



Appeal Decision

Site visit made on 28 March 2023

by J White BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 May 2023

Appeal Ref: APP/Z3825/W/22/3307772

Honeywood House, Horsham Road, Rowhook, West Sussex RH12 3QD

- 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 Scott Davis of Aspire Developments Ltd against the decision of Horsham District Council.
 - The application Ref DC/22/1187, dated 22 June 2022, was refused by notice dated 18 August 2022.
 - The development proposed is demolition of tractor shed and cottage; erection of two dwellings; conversion and restoration of clock tower and stable building to form a dwelling; associated car parking and landscaping.
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Decision

1. The appeal is dismissed.

Applications for costs

2. An application for costs was made by Mr Scott Davis of Aspire Developments Ltd against Horsham District Council. This application is the subject of a separate Decision.

Main Issues

3. The main issues are:
 - whether or not the proposed development would provide a suitable location for housing having regard to the accessibility of services and facilities;
 - whether the proposed development would provide suitable living conditions for future occupiers of the proposed dwelling referred to as 'Grooms Cottage', with particular regard to noise and disturbance and privacy; and
 - the effect of the proposal on local biodiversity, having particular regard to bats.

Reasons

Suitability of the location

4. The appeal site lies within the substantial grounds of Honeywood House Nursing Home, which is located on Horsham Road to the north of Rowhook. Honeywood House is a former manor house, and the appeal site comprises a range of outbuildings to the west of the former manor house. The rural surroundings of the site are predominantly characterised by fields and

woodland interspersed with farm buildings, rural enterprises and isolated dwellings.

5. The Council's strategy for managing housing growth is set out under Policies 2, 3 and 4 of the Horsham District Planning Framework 2015 (the HDPF). These together seek to focus development in the main settlements and allow for growth in the rest of the district in accordance with the identified settlement hierarchy, set out under Policy 3. Policy 4 allows for the growth of settlements outside built-up area boundaries subject to certain criteria, none of which apply in this case.
6. There is no dispute that the site is located in the countryside for development plan policy purposes. Policy 26 of the HDPF seeks to protect the rural character and undeveloped nature of the countryside against inappropriate development. It requires proposals to be essential to their countryside location and additionally meet one of four criteria.
7. The National Planning Policy Framework (the Framework) states that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Further, that planning decisions should avoid the development of isolated homes in the countryside unless one of five listed circumstances applies, including that the development would re-use redundant or disused buildings and enhance its immediate setting.
8. It is established that 'isolated' in this context connotes a dwelling that is physically separate or remote from a settlement. Consequently, notwithstanding the previous Inspectors findings¹, given the sites location physically separate and remote from any settlement, the development would constitute the development of isolated homes.
9. Given the historic association of the clocktower and stable building with Honeywood House, a non-designated heritage asset, and their currently dilapidated condition, in my view, the re-use of these buildings would enhance their immediate setting, in accordance with paragraph 80c) of the Framework. However, the proposal includes the erection of two dwellings which cannot take support from this exception.
10. The site is located approximately 6.7km from Broadbridge Heath, which is a small town according to the HDPF with a good range of services and facilities. Rudgwick, a medium village according to the HDPF, with a moderate level of services and facilities, is approximately 4.8km from the appeal site.
11. Even though there is a bus service on Horsham Road, it lies about 700 metres to the north. The distance, lack of pavement or lighting along the road would discourage walking, particularly in the dark or during times of inclement weather conditions. Therefore, future occupants would likely be largely dependent on private vehicles for access to facilities and services to meet their day-to-day needs. I note that my view in this regard is consistent with the previous Inspector.
12. From the evidence before me and my own observations, I am satisfied that the site constitutes previously developed land (PDL) and note that this is not

¹ APP/Z3825/W/17/3183852

disputed by the Council, nor does the Council contend that the site is of high environmental value.

13. The Framework encourages the use of PDL and sites that are physically well related to existing settlements where suitable opportunities exist. Whilst the main parties agree the site is PDL, it is not physically well related to existing settlements.
14. The appellant referred to Policy 10 of the HDPF. However, this policy relates to rural economic development and states that proposals for conversion to business and commercial uses will be considered favourably over residential in the first instance. Beyond generalised assertions regarding suitability, there is no substantive evidence that commercial uses have been explored. The proposed development would not accord with this policy.
15. Overall, given its countryside location, I consider that future occupiers of the proposed development would be reliant on the use of the private car to make most of their journeys for local services and facilities. Consequently, the proposed development would be contrary to the spatial strategy aims of Policies 1, 2, 3, 4 and 26 of the HDPF which together seek to direct development to the most sustainable locations where occupants would have access to a range of goods and services, and to protect the rural character and undeveloped nature of the countryside. I return to consider the weight to be given to the conflict with these policies, including with regard to the supply of housing in my planning balance below.

Living conditions – future occupiers

16. Grooms Cottage would be arranged in a position perpendicular to the dwellings proposed in 'Coach House' and 'The Clocktower', to the southeast side of those proposed dwellings. Although a car barn and amenity area of The Clocktower would abut the rear and side elevation of Grooms Cottage, these elevations would contain no openings. As such, I am satisfied that there would be no material harm as a result of noise and disturbance.
17. The principal first floor windows of the Coach House would look northwest and, whilst there would be ground floor windows facing toward the garden area of Grooms Cottage, a new boundary would be formed around the garden. The detail of the new boundary treatment could be secured by a condition in the event planning permission is granted and would provide a level of privacy to the garden.
18. Whilst there would be windows in the southeast elevation of Coach House, those would be at an oblique angle to those in Grooms Cottage. Moreover, these windows would overlook a shared courtyard and as such there would be a mutual degree of overlooking. Overall, whilst the proposed dwellings would be closely arranged, I am satisfied that the relationship between them would not result in a poor-quality living environment for future occupiers of Grooms Cottage.
19. For these reasons, I conclude that, subject to a condition requiring landscaping, including boundary treatments, the proposal would provide acceptable living conditions for future occupiers of the proposed dwelling referred to as Grooms Cottage. The proposal would not therefore conflict with Policy 33 of the HDPF,

which amongst other things seeks to ensure development is designed to avoid unacceptable harm to amenity.

