
Appeal Decision

Site visit made on 24 January 2017

by L Gibbons BA (Hons) MRTPI

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

Decision date: 09 February 2017

Appeal Ref: APP/Y9507/W/16/3161526

Stables, Clay Lane, Warningcamp, West Sussex BN18 9QN

- 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 Angmering Park Farms LLP against the decision of South Downs National Park Authority.
 - The application Ref SDNP/15/00655/FUL, dated 11 February 2015, was refused by notice dated 30 June 2016.
 - The development proposed is the conversion of stable building to dwelling with associated car parking and landscaping.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The name of the applicant was not stated on the planning application form. For the sake of clarity I have set out the name of the applicant as confirmed as part of the appeal process.
3. During the planning application process, revised plans were submitted which included changes to the design of the proposed dwelling. The Authority took these plans into consideration in coming to their decision and so shall I.

Main Issue

4. The main issue is whether the proposal would be consistent with national and local planning policies on new dwellings in the countryside, having regard to its location within the South Downs National Park (SDNP).

Reasons

5. The appeal site is located to the east of Clay Lane within the SDNP. It is a brick built stable to the rear of Clay Lane House and shares the same access. Although the building is located close to a small number of other dwellings, the area has a strong rural characteristic, with fields, woodlands, narrow lanes and sporadic development. The building is set away from the houses and protrudes into the countryside further than other buildings in the immediate area. There are a number of sheds and outbuildings adjoining the property. The existing building is not particularly large and is simple in its overall design, albeit there are some design details which add a note of interest to the building.
 6. The appeal site lies outside the Settlement Policy Boundary and is in the countryside for development plan purposes. Saved Policy GEN3 of the Arun
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District Local Plan (LP) 2003 states that development would not be permitted in the countryside unless it meets specific criteria none of which apply in this case. Saved Policy DEV2 refers to conversion of rural buildings for residential use. It sets out that amongst other things, reasonable attempts should be made to market and use premises for a business purposes, the building should be structurally sound and capable of conversion without significant alteration, not have an adverse effect on the character of the rural area, and be sympathetic to its setting. I have no evidence in respect of the use of the building as a business premises and cannot determine whether this would be possible.

7. Paragraph 55 of the National Planning Policy Framework (the Framework) indicates that local planning authorities should avoid isolated new homes in the countryside unless there are special circumstances. The parties do not agree on whether the appeal site would result in an isolated home. There is no definition of isolated within the Framework. The appellant refers to an appeal decision which relates to a different part of the country. I note that in that case, the appeal scheme was located very close to a village which had some services including a school. However, I have had regard to the definition of isolated as considered by that Inspector.
8. I agree that the stable building is not lonely as there are other buildings nearby. Other proposals within the SDNP have also acknowledged that some buildings are not 'lonely' in this respect. Policy GEN7 of the LP (criterion iii) seeks development that reduces the need to travel, particularly by private car. I accept that the proposed development would result in a level of traffic generation which would not be very different to the existing use.
9. However, the nearest settlement that has a number of services and facilities including a train station is Arundel. There is no footway connection. It would be possible to access Arundel station by bicycle although the services and facilities in the town are much further away. There is no indication that there are local facilities at Warningcamp which the residents would make use of or that there are any within walking distance. There is no bus service and future occupiers would need to make use of the private car for their everyday needs. In this respect, I conclude that the appeal site is remote from services and facilities and that the scheme would constitute an isolated dwelling in the countryside.
10. The Authority refers to two appeal decisions in respect of paragraph 55 of the Framework. There is no specific discussion of what constitutes an isolated home in these decisions, albeit I note the Inspectors refer to the proposed schemes being remote from services and facilities. These appeal decisions relate firstly to a new building, and secondly for the demolition of other buildings. As such they are not directly comparable to the circumstances before me.
11. The special circumstances of paragraph 55 of the Framework include where development would re-use redundant or disused buildings and lead to an enhancement in the immediate setting. The building was originally constructed as ancillary to the use of Clay Lane House. The appellant acknowledges that the building is in use as a stable on a temporary basis only. However, I note that the location of the building is not entirely suitable for its use due to poor ground conditions. This was evident on the site visit particularly in the areas

close to the stable building. This has been the position for some time and the building was not considered suitable for housing cattle on this basis. In the light of the above circumstances, I consider the building is redundant because it is poorly sited in terms of its existing use.

