



Appeal Decision

Site visit made on 17 May 2022

by G Pannell BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 June 2022

Appeal Ref: APP/Z3825/W/21/3282850

Dyke Farm West Chiltington Road, PULBOROUGH, RH20 2EE

- 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 Mrs S Martin against the decision of Horsham District Council.
 - The application Ref DC/21/0474, dated 26 February 2021, was refused by notice dated 26 April 2021.
 - The development proposed is removal of metal store and carport. Conversion of barn to form two dwellings and construction of new carport with store.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Following the Council's decision, the National Planning Policy Framework (the Framework) was revised on 20 July 2021. The Council and appellant have had an opportunity to comment on the implications of these changes through their submissions.

Main Issues

3. The main issues are:
 - the effect of the proposed development on the character and appearance of the area; and
 - whether the proposed development would provide a suitable location for housing, having regard to the spatial strategy.

Reasons

Character and appearance

4. The existing buildings are accessed by passing through the former farmyard, which is now used as a parking area in association with a farm shop located towards the front of the site. The access then passes a number of other outbuildings, some of which appear to have formerly been used as stabling, and together with the farm shop form a relatively tight grouping.
5. The appeal buildings are part of a separate area which is distinct from the group of buildings at the front of the site. They sit within their own field and as a result of their overall scale are not visible from the frontage of the site.

6. This part of the site has a very different character to the farmyard with its expansive areas of hardstanding and car parking and is therefore more sensitive to change.
7. The conversion of the larger building would require the introduction of windows and doors and this would lead to a domestication of the building. The building currently has a number of narrow openings, just below the eaves of the roof and a single large opening at one end of the building. The openings within the building would be infilled as a result of the proposed conversion works, with the introduction of domestic scale door openings and the replacement of the windows which currently exist at the other end of the building. In addition, the existing timber boarding would also be replaced with a timber effect cladding which would have a more uniform appearance.
8. These works would alter the character and appearance of the building and would mark a stark contrast from the existing simple and low key form of the building, failing to maintain its utilitarian appearance.
9. In addition, the conversion to two dwellings would lead to a more intensive use of the site. This would include an associated increase in the level of hardstanding to introduce an access and parking spaces at either end of the building. The area to the front of the building would also need to be subdivided to provide two separate private amenity spaces. This would have the effect of eroding the open and rural character of the immediate area.
10. Whilst the Framework encourages the re-use of redundant buildings, it requires development to result in an enhancement to the buildings immediate setting. It also highlights the need for development to be sympathetic to local character. Therefore, the Framework does not alter my findings on the main issue.
11. It has been put to me by the appellant that additional landscaping within and along the boundaries would be a benefit arising from the proposal. However, this would not outweigh the harm arising from the subdivision of the site and the resultant loss of the openness that currently exists around the building.
12. In conclusion, the introduction of two dwellings in this location would alter the character and appearance of this rural site, resulting in an urban form that would intrude into the countryside, contrary to policies 25, 26, 32 and 33 of the Horsham District Planning Framework 2015 (HDPF) which together seek to ensure that proposals do not lead to a significant increase in the overall level of activity in the countryside and protect, conserve or enhance the key features of the landscape character area in which it is located. Designs should be based on a clear understanding of the local context and conserve or enhance the natural and built environment.

Appropriate Location

13. The appeal site is located between Pulborough and West Chiltington, but is outside of any defined settlement boundary. The Councils spatial strategy generally encourages development within existing settlement boundaries and that outside of these boundaries development will be more strictly controlled.

