



Appeal Decision

Site visit made on 17 May 2022

by J Reid BA(Hons) BArch(Hons) RIBA

an Inspector appointed by the Secretary of State

Decision date: 24 May 2022

Appeal Ref: APP/L3815/W/21/3284142

Annabel Barns, Chalk Lane, Sidlesham PO20 7LW

- 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 Perry Duffy of HD Developments against the decision of Chichester District Council.
 - The application Ref SI/20/02541/FUL, dated 1 October 2020, was refused by notice dated 18 June 2021.
 - The development proposed is single storey extension to existing office and storage building.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Mr Perry Duffy of HD Developments against Chichester District Council. This application is the subject of a separate Decision.

Preliminary matter

3. A revised location and block plan numbered C9/0199/00B was submitted with the appeal. As the plan has been updated to align with the other plans on which the Council made its decision, and as I do not consider that anyone's interests would be prejudiced, I shall consider it.

Reasons

4. The main issue is whether the proposed development would be acceptable in the countryside.
5. The appeal site is reached by the lengthy unclassified Chalk Lane from Keynor Lane, and it is situated in the rural area between Chichester and Selsey. The site is outside the settlement boundary of any settlement designated in the Chichester Local Plan: Key Policies 2014-2029 (LP), so it is, in policy terms in the countryside. The site includes an office and storage building that replaced formerly existing building/s at the site during or after about 2018, which was found acceptable by the Council on its merits.
6. LP Policy 1 reflects the presumption in favour of sustainable development in the National Planning Policy Framework (Framework) and aims to secure development that improves the economic, social, and environmental conditions in the area. In line with LP Policy 1, LP Policy 2 sets out the settlement

hierarchy for the District, and it explains that outside Chichester city and the designated Settlement Hubs, the Service Villages will be the focus for new development and facilities, amongst other things, to ensure good accessibility to local services and facilities. In the Rest of the Plan Area outside the Settlement Boundaries of the settlements listed in LP Policy 2, development is restricted to that which requires a countryside location or meets an essential local rural need or supports rural diversification in accordance with LP Policies 45 and 46.

7. LP Policy 45 states that within the countryside, outside Settlement Boundaries, development will be granted where it requires a countryside location and meets essential small scale, and local need which cannot be met within or immediately adjacent to existing settlements. LP Policy 46 applies to proposals for the conversion or re-use of a building in the countryside, so it is not relevant to the proposal.
8. The proposal would be roughly two thirds the size of the existing building, and its form and appearance would respect the existing building. The planning, design and access statement says that the proposal would enable the appellant to increase its staff from 3 to 6, and to expand the existing business. The appellant says that the business has supported employment within the District for the past 10 years, and that, since the completion of the existing building, due to its size, location, and internal office provision, it has allowed local businesses to operate from the locality of Sidlesham. However, there is barely any evidence to explain why the appellant's construction business, or any other business operating from the proposal, would need to be located in the countryside. So, the proposal would be unjustified development in the rural area, contrary to LP Policy 45. Moreover, as the site is less accessible than sites within or immediately adjacent to existing settlements, the proposal would be contrary to LP Policy 3 which seeks to support the sustainable growth of the local economy.
9. The proposal would satisfy the thrust of LP Policy 26, including the more efficient use of the underused employment site if the 2 criteria in the Policy were to be met. However, as this would be a neutral factor in the planning balance, it would not outweigh the conflict with adopted Development Plan Policies. Whilst the Framework aims to support a prosperous rural economy, and to enable the sustainable growth and expansion of all types of business in rural areas, as there is insufficient evidence to show that the proposal would need to be in the countryside, it could not be concluded that the proposal would be sustainable.
10. The appellant has suggested several planning conditions, including those for landscaping, external materials, cycle stores, and solar panels, but they would not be enough to make this unacceptable development acceptable. Due to its size and the activity associated with it, the proposal would reasonably be considered to be new development in terms of LP Policy 2. The benefits of the proposal including an increase in business rates would not outweigh the conflict with the aims of the Development Plan.
11. Therefore, I consider that the proposal would not be acceptable in the countryside. It would be contrary to LP Policies 1, 2, 3 and 45.

Conclusion

12. I have found that the proposed development would be contrary to the Development Plan when taken as a whole. The other considerations in this case, including the Framework, do not outweigh that conflict.
13. For the reasons given, the appeal should be dismissed.

J Reid

INSPECTOR