The Planning Inspectorate

Appeal Decision

Site visit made on 17 August 2020

by Andrew Bremford BSc (Hons) MRICS

an Inspector appointed by the Secretary of State

Decision date: 02 September 2020

Appeal Ref: APP/Z3825/W/20/3250265
The Old Piggery, Fryern Road, Storrington RH20 4BJ

- 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 Mrs J Meed against the decision of Horsham District Council.
- The application Ref DC/19/2433, dated 3 December 2019, was refused by notice dated 30 January 2020.
- The development proposed is conversion and alteration/extension of a barn to form a dwelling.

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are (i) whether the site would be a suitable location for the proposed dwelling having regard to local and national planning policies and accessibility to services and facilities; (ii) the effect of the proposal on the character and appearance of the area; and (iii) whether the proposal would accord with local planning policies that seek to resist development within the gap between Storrington and West Chiltington.

Reasons

Site and proposal

3. The appeal site is located to the east of Fryern Road outside of any defined built-up area boundary and within the countryside. It is accessed via an unmade track, which also serves other development, and comprises an existing barn that has previously been used for agricultural purposes. Based on the evidence before me the site is not allocated for development. The proposal is for the conversion and alteration/extension of the barn to form a dwelling.

Suitability of location

4. Paragraph 78 of the National Planning Policy Framework (the Framework) seeks to promote sustainable development in rural areas by locating housing where it would enhance or maintain the vitality of rural communities. Policies 2, 3 and 4 of the Horsham District Planning Framework 2015 (HDPF) are strategic policies which, amongst other things, set out the Council's overarching approach to locating new development. They establish a settlement hierarchy where development will be permitted, in principle, within towns and villages which have defined built-up areas. The spatial strategy

being to ensure that the needs of the community are met through sustainable growth and suitable access to services and local employment.

5. The supporting text to Policies 3 and 4 explains that the priority is to locate appropriate development within built-up area boundaries, whereas land outside these boundaries is considered to be in the countryside and development will be more strictly controlled. Taking into account that the appeal site is not allocated for development in a Local Plan or the Storrington, Sullington and Washington Neighbourhood Plan 2019 (SSWNP), and is within the countryside in policy terms, it is not, therefore, in a location where new development is generally supported by Policies 2, 3 and 4 of the HDPF.

6. Policy 26 of the HDPF seeks to restrict development outside of the District's built-up area boundaries. It establishes that any proposal must be essential to its countryside location and in addition, amongst other things either support the needs of agriculture or forestry or enable the sustainable development of rural areas. The proposal is for market housing. Furthermore, I have not been presented with any substantive evidence to indicate that the proposal would have any functional connection to the working of the surrounding land. Thus, it cannot be reasonably regarded as being essential to its countryside location.

7. In respect of paragraph 79 of the Framework, as the proposed dwelling would be in proximity of surrounding built form, I accept the appellant's view that it would not represent an 'isolated' home in the countryside.

8. Whilst not physically isolated in these terms the appeal site is not close to the sorts of services and facilities in the settlements of Storrington and West Chiltington Village and Common that would meet the day-to-day requirements of future occupants, which given the size of the proposed dwelling with its three bedrooms would be likely to include families. The centre of Storrington is around 0.82 miles away to the south and West Chiltington Village and Common is around 2 miles away to the north.

9. Access to these settlements from the appeal site would first be along the unmade and mainly unlit track, for a distance of approximately 300 metres, before joining Fryern Road, which before it enters the settlement boundaries of Storrington and West Chiltington Village and Common is an unlit highway with no footpath and subject to the national speed limit and so carries fast moving traffic. So, for future occupiers of the proposed dwelling, cycling or walking the distances to a settlement where there is a range of services and facilities would not be a safe or attractive prospect, especially outside the hours of daylight.

10. There is a bus stop located on Fryern Road adjacent to Melton Drive close to the settlement boundary of Storrington and another bus stop north of the appeal site on Fryern Road, from where hourly services operate to settlements where there is a range of services and facilities. However, these bus stops are some distance away from the appeal site and for the above reasons walking to them along Fryern Road would not be a welcoming prospect. The appellant points out that there is an alternative route to the bus stop adjacent to Melton Drive along a footpath, which mostly avoids Fryern Road, however it would be a significantly longer route, is mainly unlit and in places crosses fields and so is likely to be quite muddy in places following inclement weather. Therefore, given the distance involved the alternative route would be an unattractive option for pedestrians especially outside the hours of daylight.

11. Thus, by virtue of its location, the proposed dwelling would be detached from a range of services and facilities in the aforementioned settlements. Consequently, the future occupiers of the proposed dwelling would, for all practical purposes, have a high dependency on the use of a private motor vehicle. In this regard, therefore, the proposal would not adhere with Policies 2 and 3 of the HDPF which, amongst other things, seek to ensure that development takes place in the most sustainable locations as possible. It would also conflict with the environmental aims of paragraphs 8 and 102 of the Framework.

