
Appeal Decision

Site visit made on 15 February 2022

by S Leonard BA (Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07 March 2022

Appeal Ref: APP/M1710/W/21/3282575

Monkwood House, Petersfield Road, Monkwood, Alresford SO24 0HB

- 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 Williams against the decision of East Hampshire District Council.
 - The application Ref 24421/020, dated 21 December 2020, was refused by notice dated 11 June 2021.
 - The development proposed is conversion of existing stables into four bedroom dwelling, including erection of single storey glazed linking structure.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. Since the refusal of the planning application, a revised version of the *National Planning Policy Framework* (the Framework) was published on 20 July 2021. I have taken the revised Framework into account where relevant to my decision.

Main Issue

3. The main issue is whether the appeal site is a suitable location for a dwelling house, having regard to access to services, facilities and public transport connections and local and national planning policy for the provision of housing.

Reasons

4. The site is located to the north of Petersfield Road, within open countryside to the southeast of Ropley. It lies to the north of Monkwood House, a two-storey dwelling, which, together with its outbuildings, benefits from a number of permissions amounting to a collective use of the buildings as 5 independent dwellings.
5. The site is occupied by two stables within a yard, which are accessed via an unmade bridleway lane which runs adjacent to the eastern site boundary. The access is shared with a detached single storey storage/shed building to the north of the site. There are paddocks and a manege to the north and west. The submitted information states that the stables were permitted for private non-commercial use in connection with the residential property at Monkwood House.
6. Policy CP2 of the *East Hampshire District Local Plan: Joint Core Strategy* (2014) (JCS) sets out the District's spatial strategy with respect to new development.

As a general rule this supports the Framework, and directs new development to the most sustainable and accessible locations in the District, in accordance with a hierarchy of settlements.

7. JCS Policy CP19 restricts development outside designated settlement policy boundaries to that with a genuine and proven need for a countryside location, such as that necessary for farming, forestry or other rural enterprises, in order to protect the countryside for its own sake.
8. The Council has confirmed that the site lies outside of any designated settlement boundary. Therefore, in planning policy terms, the site is located within the countryside. The appellant has not put forward any evidence that the proposed dwelling is required for agricultural, forestry or other rural based enterprise, or satisfies the other special justifications set out in Policy CP19. Therefore, without any clear circumstances to justify a dwelling, the site is not a suitable location for new residential development within the confines of this policy.
9. However, Policy CP19 is more restrictive in respect of new rural housing development than the Framework, and is not entirely consistent with the Framework aims of promoting sustainable development in rural areas by requiring housing to be located where it will enhance or maintain the vitality of rural communities. This diminishes the weight I attach to the conflict between the appeal scheme and Policy CP19.
10. JCS Policy CP6 and Saved Policy C14 of the *East Hampshire District Local Plan: Second Review* (2006) (LPR) are less restrained in respect of new housing in the countryside, and allow for the conversion of rural buildings to general residential use provided that other uses, including affordable housing, commercial/employment use, tourism facilities and accommodation, and community use, are not possible or are unsuited.
11. There is no disagreement between the main parties that, having regard to factors including the accessibility of the site, and its location adjacent to residential properties, community, large-scale business and affordable housing are not suitable alternative uses for the buildings. On the basis of the evidence before me, and my site inspection, I do not disagree.
12. Having regard to the requirements of Policies CP6 and C14, the appellant's view is that the buildings are not suitable, or viable, for commercial or tourism accommodation uses. The appellant also advances a case that the proposal accords with Paragraph 80 c) of the Framework, which allows isolated homes in the countryside which comprise the re-use of redundant or disused buildings and enhance the immediate setting.
13. However, I am not persuaded, on the basis of the evidence before me, that the existing stables are redundant, and that continued stable use or, alternatively, tourism accommodation, are not viable or appropriate alternatives to a residential use of the buildings.
14. I observed during my site visit, that the stables are laid out as, and still in use as stables, including the presence of a number of horses and stable paraphernalia. I saw nothing obvious in the appearance of the buildings to suggest that they are not suitable for this use.

