be required to support this

management. The proposed workshop would be used for the dry and secure storage of such equipment in addition to providing welfare and shelter for workers associated with the woodland management.

6. Nevertheless, the proposal would not be solely linked to, or required as a result of, onsite woodland management. A large part of the requirement for the workshop relates to the processing of timber gathered through the appellant's wider business. While such tree work and site clearing is likely to take place in rural locations, it remains that the proposal would be largely used for the processing of offsite material. There is little compelling evidence to suggest that such a workshop is essential to the countryside location of the site as per Policy 26, or that this activity could not continue to support this element of the appellant's business and those of its clients while being undertaken at sites within the built up area boundary, given its overarching industrial nature and use of materials from multiple locations rather than just the coppice on site.
7. Policy 10 of the HDPF supports development in the countryside that sustains social and economic activity. It states that such development should be appropriate to the location and should contribute to farming enterprises in the district or the wider rural economy and/or promote recreation in, and the enjoyment of, the countryside. The proposal would provide some contribution to the wider rural economy through employment and the provision of additional uses for waste timber products. It will also result in the purchasing of timber from other businesses, when a surplus is required.
8. However, Policy 10 is also clear that countryside development must: be contained where possible in suitably located buildings which are appropriate for conversion; or result in substantial environmental improvement and reduce the impact on the countryside. I note the environmental improvements of the proposal linked to planting the coppice, additional trees, wildflower meadow, and enhanced hedging, in addition to the delivery of a biodiversity net gain. Nevertheless, even if I were to find this to represent a substantial environmental improvement, Policy 10 is clear that the conversion of suitably located buildings must be considered first. While the appellant has provided a general statement on the lack of suitable existing sites within the immediate vicinity, there is limited substantive evidence before me to demonstrate how this element of Policy 10 has been effectively considered.
9. I note the response of the Council's agricultural consultants, who found that the proposal aligned with Policy 10 of the HDPF, and to which I have had regard. However, even acknowledging the coppice, this response also considered that the proposal was not intrinsically linked to any woodland management on site, with the majority of timber to be processed from off site. This further supports my findings that, while it may in some way support the wider forestry industry, there is little substantive evidence that the precise nature and intended use of the proposal as a workshop is such that it is essential to the countryside location.
10. The appellant has referred to numerous other developments that have been permitted within the countryside. I have limited information before me on the precise nature of these developments, or the circumstances that led to their approval. However, from the information before me these relate primarily to storage building, with one building being for storage and office space. Given

that, in addition to storage and welfare space for staff, the proposal would also be used as a workshop, there appears to be little comparability with these schemes. While one scheme relates to a 'forestry building', it appears that this involved the retention and alteration of such a building, rather than erecting a new building in the countryside as is the case before me. In any event, each application should be decided on its own site-specific merits.

11. Taking all of the above together, for the reasons given I find that on the information submitted that it has not been proven that the appeal site is a suitable location for the proposal, having regard to planning policies. As such, it would fail to comply with Policies 2, 10, and 26 of the HDPF and the Henfield Neighbourhood Plan in this regard.

Character and appearance

12. At a national level the appeal site is located in the Low Weald National Character Area 121, a broad, low-lying clay vale which is predominantly agricultural and features densely wooded areas. At a more local level it forms part of the Henfield and Small Dole Farmlands, characterised by the rolling topography of farmlands and undulating landscapes. The site is also identified as Local Landscape Character Area 68 – Land West of Henfield.
13. As such, despite its proximity to residential development further east, the immediate vicinity of the site retains an overarching rural feel. The site itself is gently sloped open grassland with hedging and, at the time of visit, read as undeveloped. Nevertheless, sporadic examples of built form do exist along Stonepit Lane, effectively integrated into the surrounding landscape so as not to detract from the immediate character.
14. The proposal would introduce a sizeable element of built form at the site along with a new vehicle track from Stonepit Lane, inevitably altering its current, undeveloped appearance. However, the building would have a utilitarian appearance, clad in dark green materials such that it would appear as an agricultural building, not unexpected in the rural context of the site and surrounds. Indeed, I note that the Council has raised no objection to the appearance of the building and, based on my observations, I have no reason to disagree.
15. The proposal would be largely screened from Stonepit Lane due to existing and proposed hedging, limiting its visual impact from this direction. While wider views of the building would be afforded from other directions, including from nearby public rights of way, due to its external appearance it would not appear visually jarring, particularly when viewed against the backdrop of the Stonepit Lane hedging. In addition, the proposal would include the planting of the coppice which, although noted as comprising a singular species, would assist in further integrating the appeal site and the proposed workshop into the surrounding, verdant landscape. Further information on hard and soft landscaping could be addressed by way of condition. While no Landscape and Visual Impact Assessment has been submitted with the appeal, based on my observations it would overall respect the national, local, and immediate character within which the site is located.
16. The Council and interested parties have also raised concerns that the intended use of the site could impact the tranquil nature of the immediate surrounds. However, I note the appellant's comments that the notion of large lorries or plant moving to and from the site is speculative, and that no Council objections were raised from a traffic or highways perspective. I further note the Council's position that noise

arising from the development could be adequately addressed by way of planning condition. On this basis, there is limited evidence that the proposal would unduly impact the tranquillity of the area from a character and appearance perspective.

17. For the reasons given the proposal would not result in harm to the character and appearance of the area. As such, it would comply with the provisions of Policies 25, 26, 32, and 33 of the HDPF insofar as they relate to ensuring that the appearance of development is of a high standard and relates sympathetically to the landscape, protecting the characteristics of the landscape character area.

Other Matters

18. The appeal site is in the Sussex North Water Supply Zone. Natural England has issued a Position Statement that it cannot 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 Arun Valley Special Area of Conservation, Special Protection Area and Ramsar sites. However, as I am dismissing for other reasons, I have not addressed this matter further.

19. While the appellant has raised that, as the HDPF over 5 years old, it must be considered whether the most important policies for the determination of this application are out of date, it accepts that the main policies are generally still compliant with the Framework. I have no reason to disagree with this stance. The concepts of good design that responds to local character; siting uses in appropriate locations; and the protection of the countryside from unsuitable development are all objectives that align with the Framework.

20. As outlined above, the proposal would have economic benefits arising from employment, the provision of additional uses for waste timber products, and the purchasing of timber from other businesses. There would also be environmental benefits linked to planting the coppice, additional trees, wildflower meadow, and enhanced hedging, in addition to the delivery of a biodiversity net gain. While I have found that the proposal would not be harmful from a character and appearance perspective, this is a neutral matter.

21. Nevertheless, overall the adverse impacts of the proposal would outweigh the identified benefits. My findings in this regard would not be altered had I found no impact from the proposal on the Arun Valley Special Area of Conservation, Special Protection Area, and Ramsar sites.

Conclusion

22. The proposed development would be contrary to the development plan and there are no other material considerations, including the provisions of the Framework, that outweigh this finding. Therefore, I conclude that the appeal should be dismissed.

C Rafferty

INSPECTOR