
Appeal Decision

Site visit made on 8 January 2020

by I A Dyer BSc (Eng) MIHT

an Inspector appointed by the Secretary of State

Decision date: 29 January 2020

Appeal Ref: APP/Z3825/W/19/3235211

Land East of Pemberley, Mill Lane, Partridge Green, West Sussex RH13 8JU

- 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 Delcraven Ltd against the decision of Horsham District Council.
 - The application Ref DC/19/0656, dated 21 March 2019, was refused by notice dated 17 May 2019.
 - The development proposed is conversion of a Former Garage to a Holiday Let with Associated Parking.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. No address is provided on the application form. For ease of identification of the site I have used the address provided on the decision notice and added the post code supplied by the Post Office.
3. The appellant has sought an exemption from the Community Infrastructure Levy for this development. This matter lies outside the remit of this appeal.

Application for costs

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

Main Issue

5. The main issue is whether the proposal would be a suitable location for holiday accommodation with regard to planning policy.

Reasons

6. The appeal site lies in Littleworth, a hamlet close to Partridge Green, accessed by a track off Mill Lane, behind residential development fronting Littleworth Lane. To the west and south lie recently constructed dwellings. To the north lies a rear garden associated with one of the dwellings fronting Littleworth Lane. It is enclosed by substantial hedges and fences to the north, east and west. To the south, the boundary is more open, and consists of a low chain link fence. The other side of the chain link fence some shrubs have been planted, but these are immature.

7. The site contains a timber-clad shed-like building with an apex felt roof. The building was formerly an outbuilding associated with a dwelling known as Eastfield, which was demolished and replaced by Pemberley, the dwelling to the west of the site. Although the subject of a condition requiring its demolition in association with the development of Pemberley¹, the building and its associated hardstanding are the subject of a Certificate of Lawfulness².
8. Whilst the character of the location has altered over time to its current, semi-rural, nature, the site retains a quiet, secluded character, in keeping with its location on the edge of a small settlement, as the built-up area gives way to countryside.
9. Policy 1 of the Horsham District Planning Framework (excluding South Downs National Park) -2015- (the HDPF) supports sustainable development, whilst Policy 3 of the HDPF sets out the Council's Spatial Strategy and is broadly consistent with the aims of the National Planning Policy Framework – 2019- (the Framework) of promoting sustainable development by requiring development to be located where it will have access to supporting services and facilities.
10. The Council considers holiday lets, whilst restricted by planning condition, to be C3 residential accommodation. The proposal lies outside of any settlement boundary as defined within the HDPF and, whilst it lies in a semi-rural setting, is in the countryside for planning policy purposes.
11. However, the Framework does not impose a blanket restriction on development outside defined settlements, nor does it explicitly prevent the use of such boundaries. The appeal site is located in close proximity to existing dwellings and is not isolated and so the countryside location does not conflict with paragraph 79 of the Framework. Paragraph 78 supports new housing where it will enhance or maintain the vitality of rural communities and so, whilst the site is outside the settlement boundary, this in itself does not persuade me that the site is in an unsustainable location.
12. Littleworth is identified within the HDPF as an unclassified settlement, with few facilities and limited accessibility. The Council states that the development hierarchy within the HDPF is currently under review, and that Littleworth has been identified as a potential secondary settlement, although the settlement boundary has yet to be determined. The HDPF review is at an early stage and has yet to be found sound and so attracts limited weight.
13. Policy 10 of the HDPF encourages sustainable rural economic development and enterprise within the district in order to generate local employment opportunities and economic, social and environmental benefits for local communities. The policy states that, in the countryside, development which maintains the quality and character of the area, whilst sustaining its varied and productive social and economic activity will be supported in principle.
14. However, the policy contains certain provisos, including, amongst other things, that any development should be appropriate to the countryside location and must contribute to the diverse and sustainable farming enterprises within the district or, in the case of other countryside-based enterprises and activities, contribute to the wider rural economy and either be contained within suitably