15. The appellant states that commercial use of the stables has ceased, following the retirement of the residents of Monkwood House, and that the residents do not intend to use the buildings for personal equestrian use. It is the appellant's view that a commercial equestrian use would not be viable, for reasons including a limited provision of stables and on-site parking, and a lack of separate building for staff/administration facilities.
16. However, noting that the information before me is that the stables were previously run as a commercial enterprise, no cogent evidence has been provided to support the above view, such as marketing or viability information. Moreover, I saw on my site visit that there is a large amount of neighbouring paddock land, a manege, vehicular access and parking which is independent of the adjacent residential properties, and an adjacent detached storage building, all of which could reasonably support a commercial stables enterprise on the site.
17. Similarly, whilst the appellant states that there is no demand for the use of the stables for personal domestic use, this is not supported by any marketing or viability evidence.
18. Also, there is no demonstrable evidence before me that suggests that the buildings are not suitable or viable for conversion to living accommodation for tourism purposes rather than as an independent dwelling, particularly given the proximity of the appeal site to the South Downs National Park.
19. Furthermore, notwithstanding the above, I am not persuaded, on the basis of the evidence before me, that the appeal scheme would comprise a 're-use' of the existing stables. Saved Policy C14 requires the submission of a structural survey to demonstrate that the existing buildings are of sound, permanent construction, and can accommodate the proposed use without substantial reconstruction.
20. The letter submitted by the appellant dated 25 February 2021 by Douglas Kenney Structural Engineers and Building Consultants, refers to a building in the singular, and it is not clear which stable building is referred to. Moreover, limited factual is included in respect of the building's structural condition. In the absence of a full structural survey, assumptions are made regarding the depth of building foundations, which are qualified by a requirement for verification by trial holes. There is no evidence before me that this investigative work has been undertaken. As such, no evidence has been provided to demonstrate that the existing building is strong enough to be converted without new structural elements.
21. The stables comprise a simple, functional timber-framed construction whose walls largely consist of corrugated metal sheeting and timber boarding. The roofs comprise corrugated metal sheeting, which appears to be fragile in places, supported by timber trusses. Whilst the supporting letter acknowledges that the roof and walls are likely to require some strengthening works to support the proposal, no indication is given of the likely extent of such works.
22. I acknowledge that limited works, including strengthening and removing or repairing some elements of a building, can be permitted under conversion works. However, taking the above factors into account, and having regard to the evidence before me, including the lack of structural survey and the likely extent of the proposed building works, including an extension and elevational

alterations, I am not satisfied that the proposal would comprise a re-use of the building. As such, it would fail to meet the relevant criteria of JCS Policy CP6, LPR Saved Policy C14 and Paragraph 80 c) of the Framework.

23. LPR Saved Policy C14 states that the scale or location of the development should not lead to unsustainable travel patterns. I have therefore considered the location of the proposal having regard to paragraphs 79 and 80 of the Framework, and the Braintree caselaw¹, which concluded that the definition of 'settlement' within the context of Paragraph 80 is not defined, and that the Framework contains no definitions of a 'community', a 'settlement' or a 'village'. As such, whether a site is considered 'isolated' or not, will be a matter of fact and planning judgement for the decision-maker.
24. I have noted the Council's view on this matter. However, the site forms part of a sporadic development of residential and agricultural properties along Petersfield Road, which are interspersed and surrounded by large areas of undeveloped land, including agricultural and equestrian fields. I have no evidence before me that there are any community facilities and services or public transport connections within the hamlet of Monkwood, or within reasonable walking distance of the appeal site, and the nearest appear to be located within Ropley, approximately 2 miles to the northwest.
25. I find that the distance between the appeal site and the nearest community facilities and services, combined with poor access to public transport routes, and the rural and unlit nature of Petersfield Road, with its lack of footway edges, means that alternative modes of transport such as cycling and walking would be inconvenient. This would particularly be the case during the winter months, during darkness and inclement weather. As such, future occupants of the proposed dwelling would be reliant upon the private car to access day to day services, and my conclusion is that the appeal site would not comprise an accessible location for the purposes of Policy C14, and that the new dwelling would be isolated having regard to the Framework.
26. I have noted the appellant's intention that the new dwelling be occupied by retirees, who would be associated with a likelihood of less traffic movements compared to those of a working family. However, there would be no mechanism in place to restrict the occupancy of the dwelling. Also, given its proposed size, number of bedrooms, and living accommodation, including a "family bathroom", in addition to an en-suite shower room within the master bedroom, and a large open plan kitchen/dining room plus lounge, the property would be entirely suited to family accommodation.
27. Moreover, it is probable that the proposed development would remain long after the current personal circumstances cease to be material. For these reasons, I therefore find that this factor is not sufficient to justify the proposal having regard to the non-accessible location of the site.
28. Nor is there any cogent evidence before me to support the appellant's contention that the use of the stables for equestrian or tourism accommodation use would be likely to result in more unsustainable travel movements than those associated with the proposed dwelling.

