
Appeal Decision

Site visit made on 12 April 2021

by Nicola Davies BA DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 April 2021

Appeal Ref: APP/Z3825/W/20/3258792

The Pump House, Dorking Road, Warnham West Sussex RH12 3RY

- 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 Mr Roger Hodgson against the decision of Horsham District Council.
 - The application Ref DC/19/2103, dated 10 September 2019, was refused by notice dated 18 February 2020.
 - The development proposed is change of use of building for residential holiday-let.
-

Decision

1. The appeal is allowed and planning permission is granted for the change of use of building for residential holiday-let at The Pump House, Dorking Road, Warnham West Sussex RH12 3RY in accordance with the application Ref DC/19/2103, dated 10 September 2019, subject to those conditions listed in the attached schedule.

Main Issue

2. The main issue is whether the proposal would be a suitable location for holiday-let accommodation having regard to the development plan.

Reasons

3. Policy 1 of the Horsham District Planning Framework (2015) (the HDPF) supports sustainable development whilst Policy 3 of the HDPF sets out the Council's Spatial Strategy requiring development to be located where it will have access to supporting services and facilities. The proposal lies outside of any settlement boundary as defined within the HDPF and is in the countryside for planning policy purposes.
4. 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. However, this policy contains criteria. Amongst other matters, any development should be appropriate to the countryside location and must contribute to the diverse and suitable 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 located

- buildings which are appropriate for conversion or result in substantial environmental improvement and reduce the impact on the countryside.
5. Policy 11 of the HDPF supports the development of rural tourist accommodation subject to specific criteria being satisfied. This includes the requirement that 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 visitor, business visitors, and residents in the district. Support will be given to proposals that, amongst other matters, 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; develop the opportunities associated with rural diversification and rural development initiatives, particularly when they assist farm diversification projects, benefit the local economy, or enable the retention of buildings contributing to the character of the countryside.
 6. Policy 26 of the HDPF seeks to protect the countryside from inappropriate development. Amongst other matters, development should support the needs of agriculture or forestry and enable the sustainable development of rural area whilst being of a scale appropriate to its countryside character and location.
 7. The Horsham District Hotel & Visitor Accommodation Study (2016) identifies a district-wide requirement for additional tourism and visitor accommodation. However, development such as that proposed is still required to be acceptable in planning terms.
 8. The building would be converted without significant changes to the appearance of the structure. Visitors would intensify activity at the appeal site albeit there would already be a degree of activity associated with the building in its current storage use. Its use as holiday-let accommodation would likely introduce some outdoor paraphernalia associated with occupancy. However, part of the associated land is hardsurfaced and given the limited amount of land that would be associated with the holiday-let accommodation this would limit the amount of outdoor paraphernalia at the site.
 9. The site is situated close to existing residential dwellings with large gardens that host outbuildings and forms part of this group of existing development surrounded by countryside land. As such, the proposal would not undermine the quality and character of the wider rural area and being a conversion of an existing building, would be of a scale appropriate to its location. Consequently, I consider the proposal would not be substantially visually harmful in this location. Therefore, it would be appropriate development in the countryside even if it would not bring about a substantial environmental improvement.
 10. The appellant advises that the proposal would represent farm diversification and explains that The Pump House forms part of Red Oak Farm that the applicant's family have owned for over 70 years. Pasture is let out to a tenant farmer and a cottage on the farm is also let with these rents supporting the cost of maintaining and improving the landscape. A further source of income is the single farm payment agricultural subsidy. All profits from the farming operations and income from subsidies have been reinvested into the maintenance of the land and woodland that relate to the farm. Whilst the

Council contend that the appellant does not himself farm the land, tenant farmers can work farmland on behalf of owners. As such, owners and tenants work together, therefore, the business should be considered as a whole and not as separate entities.

