
Appeal Decision

Site visit made on 26 July 2017

by Grahame Gould BA MPhil MRTPI

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

Decision date: 24th August 2017

Appeal Ref: APP/Z3825/W/17/3172545

Singers Farm, Henfield Road, Cowfold RH13 8DU

- 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 Anna Hawkins against the decision of Horsham District Council.
 - The application Ref DC/16/2922, dated 19 December 2016, was refused by notice dated 20 February 2017.
 - The development proposed is conversion of detached brick built former abattoir building into a dwelling.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Anna Hawkins against Horsham District Council. This application is the subject of a separate decision.

Procedural Matter

3. The appellant's appeal statement variously refers to the permitted development (PD) rights regime for the conversion of buildings into dwellings¹ and works that do not constitute development for the purposes of Section 55 of the Act. However, the appealed application seeks express planning permission for the conversion of the disused abattoir building (the abattoir) into a two dwelling, with associated demolition works and the undertaking of external alterations to the building. I have therefore determined this appeal on the basis of it being for a scheme requiring express planning permission in its totality, ie as per the details shown on the application drawings. I shall therefore make no further reference to the PD rights or Section 55 of the Act.

Main Issues

4. The main issues are:
 - the effect of the development on the character and appearance of the area;
 - whether the dwelling's location would provide acceptable access to everyday local facilities for its occupiers by a range of modes of transport

¹ Ie the permitted development rights (deemed permission) available under The Town and Country Planning (Permitted Development) (England) Order 2015

and, if not, would any dependency on private motor vehicle usage, in particular, be harmful to the environment; and

- the effect of the development on the living conditions for its occupiers, with particular regard to noise and disturbance.

Reasons

Character and Appearance

5. The abattoir is of a very utilitarian design, with its exterior being a mixture of blockwork and metal cladding. The abattoir's appearance is, however, typical of farmyard buildings of its era and its appearance is compatible with the other nearby farmyard buildings.
6. While the abattoir is of no particular architectural merit, I consider the proposed window and door alterations would be of a scale that would not enhance the retained building's appearance. That is because the altered or new window openings would either be too numerous and oversized, as would be the case for the front elevation, or meanly proportioned in the case of the rear elevation. Given the existing design of the abattoir I consider that the window and door alterations would be obvious afterthoughts, which would not enhance its appearance.
7. Although the dwelling would be in a farmyard, there would nevertheless be some public appreciation of the converted building looking out of place amongst the other farmyard buildings. That is because there is an east/west public right of way just to the north of the farmyard. While there would be some benefit to the area's appearance arising from the partial demolition works, I consider that benefit would be outweighed by the harm I have identified.
8. I therefore conclude that the development would be harmful to the character and appearance of the area. There would therefore be conflict with Policies 32 and 33 of the Horsham District Planning Framework (excluding South Downs National Park) of 2015 (the HDPF) and section 7 (Requiring good design) of the National Planning Policy Framework (the Framework). That is because the development's appearance would not be of a high quality of design.

Whether the location of the dwelling would be acceptable

9. The dwelling would be located outside the built-up area boundary (BUAB) for Cowfold and it would be around 1 Km from the village's centre. Singers Farm is an area where the predominant land use is agriculture and dwellings are sporadically located.
10. Cowfold is identified as being a 'medium village' in the HDPF's settlement hierarchy. Medium villages being settlements with a moderate level of services and facilities, with some access to public transport. The dwelling would be in a location where all new development is discouraged by Policies 2 and 26 of the HDPF, with the bulk of new development to be located in main settlements rather than in the countryside. Policy 26 indicates that development in the countryside may be permissible when it would: support the needs of agriculture and forestry; enable the extraction of minerals or the

disposal of waste; provide for quiet informal recreation; and enable the sustainable development of rural areas.