Biodiversity

20. The appellant provided a Bat Emergence Survey Report (BESR) with the appeal documents. The BESR advises that buildings within the appeal site support day roosts for common and soprano pipistrelle, brown long-eared and serotine bats and recommended mitigation measures to ensure the continued favourable conservation status of bats.
21. Having regard to the BESR, the Council stated that, subject to the mitigation measures proposed being secured by condition, sufficient information has been provided to demonstrate that the proposed development would have no adverse impact on protected species. From the evidence before me, I see no reason to disagree.
22. Therefore, subject to condition/s the proposed development would not be detrimental to maintaining the population of the species at a favourable conservation status in its natural range. Consequently, I find no conflict with Policy 31 of the HDPF, which amongst other things, seeks to prevent development where it is anticipated to have an adverse impact on sites or features for biodiversity. There would also be no conflict with paragraphs 174 and 180 of the Framework.

Other Matters

23. The appellant referred to several decisions, including appeals. Those permissions related to the conversion of buildings, including buildings at Broomlands Farm which were non-designated heritage assets, and Clemsfold Farm where the buildings were listed. These cases did not include the erection of dwellings and are therefore not directly comparable.
24. In terms of the appeal case relating to Rascals Farm this was on the edge of the settlement of Southwater and the case relating to land adjacent to Pucks Croft Cottage was on the outskirts of Rusper. Whilst I note the latter case was dismissed, both cases had a different spatial context and relationship in comparison to the scheme before me.
25. Those decisions made by other Local Planning Authorities are of negligible weight since they would have been considered under a different development plan policy context.
26. The appellant stated that there have been no objections from members of the public or from the Conservation Officer, Rudgwick Preservation Society and Rudgwick Parish Council. However, these are neutral matters which cannot outweigh my findings.

Planning Balance

27. There is no dispute that the Council cannot demonstrate a five-year supply of deliverable housing sites. Therefore, paragraph 11 d) of the Framework applies.
28. The tilted balance is engaged and that renders the most important development plan policies in this case out of date, but not irrelevant or without weight. Policies 2, 3 and 4 of the HDPF, taken together seek, amongst other

things, to reduce the need to travel, protect landscape and allocate land for development in a hierarchical manner. These policies predominantly follow the advice of the Framework and are therefore largely consistent with it in spatial terms. I consider that any conflict with these policies should retain substantial weight. Policy 26 of the HDPF is more restrictive than paragraph 80 of the Framework, whilst not entirely inconsistent, it reduces the weight I attach to it.

29. Whilst there is dispute in relation to the number of units, the parties agree that the appeal site has a previous residential use. However, I note that those units have not been needed for over six years and the staff flat in the nursing home is sufficient for the home's needs.
30. Staff would have undoubtedly been dependent on private vehicles for access to other facilities and services. However, in the absence of details about their occupation, including for example the number of occupants, I am not certain that this would be comparable to the regular comings and goings associated with the occupation of three dwellings capable of accommodating families. This is therefore a matter of limited weight.
31. Honeywood House is considered a non-designated heritage asset, with the appeal outbuildings contributing to the character and distinctiveness of the site as a whole. As already acknowledged the development would, in part, re-use redundant buildings and enhance their immediate setting and in my view the development would also make a positive contribution to the setting of Honeywood House. These are therefore matters of moderate weight in my assessment.
32. The appellant stated that the need for the development stems in part from the need to protect its future as a care provider, and as the buildings are no longer needed and present a health and safety and cost liability to the business.
33. It is evident from the appellant's submissions that the home has had several financially challenging years, in part due to circumstances associated with the COVID-19 pandemic and it seems that the priority maintenance could not be funded from basic income alone.
34. Nevertheless, it is evident that the funds generated would more than cover the costs of the priority maintenance. The appellant stated that this would give the nursing home financial security for at least ten years and confirmed that because of the charitable status of the home, there would be a requirement to ensure monies raised be used for the nursing home.
35. The nursing home provides a community facility and employment for 50 people and there would be economic and social benefits arising from its continued viability.
36. However, whilst I acknowledge the additional funds generated from the development would be advantageous, I am not satisfied, based on the evidence, that the scale of the development proposed is necessary to secure the future of the non-designated heritage asset and the nursing home. As such this is a matter of limited weight.
37. There would be a small social benefit in the provision of three dwellings. Moreover, the proposed dwellings would incorporate energy efficient measures, including electric charging points for vehicles. Trees would also be planted, and

the development would not be detrimental to maintaining the population of bat species at a favourable conservation status.

38. However, despite the acknowledged benefits, the proposed dwellings would not be in an accessible location and would result in the likelihood of a dependency on the use of the private car for access to services, contrary to the Council's spatial strategy for the district, and the aims of the Framework to limit the need to travel. This is a matter of significant social and environmental weight.
39. Overall, I find that the adverse impacts of the proposed development would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework when taken as a whole. Therefore, the proposal would not represent sustainable development. The material considerations do not justify making a decision other than in accordance with the development plan.

Conclusion

40. The proposal conflicts with the development plan and the Framework taken as a whole. There are no material considerations identified of such weight that indicate the decision should be made other than in accordance with the development plan. Therefore, for the reasons given, I conclude that the appeal should be dismissed.

J White

INSPECTOR