12. For the reasons outlined above, the appeal site would not be appropriate for the proposed dwelling having regard to its location in the countryside and its poor accessibility to a range of services and facilities.

13. Consequently, the proposed development would conflict with Policies 1, 2, 3, 4 and 26 of the HDPF. Taken together, and amongst other things, these policies seek to ensure that the needs of the community are met through sustainable growth and suitable access to services and local employment, with development focused within built-up area boundaries and require that development in the countryside is essential to its location. It would also conflict with the environmental aims of the Framework, and the relevant parts of the Framework which support a plan-led approach to new development including the use of strategic policies to address priorities for the development and use of land.

14. The main parties acknowledge that the HDPF does not contain any specific policies for the conversion of existing buildings within the countryside to dwellings. Policy 10 (Rural Economic Development) of the HDPF does provide some recognition of this subject insofar as stating that proposals for the conversion of rural buildings to business and commercial uses will be considered favourably over residential in the first instance. Nevertheless, I have found that the proposed development would conflict with Policies 1, 2, 3, 4 and 26 of the HDPF. These policies, taken together, establish the strategic approach towards the location of development within the district. Therefore, in this regard, they are all applicable to the appeal proposal.

15. My attention has been drawn to the fact that a draft policy regarding the conversion of rural buildings has been the subject of consultation as part of the Local Plan Review, Issues and Options – Employment, Tourism and Sustainable Rural Development, April 2018. The policy indicates that the conversion of agricultural or rural buildings to residential use will be supported where certain criteria are met. However, the emerging local plan has not undergone formal examination and is therefore subject to change. Thus, in accordance with paragraph 48 of the Framework, I afford only limited weight to the draft policy in considering this appeal.

Character and appearance

16. The existing barn is of a style and type that is typical of a rural area; being open sided to the front and built as a functional structure for agricultural purposes. Although located to the north of a cluster of other buildings it is mainly surrounded by open fields to the west and north and a dense mature wooded area to the east. Taking into account its form and location, the building and site positively contribute to the distinctive rural character and appearance of the area.

17. The proposal to convert the barn to a dwelling, with its porch, bi-fold doors and windows, would result in a building with domestic features. The conversion works would include the reconstruction of some external walls, the replacement of the roof covering with plain clay tiles and a pitched roof extension to the rear within the existing old piggery walls. Thus, as a result of the proposal, the form of the existing structure would be significantly altered so that it would appear residential in character.

18. Although there is an existing area of hardcore to the north of the barn the development would include new stone/slab patio areas and the formation of a vehicle parking area. I acknowledge the appellant's point that the nature of the hard surfacing could be controlled by planning condition. However, irrespective of this the proposal would still likely introduce associated domestic paraphernalia and so would change the overall appearance of the site.

19. Consequently, notwithstanding the appellant's intention to use reclaimed materials where possible, overall, the proposed development, in this case, would not be sympathetic to the rural character and appearance of the site and its surroundings.

20. For these reasons, I conclude that the proposed development would cause harm to the character and appearance of the area and so would be contrary to Policies 25, 32 and 33 of the HDPF and chapter 12 of the Framework which collectively, amongst other things, seek to ensure that new development is sympathetic to local character.

Settlement gap

21. The appeal site is located within the green gap between Storrington and West Chiltington, as designated within the SSWNP, and between the built-up area boundaries of Storrington to the south and West Chiltington Common to the north. Policy 9 of the SSWNP states that development between Storrington and West Chiltington will be resisted in line with Policy 27 of the HDPF.

22. Policy 27 of the HDPF is a strategic policy. It states that landscapes will be protected from development which would result in the coalescence of settlements. It goes on to establish that development between settlements will be resisted unless it can be demonstrated that it would meet with its criteria.

23. Notwithstanding the location of the existing barn within the green gap, the proposed conversion of the building to a residential unit would not in itself, by virtue of the existence of the existing structure, result in any significant reduction in the openness and 'break' between Storrington and West Chiltington.

24. However, as noted above, the proposed development would result in a building that would appear residential in character. I recognise that the proposal is for only one new dwelling. Nonetheless, despite the proposal being relatively small scale, the effect of the proposed conversion works to the building, in combination with the patio and parking areas and likely introduction of associated domestic paraphernalia, would result in an urban form of development at the site. In this regard, it would conflict with criteria 2 of Policy 27 of the HDPF which seeks to resist development that would generate urbanising effects within the settlement gap.

25. The appellant contends that the proposal would make good use of an existing building. However, by virtue of the resultant urban appearance of the site within the distinctive rural character of the area, with its fields and dense mature wooded area, the development would not contribute to the conservation, enhancement and amenity of the countryside.

26. For the reasons outlined above, I conclude that the proposed development would conflict with Policy 27 of the HDPF which seeks, amongst other things, to resist development proposals that would have an urbanising effect within the settlement gap. It would also conflict with Policy 9 of the SSWNP, which seeks to resist development within the green gap between Storrington and West Chiltington in line with Policy 27 of the HDPF.

