



Appeal Decision

Site visit made on 11 January 2022

by C Shearing BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 February 2022

Appeal Ref: APP/Z3825/W/21/3273486

Garrards, Cowfold Road, West Grinstead RH13 8LY

- 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 and Mrs P Hourigan against the decision of Horsham District Council.
 - The application Ref DC/20/2288, dated 19 November 2020, was refused by notice dated 22 January 2021.
 - The development proposed is 'Conversion and alterations to stable barn to create 3 x bedroom dwelling.'
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Decision

1. The appeal is dismissed.

Procedural Matters

2. During the consideration of this appeal the revised National Planning Policy Framework July 2021 (the Framework) has been published. The main parties have had the opportunity to comment on the relevance of the Framework to this appeal.
3. The West Grinstead Neighbourhood Plan has been subject to a referendum and has now been 'made'. The main parties have been able to consider the implications of the plan to their cases and I have dealt with the appeal on this basis.
4. Policies forming part of the Local Plan Review 2018 have been referred to by both of the main parties. As these policies are in draft and have not been subject to formal examination they attract only limited weight.

Main Issues

5. The main issues are:
 - i) Whether the site is in a suitable location for housing with particular regard to the settlement pattern and accessibility, and;
 - ii) Whether the development would provide an acceptable standard of living conditions for future occupants, with particular regard to noise disturbance, outlook and odour.

Reasons

Suitability of the Site for Housing

6. Policies 2 and 3 of the Horsham District Planning Framework 2015 (HDPF) contain the District's strategy for growth and seek to concentrate development within existing towns and villages in order to allow for growth that maintains and enhances the District's settlement pattern as well as the character of the rural landscape. The policies seek to ensure sustainable access to services and local employment and the supporting text confirms that accessibility (including access to public transport) is one of the attributes of a built up area which informs this approach.
7. The appeal site is in a distinctly rural location outside any defined settlement or built up area and it does not adjoin any existing settlement edge. The appeal site is a short distance from a cluster of buildings set around the former West Grinstead Station, which do not amount to a settlement as defined by the HDPF and which did not appear to provide any services which would serve a day to day local need.
8. During the time of my site visit I found Cowfold Road to be heavily trafficked with vehicles moving at relatively high speeds, including heavy goods vehicles. In combination with the absence of pavements and lighting in the vicinity of the appeal site, and varying degrees of grass verge along Cowfold Road, I found the road to be particularly unwelcoming to pedestrians and not conducive to a safe and attractive route for pedestrians walking in the carriageway or for cyclists. As a result it is highly likely that future occupiers of the site would be reliant on private cars to cater for their day to day needs, promoting an inherently unsustainable nature of development.
9. While the nearest settlements of Cowfold and Partridge Green are a short drive from the appeal site, based on the information available and the findings of my site visit, I understand the only reasonable means of accessing those settlements would be by private car. There is, therefore, a strong likelihood that the proposed development would be disconnected from the local rural communities and a likelihood of future occupants travelling further afield to accommodate their needs. From the evidence, I am unable to conclude that the proposals would serve to maintain or enhance the vitality of rural communities or support local services, as sought by paragraph 79 of the Framework.
10. In this context I consider the site to be poorly connected to nearby settlements and associated services and the proposals would undermine the Council's strategy in relation to the location of new housing which directs such development to existing settlements. Consequently, the proposals would conflict with the aims of policies 2, 3 and 4 of the HDPF. I also find the proposals to be in conflict with policy 26 of the HDPF as it has not been proven to be essential to its countryside location and would fail to meet the given criteria, of which one is to enable the sustainable development of rural areas. I therefore find that the proposals would cause harm to the settlement hierarchy through its unsustainable location.

