



Appeal Decision

Site visit made on 28 June 2021

by Martin Chandler BSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31 August 2021

Appeal Ref: APP/M1710/W/21/3272727

White Dirt Farm, White Dirt Lane, Horndean, Waterlooville PO8 0TN

- 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 Peter Ernest Homes against the decision of East Hampshire District Council.
 - The application Ref 29843/027, dated 22 September 2020, was refused by notice dated 22 January 2021.
 - The development proposed is change of use from commercial to residential dwelling.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. During the course of the appeal, a revised National Planning Policy Framework (the Framework) was published. As a consequence, the main parties were consulted on the implications, if any, for the appeal. Any comments received have formed part of my assessment of the appeal.

Main Issue

3. The main issue is whether the location of the appeal site is suitable for the development proposed, having regard to:
 - i) whether all reasonable efforts have been made to secure an employment or community use; and
 - ii) whether the building is of sound and permanent construction.

Reasons

Reasonable Efforts

4. Due to the location of the appeal site, Policy CP19 of the East Hampshire District Local Plan: Joint Core Strategy (2014) (JCS) establishes a policy of general restraint in order to protect the countryside for its own sake. In addition, regarding the conversion of buildings in the countryside, Policy C14 of the East Hampshire District Local Plan: Second Review (2006) (LP) and CP6 of the JCS require alternative uses, such as commercial or community use, to be considered first, and that all reasonable efforts have been made to secure a suitable long-term reuse of the building for such purposes, before residential use can be considered.

5. The proposal has been accompanied by marketing evidence that relates to the original group of former farm buildings. This report confirms that after a year of marketing, although some interest was generated, no offers were received. The report concluded that levels of interest in the area for commercial premises is at a low-level and that other locations appear to be more desirable. Based on the evidence before me, this report was used to support the conversion of the majority of the buildings on the site to a residential use, in accordance with the policy requirements set out above.
6. The marketing report makes very limited reference to the current appeal building, and a supplementary letter in support of this appeal, dated 27 January 2021, confirms that the building was marketed as being ancillary to the former farm building. The letter goes on to state that the building was not marketed independently due to its condition along with the lack of facilities that are provided. On the basis of this letter, it is apparent that no specific or targeted marketing has taken place regarding the appeal building.
7. It is understandable that the original marketing included the appeal building as something ancillary to the more dominant buildings on the site. At that time, the building would have been secondary in its nature to the broader cluster of buildings and it was reasonable to market them as a whole. However, what was previously an ancillary building, is now the main building of interest with the proposal solely relating to this structure. Accordingly, in my judgement, the requirements of local policy cannot simply be overcome by reverting back to a much broader marketing campaign. Indeed, the supporting letter directly states that with the benefit of electricity, kitchen and WC's, an office in this location could suit small businesses in the area. Caveats are then applied in relation to location and proximity to residential use, however, these are not based on active marketing, and instead represent professional opinion.
8. Such an opinion is valuable and may well prove to be correct. However, the requirements of local policy are clear, and on the basis of the evidence before me, in my judgement, the building has not been actively marketed to prove these assumptions to be valid. Accordingly, I conclude that all reasonable efforts have not been made to secure an employment or community use. Consequently, the proposal would fail to comply with Policy C14 of the LP and CP6 of the JCS, the requirements of which are set out above. This is a matter to which I attach substantial weight.

Sound and permanent construction

9. The appeal site is located outside of a settlement boundary and as a consequence, it is situated within the countryside. When seeking to convert buildings in the countryside, Policy C14 of the LP requires a structural survey to show that the building is of sound, permanent construction, is not derelict and can accommodate the proposed use without substantial reconstruction.
10. The existing building is a single storey structure with a flat roof. Its walls are constructed from blockwork with rendered facades. In accordance with Policy C14 of the LP, the proposal has been supported by a brief structural survey. This confirms that the existing walls are in fair condition and suitable for conversion, and that they are capable of supporting the necessary roof trusses for the proposed pitched roof. In addition, the existing concrete ground floor slab could be retained with an insulated screed to be installed above.

11. The Council accept that the survey is helpful to establish whether the building is of sound and permanent construction and that it is capable of conversion, and based on the evidence before me, I have no reason to disagree. However, in their opinion, it is suggested that this matter '*misses the point of the fundamental premise of rural conversions, which includes an assessment of whether a structure is worthy of conversion with regard to its current character, scale and condition.*' Despite this, this is not a specific requirement of local policy. The reasoned justification states that a building which is derelict or in an advanced state of disrepair is not considered suitable for re-use or conversion unless it is of historic or architectural interest, but for the reasons identified above, this does not apply to the appeal site.
12. Matters relating to character and appearance are assessed below, but in relation to this main issue, local policy simply requires demonstration that the building is of sound and permanent construction. For the reasons already identified, I conclude that this has been demonstrated, and as a consequence, the proposal would comply with the requirements of Policy C14 of the LP which are set out above.

Other Matters

13. The proposal would seek to clad the existing walls so as to harmonise with the recently converted buildings. In addition, a pitched roof would be added to the building to replace the existing flat roof. Despite the Council's general reservations with the proposal, the Council do accept that the development would result in a positive visual impact on the surrounding area. Based on the evidence before me, I have no reason to disagree. This is a matter that weighs in favour of the proposal, but due to its scale, it only attracts limited weight. The creation of an additional dwelling would also bring with it economic benefits as well as making a small contribution towards local housing supply. Nevertheless, again, due to the scale of the proposal, the weight in favour of the development is limited. Accordingly, these matters do not outweigh the policy conflict identified above.
14. Finally, although the appeal site is located in the countryside, it forms part of a cluster of buildings and is also adjacent to more established development. Accordingly, the appeal site is not isolated and therefore the requirements of Paragraph 80 are not applicable to this proposal.

Conclusion

15. I have found that the building is of sound and permanent construction and is therefore capable of conversion. Although this weighs in favour of the proposal, it does not alter nor outweigh my concerns regarding the flaws in the marketing of the appeal site. Accordingly, for the reasons identified above, the appeal is dismissed.

Martin Chandler

INSPECTOR