Other Matters

27. My attention has been drawn to the fact that the appeal building is approximately 127 metres from West Wantley which is a grade II* listed building. It is therefore incumbent upon me to pay special regard to the desirability of preserving the setting of this designated heritage asset in accordance with section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. Taking into account the distance involved, the intervening dense mature wooded area, and the existence of other buildings between the appeal site and the listed building, the proposed development would not harm the immediate setting of the heritage asset.

28. I note that the appellant refers to other apparently similar developments in the area and says that such proposals were considered to be acceptable against paragraph 79 of the Framework. However, in this case, the proposed dwelling would not represent an 'isolated' home in the countryside and hence it cannot be said that the appeal proposal is directly comparable to these other developments.

29. The appellant also refers to another planning application[1], in proximity to the appeal site, for an apparently similar proposed change of use of a redundant agricultural building to a dwelling, where the recommendation in the planning committee report is to grant planning permission subject to appropriate conditions. However, I note that in regard to this other planning application the site is separated from existing built development and the Council consider that paragraph 79 of the Framework is engaged, which it is not in this case. So, irrespective of whether or not the Council approve the planning application, I do not consider that the appeal proposal is directly comparable to this other planning application for an apparently similar scheme.

30. My attention has been drawn to the recently allowed appeal[2] at Copped Hall Farm, north of Billingshurst. Whilst I note the findings of the Inspector in that case, the site is not within the same context as the appeal site given that it is some distance away and hence it cannot be said that the character and appearance context is identical. Furthermore, the site at Copped Hall Farm is not located within the green gap between Storrington and West Chiltington and therefore it cannot be said, in this regard, that its location is directly comparable to that of the appeal proposal. In any event, the fact that apparently similar development has been granted planning permission is not

[1] Local Planning Authority Reference: DC/19/2331
[2] Reference: APP/Z3825/W/20/3246693

justification to allow a proposal which would be in an inappropriate location having regard to its position in the countryside and its poor accessibility to a range of services and facilities; have a harmful effect on the character and appearance of the area; and, have an urbanising effect within the green gap between Storrington and West Chiltington.

31. I have determined the appeal proposal based on the circumstances of the site, on the evidence before me and on its individual planning merits. None of the other matters raised alter or outweigh my overall conclusion on the main issues.

Planning Balance and Conclusion

32. The appellant contends that the Council is presently unable to demonstrate a five-year supply of housing land. I have been referred to an appeal decision[3] in October 2019 where the Inspector found for the purposes of that appeal that there was a 4.8-year supply of deliverable housing sites. However, as part of this appeal, the Council has confirmed that it does have a five-year housing land supply as set out in its latest 'Authority Monitoring Report' published on 31 December 2019. It post-dates the October 2019 appeal decision and confirms that the Council can demonstrate a 111% or 5.54 years' housing land supply.

33. The appellant refers to the housing targets contained within the draft Local Plan[4], which has not yet undergone examination and is therefore subject to change, and states that having regard to the projections contained therein, the Council's current housing provision is "borderline". However, the appellant has not presented me with an alternative figure that would lead me to take a different view on the Council's latest published position. I conclude, therefore, that the evidence before me does indicate that more than a five-year supply of deliverable housing sites for the area can be demonstrated. Consequently, paragraph 11 d) of the Framework is not engaged.

34. Paragraph 47 of the Framework states that planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

35. The appellant considers that the proposal would be a windfall development which would contribute towards meeting the Council's housing requirement, noting that the SSWNP confirms that at least 146 new homes are needed within the Parish over the plan period. The framework seeks to significantly boost the supply of homes and indicates that small and medium sized sites can make an important contribution to meeting the housing requirement of an area and are often built-out relatively quickly. However, the provision of one new dwelling would be a modest contribution to the Council's housing land supply.

36. I have found that the site would not accord with the strategic policies of the development plan in terms of the approach to growth in the District, and so would not be an appropriate location for the proposed dwelling. Furthermore, I have found that the proposed development would cause harm to the character and appearance of the area and would have an urbanising effect within the settlement gap. I afford significant weight to these matters in my decision, noting conflict with both development plan and Framework policies.

[3] Appeal Reference: APP/Z3825/W/19/3227192
[4] Horsham District Local Plan 2019-36, Public Consultation (Regulation 18), February 2020

37. Even if the Council is unable to demonstrate a five-year supply of housing land, the considerable identified adverse impacts of the proposed development would significantly and demonstrably outweigh the modest benefits, when assessed against the policies in the Framework taken as a whole.

38. The proposed development would be contrary to the development plan and this conflict is not outweighed by other material considerations, including the provisions of the Framework. Accordingly, for the above reasons, and taking into account all other matters raised, I conclude that the appeal should be dismissed.

Andrew Bremford

INSPECTOR