



PLANNING COMMITTEE REPORT

TO: Planning Committee

BY: Head of Development and Building Control

DATE: 25 January 2022

DEVELOPMENT: Conversion of stable building, previously approved for two holiday-lets, into a single dwellinghouse with associated alterations and provision of incidental garage and greenhouse

SITE: Land South of Littleworth Lane Littleworth Partridge Green RH13 8JU

WARD: Cowfold, Shermanbury and West Grinstead

APPLICATION: DC/21/2324

APPLICANT: **Name:** Mr Wayne Bayley **Address:** Holme Farm Orchard Winterpit Lane Mannings Heath RH13 6LZ

REASON FOR INCLUSION ON THE AGENDA: More than eight persons in different households have made written representations within the consultation period raising material planning considerations that are inconsistent with the recommendation of the Head of Development and Building Control.

RECOMMENDATION: To refuse planning permission

1. THE PURPOSE OF THIS REPORT

1.1 To consider the planning application.

DESCRIPTION OF THE APPLICATION

1.2 The application seeks full planning permission for the conversion of the existing building to a 3-bed dwelling, along with the construction of a detached double garage and store, and a greenhouse.

1.3 The proposal would involve limited external alterations to the existing building, albeit that new and replacement windows would be installed in the east and south elevations respectively. A flue to accommodate a wood burning stove would also be inserted in the northern roof slope. Internally, the proposal would provide a living/dining room, kitchen, 3no. bedrooms (one with en-suite) and a bathroom.

1.4 A detached double garage is proposed to the north-eastern corner of the application site, and would be oriented to face south. The proposal would measure to a length of 10.3m and a depth of 6m, and would incorporate a pitched roof measuring to an overall height of 5.5m. The proposal would provide open-fronted covered parking for 2no. vehicles along with a locked store.

- 1.5 A greenhouse is also proposed along the southern boundary of the site. The proposal would extend to a length of 6m and a depth of 3.8m, and would incorporate a pitched roof measuring to a height of 2.7m. The proposal would incorporate a brick plinth and glass above.

DESCRIPTION OF THE SITE

- 1.6 The application site is located to the south of Mill Lane, outside of any designated built-up area boundary. The site is therefore located within the countryside in policy terms. The site is located approximately 0.6km to the north of the built-up area of Partridge Green.
- 1.7 The site comprises a stable building and associated paddock which is subject of an extant planning permission for conversion to 2no. holiday-let units. The site is bound by post and rail fencing, and accessed via the existing entrance gate.
- 1.8 Linear residential development is located to the north and east of the application site, and this comprises the unclassified settlement of Littleworth.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT PLANNING POLICIES

- 2.2 The following Policies are considered to be relevant to the assessment of this application:

2.3 National Planning Policy Framework

2.4 Horsham District Planning Framework (HDPF 2015)

Policy 1 - Strategic Policy: Sustainable Development
Policy 2 - Strategic Policy: Strategic Development
Policy 3 - Strategic Policy: Development Hierarchy
Policy 4 - Strategic Policy: Settlement Expansion
Policy 7 - Strategic Policy: Economic Growth
Policy 10 - Rural Economic Development
Policy 11 - Tourism and Cultural Facilities
Policy 15 - Strategic Policy: Housing Provision
Policy 16 - Strategic Policy: Meeting Local Housing Needs
Policy 24 - Strategic Policy: Environmental Protection
Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
Policy 26 - Strategic Policy: Countryside Protection
Policy 31 - Green Infrastructure and Biodiversity
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
Policy 35 - Strategic Policy: Climate Change
Policy 36 - Strategic Policy: Appropriate Energy Use
Policy 37 - Sustainable Construction
Policy 38 - Strategic Policy: Flooding
Policy 40 - Sustainable Transport
Policy 41 - Parking
Policy 42 - Strategic Policy: Inclusive Communities
Policy 43 - Community Facilities, Leisure and Recreation

RELEVANT NEIGHBOURHOOD PLAN

2.5 **West Grinstead Neighbourhood Plan**

Policy 1 – Local Gap

Policy 4 – Green Infrastructure, Existing trees, Hedgerows, Habitats and Wildlife

Policy 6 – Broadband

Policy 9 – Car Parking

PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/18/1827

Change of use of existing stable building to 2no.
holiday-let units, with associated landscaping and
parking

Application Permitted on
24.10.2018

3. **OUTCOME OF CONSULTATIONS**

- 3.1 Where consultation responses have been summarised, it should be noted that Officers have had consideration of the full comments received, which are available to view on the public file at www.horsham.gov.uk

INTERNAL CONSULTATIONS

- 3.2 **HDC Environmental Health:** No response received

OUTSIDE AGENCIES

- 3.3 **WSCC Highways:** Access will be made via the existing access ways from Littleworth Lane with no changes proposed. It would not be anticipated that the proposed change of use would result in a material intensification of use, in highways terms, of the site when compared to the existing or other permitted uses.

The plans detail an open car port and hardstand area which would be considered suitable to meet the parking requirements of a dwelling of this size in this location. The adjacent store can provide a suitable cycle parking facility.

In conclusion, the Local Highways Authority does not consider that the proposal would have and an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore is not contrary to the National Planning Policy Framework (paragraph 111), and that there are no transport grounds to resist the proposal.

