



Appeal Decision

Site visit made on 16 June 2020

by J Bowyer BSc(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24th June 2020

Appeal Ref: APP/Z3825/W/20/3247480

Pemberley, Copsale Road, Maplehurst, Horsham RH13 6QY

- 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 Ms B Wedekind against the decision of Horsham District Council.
 - The application Ref DC/19/2117, dated 16 October 2019, was refused by notice dated 24 January 2020.
 - The development proposed is the conversion of a barn to a two bedroom live work dwelling.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether or not the development would provide a suitable location for housing, having regard to its position within the countryside and its accessibility to services and facilities.

Reasons

3. Maplehurst is a small, rural village focused around the junctions of Copsale Road and Park Lane with Maplehurst Road. The appeal site is located to the west of Maplehurst, separated from the main village by a large open field. It is set to the rear of a small ribbon of dwellings which line Copsale Road, with access via an unmetalled track which runs to the side of Sheepwash Farm. An existing building on the site provides stables as well as storage space.
4. Policies 1, 2 and 3 of the Horsham District Planning Framework 2015 (HDPF) provide the Council's overarching approach towards new development. They establish a settlement hierarchy, and direct development to within specified towns and villages which have defined built-up areas to maintain and protect the district's rural character and distinctive settlement pattern, while meeting local needs and ensuring access to services and reducing the need to travel. Although not included within the reason for refusal, the Council's evidence also refers to HDPF Policy 4 as supporting expansion of settlements outside built-up area boundaries subject to certain criteria. These include a requirement that a site is allocated in the Local Plan or a Neighbourhood Plan and adjoins an existing settlement edge.
5. The Nuthurst Parish Neighbourhood Plan 2015 (NPNP) also steers new development to established settlements within the area, and at Policy 1 allows for very small scale infill development within the confines of settlements which include Maplehurst.

6. Under HDPF Policy 3, Maplehurst is an 'unclassified settlement' which are noted as settlements with few or no facilities or social networks and limited accessibility that are reliant on other villages and towns to meet the needs of residents. It does not have a defined built-up area, but the appeal site is separated from the main cluster of development by a large intervening open field, and is within the countryside in policy terms. It is not therefore a location where new development is generally supported by Policies 2, 3 or 4 of the HDPF or Policy 1 of the NNP.
7. The appellant has confirmed that the proposal is not intended for a rural worker. Accordingly, Policy 20 of the HDPF which allows new housing for rural workers outside of built-up area boundaries where there is a functional need for it to support an established viable rural business is not directly relevant.
8. Policy 26 of the HDPF relates to development within the countryside and I have found nothing within this policy to suggest that it does not apply equally to the conversion of existing structures as well as new buildings. It seeks to protect the rural character and undeveloped nature of the countryside outside of built-up area boundaries against inappropriate development, and requires that any proposal must be essential to its countryside location. No substantive evidence has been submitted to demonstrate that the development is essential to its location and the proposal would not therefore comply with this policy.
9. Paragraph 79 of the National Planning Policy Framework (the Framework) seeks to avoid isolated dwellings in the countryside unless one or more defined circumstances apply. These include at 79 c) that the development would re-use redundant or disused buildings and enhance its immediate setting. Given the proximity to nearby dwellings along Copsale Road and the edge of Maplehurst, I am satisfied that the development would not result in an isolated dwelling in the countryside. As such, there is no requirement that the proposal should fall within one of the circumstances outlined within paragraph 79. In any case, the evidence before me does not demonstrate that the building on the site is redundant or disused, nor that the proposal would prevent the building falling into disrepair and so it would not satisfy the conditions of paragraph 79 c).
10. Moreover, the existing building sits comfortably within its rural setting, and is largely screened from public viewpoints so that it is an unobtrusive feature in the surrounding area. The Council have not raised an objection to the design of the development or the impact on the landscape and I see no reason to disagree with this assessment. However, while the proposed design would be sympathetic to its rural surroundings and retain the appearance of the barn, this does no more than maintain the rural character of the area. The potential for enhancement to its setting is qualified by the absence of firm details on the scope or extent of suggested improvements through landscaping.
11. I note the appellant's comments that the appearance of the building would be significantly enhanced and reference to the use of high quality materials. Nevertheless, the evidence before me does not clearly demonstrate that the proposal would result in any notable improvement to the visual impact of the existing building or enhancement of its immediate setting. While the proposal would re-use an existing building, this in itself is not a compelling reason to allow development which would be contrary to the spatial strategy established within the development plan.

12. The site would be within reasonable walking distance of Maplehurst, and while this would involve journeys along narrow unlit roads without footpaths, distances would be fairly short. However, Maplehurst offers only a very limited selection of facilities, and although the appellant has referred to a bus route serving the village, I have no details of the frequency of this route. I note a greater range of services and public transport options within Southwater which the appellant advises is approximately 4 miles from the site. However, the distances involved mean it is unlikely that future occupiers would access these on foot or by cycle.
13. Opportunities to access services and facilities to meet the day-to-day needs of future occupiers by means other than the private vehicle would be very limited. I recognise that distances may not be excessive. The Framework also comments that opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and that sites to meet business and community needs in rural areas may have to be found in locations that are not well served by public transport. Even so, I find that future occupiers of the development would be likely to rely heavily on private vehicles. To this extent, there would be conflict with HDPF Policies 2 and 3 which seek to focus development in the most sustainable locations, and the environmental aims of paragraphs 8 and 102 of the Framework.
14. The potential contribution of the development to enhancing or maintaining the vitality of rural communities and supporting the rural economy is also limited by the small scale of the development and the restricted nature of services available within Maplehurst and the nearby area.
15. For these reasons, I am not satisfied that the development provides a suitable location for housing having regard to its position within the countryside and its accessibility to services and facilities. The proposal may be of small scale, but this does not obviate the resulting conflict with Policies 1, 2, 3 and 26 of the HDPF which together set out the strategic approach towards the location of development within the district.