12. I turn now to consider whether the proposal would lead to an enhancement of the immediate setting. I acknowledge that the site is not within a Conservation Area. The existing sheds and outbuildings do contribute to a slightly untidy appearance. However, these and other items associated with the stable are common features associated with rural areas. As such their removal would have a neutral effect on the setting of the building. I accept that the proposal would make use of an existing building and that no demolition is needed. The appeal scheme was amended to make changes to the design including the removal of dormer windows and replacement with rooflights. I acknowledge that the design of the dwelling is intended to reflect that of Clay Lane House and would use materials to match the existing building and those found in the area.
13. However, the scheme would involve an extension at the front of the building. Due to its height and bulk, this would considerably alter the appearance of the building. Other features such as the chimney and car port would change the character from a simple rural structure to one which would be significantly more domestic in appearance. I consider that this along with a reasonably large curtilage which would result in the introduction of domestic clutter would not result in an enhancement to the immediate setting. Whilst these features would not be seen from public vantage points they would be detrimental to the rural setting of the building and landscape character of the SDNP. Landscaping would not be sufficient to mitigate this effect. It would not meet with the second part of the criteria and would not be the special circumstance as set out in paragraph 55 of the Framework.
14. The appellant refers to the appeal building being a heritage asset and refers to examples of these types of buildings being converted within the SDNP. The building is not modern. A reference is made to the building's historic relationship with the Norfolk Estate. However, this relationship is not explained further nor has any detail been provided in this respect. Therefore, I am not persuaded that the building has heritage value.
15. For the reasons given above, I conclude that the proposed development would not be consistent with national and local planning policies on new dwellings in the countryside, having regard to its location within the SDNP. It would also cause harm to the character and appearance of the area. It would be in conflict with saved Policies GEN3, GEN7 and DEV2 of the LP. It would also be contrary to the provisions of the Framework in respect of the need for high quality design, recognising the intrinsic character and beauty of the countryside and conserving landscape and scenic beauty in National Parks.

Conclusion and balance

16. Although the LP was adopted before the Framework was published it does not necessarily mean it is out of date as set out in paragraph 211 of the Framework. Saved Policy GEN7 of the LP relates to the need for high quality design and layout and that development should respond positively to identified characteristics. It is consistent with the Framework where it relates to the need for high quality design and I give it full weight.

17. Saved Policy GEN3 of the LP indicates the countryside will be safeguarded for its own sake. The explanatory text indicates that development would only be allowed in exceptional circumstances or where there is a strong justification for a countryside location. The majority of the criteria in saved Policy DEV2 of the LP are not inconsistent with the Framework, although the first criterion is much more stringent. These policies could therefore be considered to be out of date.
18. However, the Framework refers to recognising the intrinsic character and beauty of the countryside and I consider there is only a very small degree of inconsistency with the Framework and saved Policies GEN3 and DEV2. Paragraph 215 of the Framework indicates that due weight should be given to relevant policies in existing plans according to their degree of consistency with the Framework, the closer the policies in the plan are to the Framework, the greater weight they may be given. Accordingly, given the degree of consistency I give them very significant weight.
19. Paragraph 14 of the Framework sets out how the presumption in favour of sustainable development should be applied and indicates that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the Framework as a whole or specific policies in the Framework indicate development should be restricted. The Framework identifies three dimensions to sustainable development – economic, social and environmental. The Framework makes it clear that the three roles the planning system is required to perform in respect of sustainable development should not be undertaken in isolation because they are mutually dependent.
20. The first part of paragraph 55 of the Framework sets out that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. The provision of a small dwelling would add to the mix and number of dwellings within the area. It would make use of an existing building. Nevertheless, the contribution one dwelling would make to the vitality of the area would not be discernable.
21. I note that there is some support from local residents for the proposal and the Parish Council did not raise any objection. The Authority does not object to the proposal in terms of its effect on ecology. The proposal would provide additional security for the residents at Clay Lane House. However, these considerations would have limited weight.
22. The policies of the Framework in respect of the National Park, whilst not necessarily restricting development including small scale schemes, it does indicate that great weight should be given to conserving landscape and scenic beauty in National Parks. The combined adverse impact on the character and appearance of the area and SDNP would significantly and demonstrably outweigh the benefits of the scheme. The scheme would not be sustainable development for which there is a presumption in favour.
23. For the above reasons and having regard to all other matters raised, I conclude that the appeal should be dismissed.

L Gibbons

INSPECTOR