
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: 23rd June 2022

Appeal Ref: APP/Z3825/W/21/3282919

Wychwood Barn Brighton Road, Shermanbury, HORSHAM, RH13 8HE

- 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 S Hope against the decision of Horsham District Council.
 - The application Ref DC/21/0735, dated 26 March 2021, was refused by notice dated 18 June 2021.
 - The development proposed is conversion and alteration of barn to form dwelling. Retention of two small sheds for use as cycle and a bin 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:
 - whether the proposed development would provide a suitable location for housing, having regard to the spatial strategy; and
 - the effect of the proposed development on the character and appearance of the area.

Reasons

4. The appeal site is located between Partridge Green and Henfield, 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.
5. However, Policy 8 of the Wineham and Shermanbury Plan 2014-2031 (WASP) states that proposals for the development of redundant buildings will be permitted where the redevelopment would result in visual and environmental enhancement. The supporting text to the policy recognises that the area has had a legacy of converted former agricultural buildings and that it wishes to offer continued support for the re-use of existing built resources which minimise the impact on the character and area.

6. Whilst the parties agree that the site is not isolated, the neighbourhood plan policy accords with the support offered within paragraph 80 of the Framework which permits the development of isolated dwellings, where they involve the re-use redundant or disused buildings and enhance its immediate setting.
7. Therefore, the principle of converting the building to residential use finds support within policy 8 of the WASP and therefore I am satisfied that there would be no overarching conflict with the spatial policies of the HDPF.

Character and appearance

8. Policy 8 of the WASP requires development to result in visual and environmental enhancement. The existing building has a simple, utilitarian and typical agricultural appearance, which is characteristic of its use and rural location. The building is now in disrepair, having become redundant from its original use.
9. The conversion of the building would require the introduction of windows and doors and this would lead to a domestication of the building. The openings within the building would be infilled as a result of the proposed conversion works. This, in combination with the introduction of the doors with shutters and the pattern of fenestration which appears to have been designed to meet the internal room layout rather than to retain the simple utilitarian form of the building, 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.
10. The introduction of a dwelling in this location would alter the character and appearance of this rural site, resulting in an urban form that would intrude into the countryside. In addition, the proposed dwelling would lead to a more intensive use of the site. This would include an associated increase in domestic paraphernalia, with the effect of eroding the open and rural character of the immediate area.
11. 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.
12. In conclusion, the introduction of a dwelling 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 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.
13. The development fails to result in visual and environmental enhancement and does not positively respond to the tranquillity and distinctive rural character of the area nor does it respect the identity of the local context, contrary to policies 4 and 8 of the WASP in this regard.

Other Matters

14. 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.
15. 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.
16. 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

17. Common ground exists between the main parties that the Council can not demonstrate a five-year supply of housing, with recent appeal decisions putting the figure 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.
18. 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.
19. 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

20. 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