Other Matters

16. The appeal site is adjacent to Sheepwash Farm which is a listed building. I have therefore had special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest in accordance with section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. Given the relationship of the appeal site to this building and that it would not affect the scale of the existing structure on the site I see no reason to disagree with the Council that the proposal would preserve the setting and significance of the building. However, the absence of harm weighs neither for nor against the proposal.
17. I have considered the examples of sites where permission has been given for the conversion of buildings within rural areas to dwellings put forward in support of the appeal. I have limited details of the proposals at Courtup Barn and Furzefield¹ and so cannot be certain that the circumstances are the same as the appeal before me. In addition, they were determined before adoption of the HDPF and so were subject to different policy considerations. The

¹ Application references DC/04/1788 and DC/12/1447

developments at Bassels Farm, Morelands Farm and Elenge Plat² concerned redundant buildings where there was potential for enhancement of their setting, with an additional potential fallback position relevant to the development at Morelands Farm. Proposals at Chalk Farm, Holme Farm, Beacon Hill Croft and New House Farm³ related to other settlements where the accessibility to services would differ from the appeal site, and at New House Farm it was additionally found that the development would support the viability of a farm enterprise.

18. I do not doubt that conversion of existing buildings to dwellings has contributed to the past supply of housing within the NPNP area. Nevertheless, from the information before me, I can draw little direct comparison between these examples and the circumstances of the appeal proposal which limits the weight I attach to these decisions. I have in any case determined the appeal on its own merits.

Planning Balance

19. The appellant's appeal statement suggested that the Council can not demonstrate a 5-year supply of deliverable housing sites, and refers to an appeal decision where the Inspector found for the purposes of that appeal that there was a supply of 4.8 years⁴. This decision predates the publication of the Council's Annual Monitoring Report in December 2019 which indicates that the Council can currently demonstrate a five-year housing land supply. I note that the emerging LPR is considering future housing targets, and that these are likely to increase, but the appellant has not provided substantive evidence to challenge the Council's current assessment of housing land supply. On the balance of the evidence before me, I am not persuaded that the housing land supply position indicates that the policies which are most important for determining the application would be considered out-of-date in accordance with the provisions at paragraph 11 of the Framework.
20. I have not been directed to an adopted development plan policy which specifically considers the conversion or change of use of buildings within the rural area to dwellings. However, I have found that the proposal would conflict with Policies 1, 2, 3 and 26 of the HDPF. These policies together set out the strategic approach towards the location of development within the district, and are applicable to the proposal. Given this, I do not find that there are 'no relevant development plan policies' in the terms of paragraph 11 of the Framework.
21. The main parties refer to draft policy within the emerging Local Plan Review 2018 (LPR) which indicates that conversion of agricultural, forestry or other rural buildings to dwellings will be supported where certain criteria are met. Whether or not the proposal would meet these criteria is not agreed between the main parties. Nevertheless, while I note the general support offered for the conversion of existing buildings within the countryside, the emerging LPR has not undergone examination and is subject to change. In accordance with paragraph 48 of the Framework, I can therefore attach no more than limited weight to this broad support at the current time.
22. The development would make effective use of an existing building to provide a two-bedroom dwelling which would add to the supply of housing and to housing

² Application references DC/17/2888, DC/16/2489 and DC/15/2447

³ Application references DC/17/2773, DC/15/1251, DC/18/0249 and DC/18/2329

⁴ Appeal reference APP/Z3825/W/19/3227192

choice within the rural area. Significantly boosting the supply of housing is a clear aim of the Framework, which also recognises the contribution that small and medium sized sites such as the appeal site can make to meeting housing requirements. In this regard I also note the appellant's indication that the site is available and deliverable now and can be built out relatively quickly. The delivery of housing is a benefit, and I recognise that the proposal would also contribute towards the allowance made for windfalls within the Council's assessment of housing supply. Nevertheless, the contribution would be limited by the small scale of the development, and this limits the weight that I give to these benefits.

23. There would also be some economic and social benefits associated with construction and occupation of the development which would offer some support to the rural economy and to maintaining the vitality of the rural community. However, the potential contribution has not been quantified, and would in any case be similarly limited by the scale of the development such that I afford this limited weight.
24. The proposed live-work accommodation may reduce future journeys by the appellant for work, to care for horses which are kept on land adjacent to the appeal site, or to maintain this land. However, I do not have details of the level of trips for these purposes, and so the significance of any reduction is not clear. In addition, there is no certainty that any future use of the adjacent land for horse grazing would continue to be by future occupiers of the proposed dwelling. Neither is there any assurance that occupiers of the dwelling would work from home. Moreover, even if the appellant were to work from home, the evidence before me refers to visits to the business by clients. Such visits may be no more than occasional, but have not been quantified and would result in some additional trips to the site. For these reasons, I am not satisfied that the overall level of comings and goings and vehicle usage associated with the appeal site would be reduced to any significant degree so as to represent a benefit weighing in favour of the proposal.
25. That there would be no harm to important views or the living conditions of neighbouring occupiers and that adequate parking could be provided are neutral factors which weigh neither for nor against the proposal.
26. Drawing matters together, I find that the benefits of the scheme, whether considered individually or cumulatively, do not outweigh the harm I have identified and the conflict with the development plan. The proposal would conflict with the development plan when it is read as a whole, and material considerations, including the Framework, do not indicate that the proposal should be determined other than in accordance with the development plan.

Conclusion

27. For the reasons given above, I conclude that the appeal should be dismissed.

J Bowyer

INSPECTOR