
Appeal Decision

Site visit made on 14 November 2016

by S M Holden BSc MSc CEng MICE TPP FCIHT MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 5th December 2016

Appeal Ref: APP/Z3825/W/16/3155472

Stables, Land to the south of Mill Lane, Littleworth, Partridge Green, West Sussex

- 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 Mr Bayley of Delcraven Ltd against the decision of Horsham District Council.
 - The application Ref DC/16/0986, dated 27 April 2016, was refused by notice dated 11 July 2016.
 - The development proposed is conversion of a building into a dwelling house.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Mr Bayley of Delcraven Ltd against Horsham District Council. This application is the subject of a separate Decision.

Procedural Matter

3. The application form and decision notice give the site address as 'land to the south of Littleworth Lane'. However, Littleworth Lane is to the east of the site and the appeal statement gives the address as 'land to the south of Mill Lane'. As this is a more accurate description and access is from Mill Lane, I have used this address in this decision and the associated costs decision.

Main Issues

4. The main issues are:
 - a) The effect of the proposed development on the character and appearance of the countryside;
 - b) Whether the site is appropriate for a residential dwelling given its location in the countryside.

Reasons

Character and appearance

5. Mill Lane lies within the hamlet of Littleworth, which has ribbon-like development of houses along both Littleworth Lane and Mill Lane. Mill Lane is a straight street with almost continuous residential development on its
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southern side, but more sporadic development on its northern side. The dwellings vary in style and appear to date from different periods. However, they are well separated from each other and set back from the road so that the area has a predominantly rural character. One of the defining characteristics of the hamlet is that the majority of properties have direct access to the street. In many cases their rear gardens help to achieve a transition between the built environment and the undeveloped countryside beyond the settlement.

6. The appeal site is situated to the south of Mill Lane and is reached via a private driveway that provides access to it and a limited number of other dwellings. The site is part of a larger field which appears to have been recently enclosed on its southern side by new countryside hedging. The site occupies a depth equivalent to the width of three of the existing properties that front Mill Lane. It is occupied by an L-shaped stable block that was allowed on appeal¹ as a replacement for a previous stable building. At that time it formed part of an equestrian use that included a sand school on the other side of the access road. The stables do not appear to have been occupied and the sand school is no longer evident.
7. For the purposes of planning policy the site is outside any defined settlement boundary in the countryside. However, there are examples of backland development in the vicinity, particularly to the east where the houses are closest to the junction of Mill Lane with Littleworth Lane. In addition, to the south a replacement dwelling, Pemberley, was permitted on the site of an earlier dwelling, Eastfield. It is apparent from the planning history of the area around the appeal site that uses have gradually changed and the area has been under significant pressure for development.
8. The existing stable block is a low profile building sited towards the western end of the plot. The combination of the stables and the enclosed field appear to be typical of a transitional area between the hamlet and the surrounding countryside. The adaptation of the building to include windows and doors and the insertion of a chimney would give it a domestic appearance and significantly change its character. In my view this would be out of keeping with the locality. In this context, any benefit that would result from the re-use of the existing building is a matter to which I give little weight.
9. The layout of the site would also fail to respect the typical arrangement of a house with direct street frontage and a rear garden, which is the prevailing pattern of development in the locality. Instead the proposed dwelling would be towards the back of the site and the garden would be to the side of the principle elevation. The entrance driveway would bisect the garden, resulting in an awkward and contrived arrangement.
10. Furthermore, the use of the area to the east of the house as a garden and area in which to park vehicles would erode this open area to the rear of existing development, thereby reducing its contribution to the setting of the hamlet. The cumulative effect of adding more backland development to this part of the settlement would, in my view, be harmful to the established development pattern of Littleworth. Consequently, the proposal would fail to contribute to a sense of place or integrate effectively with its surroundings.

¹ Planning Application Ref: DC/06/1500 and Appeal Ref: APP/Z3825/A/07/2042943

11. I therefore conclude that the conversion would be harmful to the character and appearance of the countryside. It would be contrary to Policies 25, 26, 32 and 33 of the HDPF which, amongst other things, require development to take account of individual settlement characteristics and patterns of development and to relate sympathetically with the built surroundings and landscape.