11. Policy 40 of the HDPF promotes greater use of non-car modes of travel and encourages development that is located where there is a choice of modes of transport available and the distances travelled would be minimised
12. Paragraph 55 of the Framework specifically addresses the location of housing in rural areas and states that housing should be located where it will enhance or maintain the vitality of rural communities, with development in one village in some instances having the potential to support services in others nearby. Paragraph 55 also advises that isolated homes in the countryside should be avoided unless special circumstances apply, such as: providing accommodation for rural workers; making use of heritage assets; re-using redundant or disused buildings and lead to an enhancement of the immediate setting; or a scheme would be of an exceptional or innovative design. The provisions of paragraph 55 are underpinned by the social role of sustainability referred to in paragraph 7 of the Framework. Paragraph 7 states, amongst other things, that new housing should be provided so as to be accessible to local services that reflect the community's needs and supports its health, social and cultural well-being.
13. This conversion scheme gains some support from policies promoting the reuse of previously developed land (PDL). However, the dwelling has not been identified as being needed for a rural worker or workers and it would be located in an area where there are few homes and at some distance from Cowfold's centre. This is a location with limited access to public transport facilities and Henfield Road does not have any footways at this point. Although there is a farm shop very nearby I consider that the occupiers of the dwelling would have limited access to a wide range of everyday local services and facilities. It is therefore likely that the occupiers of the dwelling would have a high dependency on private motor vehicle usage.
14. In accessibility terms I find that this dwelling would be in an isolated location. A consequence of this being an isolated location for a dwelling would be the making of unduly long and frequent motor vehicle trips. The making of those trips would be inconsistent with protecting the environment by minimising the need to travel by motor vehicle. I therefore consider that this is a factor weighing against the reuse of PDL in this instance. I am also of the opinion that the occupation of a dwelling would do little to enhance or maintain the vitality of Cowfold or any of the other settlements in the area, in terms of supporting local services and businesses.
15. I therefore conclude that the location of the dwelling would provide unacceptable access for its occupiers to everyday local facilities by a range of modes of transport and that the resulting dependency on private motor vehicle usage would be harmful to the environment. As the development would involve the provision of a home in the countryside, with poor accessibility to everyday local facilities, giving rise to undue reliance on private motor vehicle usage, there would be conflict with paragraphs 7, 17 (the seventh and eleventh core planning principles), 30 (facilitating the use of sustainable modes of transport) and 55 of the Framework. I also consider that there would be conflict with Policies 2, 26 and 40 of the HDPF because the conversion would involve development in the countryside, with there

being no justification for it being so located, and a choice of modes of travel would be unavailable.

Living conditions

16. The dwelling would be located amongst a group of farmyard buildings and currently those buildings are being used for some low intensity, hobby scale, farming activities or low key, domestic type storage. However, those buildings would be capable of being used more intensively for farming purposes. Additionally representations made on behalf of neighbouring farmers suggest that the barn immediately to the west of the abattoir, notated as 2 on some of the appeal documentation, together with some of the adjoining farmland is within the control of 'The Harry Hawkins Partnership' and is not under the appellant's sole control, with the appellant being a partnership member.
17. I consider, on the basis of the available evidence, that there is scope for the buildings in the vicinity of the proposed dwelling, most particularly building 2, to be used more actively than is the currently the case. More intense farming activity, particularly in connection with building 2's use, could generate noise and disturbance for the dwelling's occupiers.
18. It has been suggested that the occupiers of the dwelling could be affected by odours arising from the operation of the nearby slaughterhouse. However, I consider that there would be sufficient physical separation between the slaughterhouse and the dwelling for the latter's occupiers not to be unduly affected by the former's operation.
19. On the available evidence I conclude that there is potential for the occupiers of the development to experience unacceptable harm to their living conditions. Accordingly I consider there would be conflict with paragraph 17 (the fourth core planning principle) of the Framework because the development would not secure a good standard of amenity (living conditions) for its occupiers. While the third reason for refusal cites conflict with Policies 32 and 33 of the HDPF, I consider that not to be the case because those policies do not specifically address the protection of living conditions for the occupiers of new development.

Other Matters

20. The provision of one dwelling would make a very modest contribution to the supply of housing in the Council's area and this development would therefore give rise to some limited economic and social benefits. However, I consider that those modest benefits would be outweighed by the social and environmental harm that I have identified.

Conclusions

21. I have found that the development would be harmful to the character and appearance of the area and the living conditions for its occupiers. I have also found that this would be an unacceptable location for a dwelling having regard to the limited accessibility to everyday local services and facilities. I consider that the imposition of reasonable planning conditions would not overcome the harm that I have identified.

22. I therefore conclude that because of the conflict with both local and national policy this would be an unsustainable form of development. The appeal is therefore dismissed.

Grahame Gould

INSPECTOR