¹ Council Ref DC/04/1585

² Council Ref DC/17/0883

- located buildings which are appropriate for conversion or result in substantial environmental improvement and reduce the impact on the countryside.
15. Policy 11 of the HDPF supports the development of rural tourist accommodation, subject to certain criteria being satisfied. These include the requirements that the development should be of a scale and type appropriate to the location and should increase the range, or improve the quality of accommodation, attraction or experiences for tourists, day visitors, business visitors, and residents in the District.
 16. The HDPF identifies that proposals will be supported that, amongst other things, reinforce the local distinctiveness and improve existing facilities; seek to ensure that facilities are available within the towns and villages in the district and are in keeping with their relationship with the urban area and countryside around them; or develop the opportunities associated with rural diversification and rural development initiatives, particularly where they assist farm diversification projects, benefit the local economy, or enable the retention of buildings contributing to the character of the countryside.
 17. Policy 26 of the HDPF seeks to protect the countryside from inappropriate development. It requires that any development should, amongst other things, be essential to its countryside location and enable the sustainable development of rural areas whilst being of a scale appropriate to its countryside character and location.
 18. Policies 10, 11 and 26 are broadly in accordance with the aims of the Framework that seek to promote a sustainable rural economy whilst protecting the intrinsic character and beauty of the countryside.
 19. The Horsham and District Visitor Accommodation Study -2016- (the HDVAS) identifies a District-wide rural need for additional holiday accommodation, which the proposal would contribute to addressing. However, development such as that proposed is still required to be acceptable in planning terms.
 20. The Council, in its reason for refusal, refers to "the specific requirements of tourists looking to spend quality time in the District". The experience of 'quality time' is a matter of individual experience. Given the range of leisure experience sought by individuals it is, from the evidence before me, likely that the proposal would fulfil the needs of some prospective occupants.
 21. The proposal would provide a holiday let unit, albeit small in size, which would contribute additional visitor accommodation in support of the rural tourist economy, which makes a significant contribution to the local economy. The development would be likely to provide support to local businesses, such as the local public house. However, given the limited services in the immediate vicinity it is likely that occupiers of the development would need to travel further afield to larger settlements to satisfy the majority of their day-to-day needs.
 22. The proposal would provide employment opportunities locally, associated with servicing the accommodation. However, such employment would be likely to be of a casual nature and the proposal would not provide a meaningful level of additional employment. I therefore consider that, given the scale of the development, the benefit to the local rural economy resulting from this proposal would be limited.

23. The appellant has an established business running holiday lets, in the form of yurts, at a nearby farm in his ownership. However, there is no evidence before me to link the appellant's farm with the proposal. The proposal before me is distant from the farm and does not represent the diversification of use of agricultural and other land-based rural businesses. Consequently, the proposal would not represent the circumstances where the Framework considers that great weight should be afforded to such development. However, irrespective of this, the proposal would contribute to the wider rural economy, as noted above. Whilst cited in the reason for refusal, I can find no direct requirement of policy for the proposal to be linked to an existing local business.
24. The building has been refurbished, but remains of a simple, shed-like appearance and there would only be minor changes to the appearance of the structure. It is of a fairly standard, unremarkable nature and it has no specific features relating it to the site within which it sits, nor the wider countryside. The building does not, therefore, make any meaningful contribution to the character of the countryside and is not, in that regard, worthy of retention.
25. Whilst a degree of activity would be associated with the building in its current use, the visiting residents would be likely to intensify activity and introduce the paraphernalia associated with occupancy, further increasing the urbanisation of this back land area. Whilst the proposal would be visually well-screened from the dwellings to the west, east and north, its presence and activity would still be noticeable from these properties. The site is more visible from the south, and, although additional planting could be provided to reinforce this boundary and make it less visually permeable, such planting would take some time to become established and there is no substantive evidence before me that sufficient screening would be achieved to address the matter successfully.
26. The increased urbanisation and intensification of activity on the site would alter its quiet, secluded character and would not result in substantial environmental improvement, nor be of a scale appropriate to its countryside character and location, as required by Policies 10 and 11.
27. My attention has been brought to the recent permission granted by the Council for the conversion of a stable block to two holiday lets³ (the stable conversion). This building lies to the north-west of the appeal site and would provide accommodation for visitors within the same catchment as the proposal. However, that building is of a more substantial nature with blackened timber cladding and a tiled roof of a vernacular readily associated with rural outbuildings. The former use and its relevance to its countryside location is readily identifiable from the layout, materials and features of the building.
28. Both parties have brought several recent decisions of the Council in regard to holiday let developments to my attention. However, other than that of the stable conversion, which I have addressed above, these developments are not within the immediate vicinity of the proposal and they are not part of the site context of the appeal scheme. I have, in any case, determined this appeal on its own merits.
29. Whilst permission has been granted in the vicinity for additional residential dwellings, these provide substantial residential units that contribute to the housing stock of the area, rather than providing holiday accommodation. I do

³ Council Ref DC/18/1827

not, therefore consider that these developments are contextually similar to the proposal before me.

30. Whilst the proposal would re-use an existing building, make more efficient use of land economically and make a limited contribution to the local economy, these limited benefits do not outweigh the harm that I have found above to the development plan when read as a whole.
31. I therefore conclude that the site is not a suitable location for holiday accommodation. The proposal would therefore be contrary to Policies 1, 3, 10, 11 and 26 of the HDPF in as much as the proposal does not satisfy the criteria of those policies that would make the proposal acceptable in planning terms.

Conclusion

32. For the reasons given above, and having regard to all other matters raised, the appeal is dismissed.

I Dyer

INSPECTOR