¹ Braintree DC v SSCLG, Greyread Ltd & Granville Developments Ltd [2018] EWCA Civ 610

29. The appellant has drawn my attention to a March 2020 approval² for the subdivision of the dwelling at Monkwood House into 3 independent residential units, stating that this contradicts the Council's determination of the appeal scheme in respect of the principle of residential development in this location. However, the principle of development in that instance was in accordance with criterion d) of Paragraph 79 (now Paragraph 80) of the Framework which allows for the subdivision of an existing residential building within the countryside, even if that building is within an isolated countryside location.
30. For the above reasons, I therefore conclude that the appeal site is not a suitable location for a new dwelling, having regard to access to services, facilities and public transport connections, and local and national planning policy for the provision of housing. As such, the proposal would not accord with JCS Policy CP6, LPR Saved Policy C14, and the Framework, in so much as these policies and guidance seek to direct new development towards accessible locations and support the rural economy.

Other Matters and Planning Balance

31. My attention has been drawn to an allowed appeal³ in respect of a new dwelling in a rural location elsewhere in the District. The circumstances of this appeal are not directly comparable with those of the current appeal scheme in terms of site location and details of the scheme. Also, of significance to that appeal decision, was the existence of a fallback position of lawful development for 2 dwellings, which represented an important material consideration that carried significant weight for the purposes of the decision.
32. The appeal Inspector found that the conflict with the development plan in respect of the location of the proposal was outweighed by the reduction in the number of dwellings, and the potential biodiversity, landscaping, living conditions and sustainability benefits arising from the implementation of the proposal instead of the extant permissions. As such, this decision does not alter my conclusion in respect of the current appeal scheme.
33. The Framework supports thriving rural communities and significantly boosting the supply of homes. There would be modest social benefits in providing an additional dwelling, together with economic benefits as a result of the construction and occupation of the new dwelling. The proposal would also make a small contribution towards the District's housing supply, and it could be built out relatively quickly, having regard to paragraph 69 of the Framework. However, these benefits would not overcome the conflict I have identified in respect of the accessibility of the proposal.
34. Whilst the Framework encourages the effective use of land in meeting the need for homes, and requires the Council to approach decisions in a positive and creative way, these matters are not unqualified, and would not address or outweigh the aforementioned conflict that I have identified.
35. The Council has raised no objection to the appeal scheme in respect of matters including detailed design, impact on the character and appearance of the area, biodiversity, highway safety, parking, neighbour living conditions, living conditions of future occupants, energy efficiency, flood risk and drainage.

² Ref 24421/017

³ APP/M1710/W/20/3258256

However, these are requirements of current national and local planning policies in any case, and do not outweigh my conclusion on the main issue.

36. Nor am I persuaded by the appellant's reasoning that the proposal would harm the character and appearance of the countryside should the buildings be vacated and left to fall into disrepair.

37. Therefore, the conflict with the development plan is not outweighed by other considerations including the Framework.

Conclusion

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

S Leonard

INSPECTOR