14. Policy 2 of the HDPF focuses development in and around the key settlement of Horsham and allows for growth in the rest of the district in accordance with the identified settlement hierarchy, whilst encouraging the effective use of previously developed land. It also seeks to manage development around the edges of existing settlements to protect the rural character and landscape.
15. Policy 3 of the HDPF identifies Pulborough as a larger village where there is a good range of services and facilities with reasonable bus services. It recognises that these settlements act as hubs for smaller villages to meet their daily needs but recognises there will be some reliance on larger settlements to meet some other requirements. West Chiltington Common is defined as a medium village where there are a moderate level of services and facilities and community networks, together with some access to public transport. These settlements are able to meet some day to day needs, with some reliance on larger settlements.
16. Paragraph 79 of the Framework promotes sustainable development in rural areas, through locating housing where it will enhance or maintain the vitality of rural communities. It recognises that groups of smaller settlements may support services in a village nearby. Paragraph 80 seeks to avoid the development of isolated homes in the countryside, unless the development would re-use redundant or disused buildings and enhance its immediate setting.
17. I have been referred to the Braintree ([2018] EWCA Civ. 610) and Bramshill ([2021] EWCA Civ 320) judgements. I have taken account that there are a number of dwellings located along West Chiltington Lane and therefore given its grouping with other dwellings the site is not isolated in the context of paragraph 80 of the Framework.
18. The nearby settlements of Pulborough and West Chiltington both benefit from a range of services, including schools, shops and public house. Despite these facilities I accept that occupiers of the proposed development would also have to travel onwards to the services and facilities within the nearby town of Horsham to access a wider range of shopping, healthcare, leisure and entertainment facilities.
19. There are several bus stops within a 5 minute walk of the appeal site and the evidence before me indicates that there is a regular bus service operating, in particular providing access to the railway station in Pulborough, which would allow for onward travel. Therefore, it would be possible for these services to be accessed via means other than the private car.
20. In this regard, I consider that the site is reasonably well located in terms of access to services, facilities and amenities and this would ensure sufficient choice of travel by modes other than the private car. As such, given the sites location close to the villages of Pulborough and West Chiltington and the services within them and the proximity, therefore, of onward travel options, I consider that the development accords with the aims of paragraph 79.
21. In conclusion, the appeal site is a suitable location for housing having regard to access to services and facilities and the scale of development would be appropriate to the characteristics and function of the nearest settlements. Therefore, in this regard the development accords with Policies 2, 3 and 4 of the HDPF which encourage the redevelopment of previously developed land and the expansion of settlements outside of built up area boundaries where the

level of expansion is appropriate to the scale and function of the settlement type. It would also accord with Policy 26 in this regard, as the proposal would enable the sustainable development of a rural area.

Other Matters

22. The appellant has made reference to a number of other developments that have been granted planning permission elsewhere within the district, however the characteristics of each site are different and the circumstances that applied to other cases may not be directly comparable to the appeal proposal.
23. In particular the cases I have been referred to have been highlighted to demonstrate where locations have been considered sustainable by the Council and therefore may not be subject to the same considerations in relation to character and appearance as the scheme before me.

Arun Valley Special Area of Conservation, Arun Valley Special Protection Area and Arun Valley Ramsar Site

24. The appeal site is located within the Sussex North Water Supply Zone, which includes supplies from groundwater abstraction which cannot, with certainty, conclude no adverse effect on the integrity of the Arun Valley Special Area of Conservation, Arun Valley Special Protection Area and Arun Valley Ramsar Site.
25. Developments within Sussex North must therefore not add to this impact and one way of achieving this is to demonstrate water neutrality. The appellant has submitted evidence of how the scheme could meet this requirement. However, the consideration of any measures to avoid or reduce the harmful effects upon the Arun Valley site and achieve water neutrality can only be taken into account at the Appropriate Assessment stage of Habitats Regulation Assessment.
26. As the competent decision-making authority, if I had been minded to allow the appeal it would have been necessary for me to complete an Appropriate Assessment for this scheme. However, as I am dismissing the appeal for other reasons, I have not taken the matter further.

Planning Balance

27. Common ground exists between the main parties that the Council can not demonstrate a five-year supply of housing, with the evidence from recent appeal decisions placing the shortfall at between 4.2 and 4.3 years. Therefore paragraph 11d of the Framework is engaged, whereby planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework, taken as a whole.
28. The development would give rise to some economic benefits during the construction phase and provide limited support to local services. There would be modest social benefits arising from the contribution to the Council's housing supply, noting the Framework highlights the contribution small and medium sized sites can make to meeting the housing requirement in the area.

29. Nevertheless, there would be unacceptable harm to the local environment in respect of character and appearance and the development does not result in an enhancement to the buildings immediate setting. Therefore, the identified adverse impacts of the development would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.

Conclusion

30. The proposal would therefore conflict with the development plan and there are no other considerations, including the Framework, that outweigh this conflict. For the reasons given above, I conclude that the appeal should be dismissed.

G Pannell

INSPECTOR