11. In the short-term the owners require income to fund basic maintenance projects, removal of diseased trees within the woodland and replanting with native species, although some of the latter may be offset by the sale of firewood. In the long-term the vision is to gradually transition to 'rewilding'. The appellant has provided an overview of the current running costs and planned improvement project and their approximate costs. Although there is a small profit presently, it is advised that there is the possibility of losing current income sources from grazing and subsidy in the future due to a tenant farmer retiring and Brexit. Rental income from a building that has recently received planning permission for conversion at the farm combined with the rental income from the proposed holiday-let accommodation could offset the loss from current income sources and would provide money annually towards improvement projects.
12. Despite the information provided by the appellant the Council contested that the proposed holiday-let accommodation would not form part of a farm diversification programme. It is said that no substantive information has been provided as to how the accommodation would contribute to the farm enterprise other than to provide a contribution towards maintenance. The Council argues that the information does not demonstrate a direct link between the proposal and the farming enterprise either physically or contextually. Whilst the building may have been used for storage, The Pump House forms part of the land associated with Red Oak Farm. On the evidence available to me I do not share the Council's views on these matters.
13. The Council contends that the proposal has not demonstrated that the proposed holiday-let accommodation would meet with the specific requirements of tourists looking to spend quality time in the district. Despite Policy 11 of the HDPF seeking to promote and increase the range of tourism within the district, the Council consider that the appellant should demonstrate that the proposed location would be one where there is local distinctiveness or appeal for tourists which would justify the grant of a holiday-let in this location. However, on my reading of the development plan policies cited in the Council's decision notice, they do not require there to be a need demonstrated why a particular site would have a draw for visitors or call for holiday-let accommodation to meet specific requirements of tourists looking to spend time in the district. Furthermore, whilst it is contended that Policy 11 requires development to 'improve the quality of experiences', the Council does not explain why the proposal might not achieve this.
14. The development hierarchy within the district seeks to locate development in accordance with a settlement hierarchy. Policy 11 of the HDPF offers support for tourism facilities provided they are in keeping with their relationship with the urban area and countryside around them. This reflects paragraph 83 of the National Planning Policy Framework (the Framework) that supports a prosperous rural economy and that encourages rural tourism that respects the character of the countryside. Visitors accessing services and facilities and those servicing the holiday accommodation would rely on private vehicle. However, the existing storage use would generate some level of vehicular

movements and the vehicle movements associated with the proposed use are likely to be relatively low. I do not consider the conversion of this existing building to holiday-let accommodation would significantly undermine the aims of Policies 1 and 3 of the HDPF in this case.

15. The Council has referred me to an appeal decision (Ref APP/Z3825/W/18/3210560) where that Inspector considered that a holiday let represented a form of housing, being a use falling within Class C3 (dwelling house). Indeed, the Council considers the proposal would be a Class C3 development. An unrestricted dwelling in this location would not represent rural economic development. It is clear to me that the appellant intends to utilise the residential accommodation for holiday accommodation tourism purposes. I have found, for those reasons set out above, holiday-let accommodation at the site to be acceptable. However, to ensure that the building would be utilised for such purposes a holiday-let use only occupancy condition would be necessary to make this development acceptable in planning terms.
16. The Council has provided three other appeal decisions that relate to the provision of accommodation for visitors. However, two of those proposals did not relate to farm diversification or other land-based rural businesses, therefore, different considerations will have applied to those cases. Whilst one related to equestrian tourism, that proposal was found unacceptable in relation to the rural character of the area and on highway safety grounds.
17. For the above reasons, I conclude that the proposed site is a suitable location for holiday-let accommodation. The proposal would, therefore, not materially conflict with Policies 1, 3, 10, 11 and 26 of the HDPF and, therefore the proposal would satisfy the requirements of the development plan.

Other matters

18. Concern has been expressed that immediate neighbours had not been notified of the planning application, although it appears knowledge of the application came to the attention of local occupiers, and I have had sight of representations made to the local planning authority pertaining to the planning application.
19. The Pump House is close to a listed building, however, the proposal would not have a direct impact upon the listed building. As I have previously noted, part of the associated land is hardsurfaced and given the limited amount of land that would be associated with the holiday-let accommodation this would limit the amount of outdoor paraphernalia at the site. I do not, therefore, consider the proposal would cause substantial harm to the setting of the listed building.
20. The proposal would increase traffic using the narrow single-track lane and parking within what is said to be a turning area could restrict space within the turning area. The proposal would not create a significant intensification in the use of the building and that of the access lane, therefore the risk to the safety of those using the lane would be low. Parking at the turning head may reduce turning space, however the Council's technical highway advisers have not raised this as a matter of concern. On the available evidence I cannot clearly conclude that turning would be appreciably more problematic as a result of the proposed development.