Living Conditions of Future Occupiers

11. The proposed development would adjoin equestrian and agricultural uses which would exist beyond the appeal site. At the time of my site visit I found these activities to be relatively low intensity and the uses were served by small scale isolated stables within the fields. As such I consider the potential for noise disturbance to arise from the neighbouring uses to be low. The main source of noise at the time of my visit arose from vehicles on Cowfold Road which provided steady background noise. I note that the Council's Environmental Health Officer raised no objections to the proposals, and that other regulatory regimes, such as Building Regulations, would assist in delivering appropriate insulation to the building.
12. The appellant has confirmed that the existing stable building which exists immediately adjacent to the southern elevation of the building would be removed, and this is consistent with the supporting floor plans. As a result the outlook from the kitchen/ living room of the proposed house would be unobstructed and provide an acceptable level of outlook to future occupiers. As the nearest stable block would be removed and as the neighbouring land uses are relatively low intensity, I am satisfied that the future occupiers of the property would not be subject to significant disturbance through odours.
13. Overall I am satisfied that the future occupants of the property would benefit from acceptable living conditions, compliant with policy 33 of the HDPF insofar as it seeks to ensure that development is designed to avoid unacceptable harm to amenity and paragraph 119 of the Framework.

Other Matters

14. The Council have found the proposals would have an acceptable impact on the character and appearance of the area. Following my assessment I have no reason to disagree with this conclusion. However I do not consider the proposals to constitute an enhancement or visual improvement to the site, which is currently typical of a rural equestrian site. I consider the visual impacts of the development proposed to be neutral and this does not provide weight in favour of granting planning permission.
15. The main parties agree that the site is not an isolated location and therefore paragraph 80 of the Framework is not relevant to the consideration of this appeal. I do not agree that the provisions of paragraph 80c) necessarily support the principle of the appeal scheme, not only because it is not an isolated location, but because there is no evidence to suggest the buildings in question are redundant or disused, and the proposed alterations to the site have not been found to constitute an enhancement to the setting.

Planning Balance and Conclusion

16. I have found that the development causes harm to the settlement hierarchy through its unsustainable location, and I attach substantial weight to this harm. While I have found the proposals would provide an acceptable standard of living conditions to future occupants, this does not amount to a benefit that weighs in favour of granting planning permission.
17. The appellant has drawn my attention to appeal decisions from July and August 2021 which indicate that the Council does not have a 5 year land supply for housing. The Council has not disputed this. Accordingly, I must have regard to

paragraph 11 of the Framework as in this context the most important policies are considered out of date and planning permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.

18. In terms of benefits, the proposals would provide a new unit of accommodation which would contribute to the District's housing stock as part of the windfall supply. I note the appellant's comments that the new home could also be delivered quickly. While it is acknowledged that smaller sites can make an important contribution to meeting housing need, in this case the benefit of the development is limited to one new home and as such it would have a small impact in alleviating the housing shortage. As such I afford moderate weight to this benefit. I note that the West Grinstead Neighbourhood Plan does not include housing allocations and the proposals would contribute to the provision of housing in the area of the plan. However I do not consider that the absence of site allocations results in greater weight being afforded to the benefit of the additional unit.
19. The proposals would re-use previously developed land which is supported in part by policy 2 of the HDPF. However, by reason of the site's poor accessibility, the proposal does not comply with the overarching aim of policy 2 insofar as it requires sustainable growth and suitable access to services and local employment. I therefore find that the benefit of the use of previously developed land in this instance is limited to moderate weight.
20. I have had regard to the examples of decisions for conversions provided by the appellant. However I do not have evidence that the circumstances of those cases, in terms of their relationship to the surrounding settlements and lack of opportunities for sustainable transport are directly comparable to this appeal. While some of those decisions are useful in clarifying the extent of housing land supply, those appeals relate to schemes of a different quantum of development to this appeal and the outcome of the planning balance has been different as a result of the differing characteristics of those schemes. I do not therefore consider that they provide reason to alter my assessment of this appeal.
21. In light of the significant harm arising from the proposal in respect of its unsustainable location and poor accessibility by means other than private car to everyday shops and services, I find that the adverse impacts of granting planning permission in this case would significantly and demonstrably outweigh the benefit of the additional housing unit and use of previously developed land when assessed against the policies of the Framework as a whole.
22. It therefore follows that the appeal should be dismissed.

C Shearing

INSPECTOR