Location of development

12. Policies in the Horsham District Planning Framework (HDPF), including Policy 2, seek to permit development which respects the settlement pattern and rural landscape character of the district, whilst enabling existing villages to grow and thrive. The HDPF has therefore defined a settlement hierarchy and determined the boundaries of the larger towns and villages. Outside these identified built-up area boundaries, land is considered to be in the countryside and development will be more strictly controlled.
13. Littleworth is not specifically referred to in Policy 3, which defines the development hierarchy, including the district's principal settlements. It therefore falls into the category of an unclassified settlement with few facilities. It does not have a defined built-up area boundary. It is acknowledged that residents rely on other villages and towns to meet many of their needs. Partridge Green, which is about 1km away is categorised a medium village, which provides for some day-to-day needs. Outside built-up area boundaries Policy 4 supports the expansion of settlements, but this is subject to a series of strict criteria. However, Policy 26 states that the countryside will be protected and any proposal must be essential to its countryside location and meet one of four specific criteria.
14. The appeal site is on the edge of Littleworth and is approximately 800m, from the built-up area boundary of Partridge Green. To reach the facilities of this village which are about 1.5km away, it would be necessary to walk along Mill Lane, which has no footway or lighting and then walk a significant distance along Littleworth Lane. Whilst there is a footway along Littleworth Lane, street lighting is only provided on the section closest to the centre of the village. I am therefore not persuaded that it would be a particularly attractive option for residents of Littleworth to walk into the village frequently in order to meet many of their day to day needs, especially when it would be so much quicker and more convenient to use a car.
15. However, in view of the range of facilities that are available in Partridge Green, residents are likely to make use of them, rather than always needing to travel further to the larger towns which are some distance away. In this respect the appeal site is not isolated and could be considered to be a sustainable location, as concluded by previous inspectors in relation to appeals on other sites in the area². Nevertheless, the site is outside any settlement boundary and in the countryside, where Policy 26 applies. From what I have read, the proposed conversion would not appear to meet the specific criteria set out in Policy 26, which seeks to protect the undeveloped nature of the countryside.
16. In addition, there was no evidence that there had been any attempt to re-use the building for business or commercial use in a manner that could support sustainable rural economic development, as advocated by Policy 10. Whilst this policy does not specifically require a marketing exercise to be carried out,

² APP/Z3825/W/15/3136166 and APP/Z3825/A/14/2213010

it clearly sets out a preference for rural buildings to be converted for commercial purposes over and above residential uses. In these circumstances, I consider it is for the appellant to justify any exception to this approach. However, there was nothing before me to indicate that the stables had been unsuccessfully marketed or that an alternative business use had been adequately considered. Even if a commercial use was proposed that would generate more traffic movements than a dwelling, this could be outweighed by the economic benefits. In any event the Council retain the right to consider such individual proposals on their merits, if submitted in the future.

17. Although Policy 4 allows for some growth of settlements, the site has not been allocated within a neighbourhood plan and the proposal would not appear to meet any of the other criteria set out in this policy.
18. Taking all these factors into consideration, I conclude that the appeal site would not be an appropriate location for a new dwelling and would be contrary to Policies 2, 3, 4, 10 and 26 of the HDPF. These policies seek to promote a sustainable settlement pattern by directing new housing to the district's main settlements, whilst restricting development outside settlement boundaries to those that have an essential need to be located in the countryside.

Housing supply

19. There is a dispute between the parties as to whether or not the Council can demonstrate a five-year supply of housing land. The Council adopted the Horsham District Planning Framework (HDPF) in 2015 and a number of subsequent appeal decisions have upheld the Council's position in relation to housing land supply. The Council also provided an update which indicated that the most recent projected net completions exceeds the five year requirement. On this basis and from the other evidence presented with the appeal, I am satisfied that the Council is able to demonstrate a five-year supply and the development plan policies can be considered up-to-date in relation to paragraph 49 of the National Planning Policy Framework.
20. In these circumstances, the appeal should be determined in accordance with the development plan, unless material considerations indicate otherwise. I have therefore given limited weight to the appeal decision relating to the conversion of another stable block drawn to my attention by the appellant.³ When the Inspector reached his conclusions on that scheme, the Council acknowledged that it did not have a five-year land supply: this affected the balance of considerations and was one of the factors that led him to allow the appeal.
21. I accept that the conversion would be a 'windfall' development that would provide one additional dwelling towards the district's target of 750 such dwellings. However, windfall development over the past four years has been significantly higher than the allocated 50 units/annum, so that cannot be a justification for permitting a scheme on a site in the countryside. Any social benefit arising from an additional house in Littleworth is a matter to which I attach little weight having regard to the spatial strategy of the HDPF, which seeks to provide such sites within built-up area boundaries. Any economic benefits arising from the construction would also be both limited and short term.

³ APP/Z3825/X/15/3133260 and APP/Z3825/W/15/3134415

22. In any event, I have found that the proposal would be harmful to the character and appearance of the countryside and therefore would not contribute to the environmental dimension of sustainability. In addition, regardless of whether or not the location is sustainable in terms of its accessibility to local facilities, it is outside any defined settlement boundary and there was no conclusive evidence to justify a change of use for the building. This combination of factors leads me to conclude that the proposal would not be a sustainable development that would accord with Policy 1 of the HDPF.

Other Matters

23. Local residents drew my attention to various other matters including surface water flooding, but none were determining factors in this case.

Conclusion

24. The proposal would be contrary to the spatial strategy advocated by the HDPF and there are no material considerations that outweigh the conflict with the development plan.

25. I therefore conclude that the appeal should be dismissed.

Sheila Holden

INSPECTOR