21. Local concern has been expressed to the holiday-let accommodation use impacting upon the peace and tranquillity of the area, users could be poorly behaved and that there would be a reduction in the area's security. There is no substantive evidence before me that would substantiate these concerns. It has also been pointed out that the property is not connected to any services, albeit there is no clear indication that would indicate that satisfactory connection could not be achieved. It has also been highlighted that great crested newts are present at a pond within a neighbouring property, however the proposal would not have a direct impact upon that pond.
22. Although windows within the development would allow for observation toward neighbouring properties, the lane separates The Pump House from neighbouring occupiers' properties. I do not consider the observation that could occur would be so substantially harmful to the living conditions of neighbouring occupiers to justify dismissal.

Conditions

23. I have considered the planning conditions suggested by the Council in light of paragraph 55 of the Framework and the advice in the Planning Practice Guidance. In some cases, I have adjusted detailed wording and/or merged conditions in the interest of clarity and to reflect the Guidance.
24. I consider the standard time limit condition to be appropriate and in the interests of certainty, it is appropriate that there is a condition requiring the development to be carried out in accordance with the approved plans (conditions 1 and 2).
25. Condition 3 is required to prevent an unrestricted dwelling house in the countryside that would run contrary to the Council's strategy for growth.
26. Condition 4 is necessary to ensure the site is properly served by drainage. Given the proposal relates to an existing building, I consider this matter can be adequately dealt with before the development is occupied by visitors, rather than prior to the commencement of any development connected with the change of use.
27. Conditions 5 and 9 are required to improve the sustainability of the development. Conditions 6 and 7 are necessary to ensure the development would have satisfactory parking associated with its intended use. Condition 8 is required to ensure there would be satisfactory waste storage associated with the use. Condition 10 relating to materials is necessary in the interests of the character and appearance of the area. Condition 11 is required in the interests of the living conditions of neighbouring occupiers.

Conclusion

28. Having regard to the above findings, the appeal should be allowed.

Nicola Davies

INSPECTOR

SCHEDULE OF CONDITIONS

1. The development hereby permitted shall commence before the expiration of three years from the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the approved plans listed KP2, KP3 AND KP4.
3. The holiday-let accommodation hereby permitted shall only be occupied/operated as holiday accommodation and shall not be occupied by the same individual, family or group for more than four consecutive weeks in any eight week period commencing with the first day of letting or by the same individual, family or group for more than four weeks in any twenty six week period commencing with the date of the first letting to their individual, family or group.
4. A drainage strategy detailing the means of foul and surface water disposal to serve the development, shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved drainage strategy prior to the holiday accommodation hereby permitted first coming into use and shall thereafter be retained as approved for the lifetime of the development.
5. Details of the optimal standard for water usage across the development shall be submitted to and approved in writing by the local planning authority. The development shall be carried out to meet the approved optimal standard for water prior to the holiday-let accommodation hereby permitted first coming into use and the water limiting measures shall thereafter be retained as approved for the lifetime of the development.
6. A plan showing the layout of the proposed development and the provision of car parking spaces for vehicles including electric vehicle charging point(s), shall be submitted to and approved in writing by the local planning authority. The parking layout/details as agreed shall be implemented in full prior to the holiday-let accommodation hereby permitted first coming into use and shall thereafter be retained as approved for the proposes of parking of vehicles for the lifetime of the development.
7. Details of cycle parking facilities shall be submitted to and approved in writing by the local planning authority. The cycle parking spaces as agreed shall be implemented in full prior to the holiday-let accommodation hereby permitted first coming in to use and shall thereafter be retained as approved for the purposes of cycle parking for the lifetime of the development.
8. Details of refuse and recycling storage facilities shall be submitted to and approved in writing by the local planning authority. The refuse and recycling storage facilities as agreed shall be implemented in full prior to the holiday-let accommodation hereby permitted first coming in to use and shall thereafter be retained as approved for the purposes of refuse and recycling storage for the lifetime of the development.
9. Prior to the first occupation of the holiday-let accommodation hereby permitted, the necessary in-building physical infrastructure and external site-wide infrastructure to enable superfast broadband speeds of 30 megabytes per second through full fibre broadband connection shall be provided.

10.The materials to be used in the development hereby permitted shall accord with those indicated on the planning application form and the submitted/approved plans and details.

11.No external lighting or flood lighting shall be installed at the site.

END OF SCHEDULE