- 3.4 **WSCC Public Rights of Way:** No response received
- 3.5 **Southern Water:** Southern Water requires a formal application for a connection to the public foul sewer to be made by the Applicant or developer.
- 3.6 **Natural England:** Objection if the development is not water neutral

It cannot be concluded that existing abstraction within the Sussex North Water Supply Zone is not having an adverse effect on the integrity of the Arun Valley SAC/SPA/Ramsar sites. Developments within Sussex North must therefore must not add to this impact and one way of achieving this is to demonstrate water neutrality. The definition of water neutrality is the use of water in the supply area before the development is the same or lower after the development is in place.

To achieve this Natural England is working in partnership with all the relevant authorities to secure water neutrality collectively through a water neutrality strategy. Whilst the strategy is evolving, Natural England advises that decisions on planning applications should await its

completion. However, if there are applications which a planning authority deems critical to proceed in the absence of the strategy, then Natural England advises that any application needs to demonstrate water neutrality.

PUBLIC CONSULTATION

3.7 West Grinstead Parish Council: No Objection

3.8 9 letters of support were received, and these can be summarised as follows:

- Preferred over holiday-lets
- Reduction in traffic and activity when compared to approved use
- In keeping with character and of the area
- In keeping with neighbouring properties

3.9 1 letter did however also raise concerns over the size and siting of the greenhouse.

4. HOW THE PROPOSED COURSE OF ACTION WILL PROMOTE HUMAN RIGHTS

4.1 Article 8 (Right to respect of a Private and Family Life) and Article 1 of the First Protocol (Protection of Property) of the Human Rights Act 1998 are relevant to this application, Consideration of Human rights forms part of the planning assessment below.

5. HOW THE PROPOSAL WILL HELP TO REDUCE CRIME AND DISORDER

5.1 It is not considered that the development would be likely to have any significant impact on crime and disorder.

6. PLANNING ASSESSMENTS

Principle of Development

6.1 The application site is located outside of any designated built-up area boundary and is therefore within the countryside in policy terms.

6.2 The application site is subject of an extant planning permission for the change of use of the stable building to 2no. holiday-lets under planning reference DC/18/1827. It was recognised that there is an identified need for tourist accommodation within the District, with the proposal considered to be of a scale and nature that would be appropriate to the character and location of the area. The development was considered to improve the range and quality of facilities for visitors, and was considered acceptable on this basis. The planning approval was subject to a restrictive condition (8) which limited occupation to short-term holiday accommodation for no longer than 4 consecutive weeks in any 8-week period. The development was approved on the basis of the need for tourist accommodation in the District.

6.3 The current application seeks permission for the change of use of the building to a single residential dwelling. The application site is located within the countryside where development is more greatly restricted, where Policies 3 and 4 of the HDPF are of significant weight in the determination of the application. As stated within Policy 3 of the HDPF, development will be permitted within towns and villages that have defined built-up areas; with development in the countryside more strictly controlled through the provisions of Policy 4. This policy states that development outside of built-up areas will only be supported where the site is allocated in the Local Plan or in a Neighbourhood Plan and adjoins a settlement edge.

6.4 While the application site is located outside of a defined built-up area, and within a countryside location, it is recognised that the site is located within the close proximity to the unclassified settlement of Littleworth. Although currently outside of a defined built-up area,

the recently undertaken Local Plan Review has sought the designation of Secondary Settlements, where some degree of infill to otherwise unclassified settlements could contribute to the sustainable development of rural areas. Littleworth has been reviewed as part of this process, where it is recognised that Littleworth is a small hamlet which is predominantly centred along Littleworth Road, a distance to the north of Partridge Green, which contains a reasonable level of services and facilities. The dwellings in the area are a mix of sizes and ages which help to contribute to a sense of place, and there are a number of allotments available which provides evidence of an established community. For this reason, it has been recommended that Littleworth be designated as a secondary settlement.

- 6.5 However, the accompanying map illustrates that the proposed Secondary Settlement boundary would extend tightly around the defined curtilages of the residential dwellings, excluding the application site. As such, while the application site would adjoin the Secondary Settlement boundary, it would remain within the countryside in policy terms. While these boundaries are still under review, and have not yet been formally adopted, it does provide some guidance as to the current policy considerations. The site therefore remains outside of the built-up area, within a countryside location in policy terms, and does not adjoin an identified and classified settlement. On this basis, the proposal remains in conflict with Policies 3 and 4 of the HDPF.
- 6.6 Furthermore, it is recognised that the extant planning permission related to the creation of 2no. residential units, albeit that these were restricted to short-term holiday-lets by condition. As such, it is not considered that the proposed development would result in any further increase in the level of activity within the countryside.
- 6.7 Policy 10 of the HDPF does however relate to rural economic development, where it is stated that proposals for the conversion of rural buildings to business and commercial uses will be considered favourably over residential in the first instance. Policy 11 of the HDPF states that measures which promote tourism and enhance local cultural facilities will be encouraged. Any development should be of a scale and type appropriate to the location and should increase the range, or improve the quality of accommodation, attraction or experiences for tourist, day visitors, business visitors, and residents in the District.
- 6.8 The extant permission approved the change of use of the former stable building to 2no. holiday-let units. This permission has been implemented but not yet completed, and no evidence has been provided to demonstrate that the 2no. holiday-let units would no longer be viable or necessary. The use of the building for short term holiday-let purposes would contribute to the supply of tourist accommodation within the District and would support and contribute to the wider rural economy. This is considered to result in social and economic benefits that are of weight in the planning appraisal.

Design and Appearance

- 6.9 Policies 25, 32, and 33 of the HDPF promote development that protects, conserves and enhances the landscape and townscape character from inappropriate development. Proposals should take into account townscape characteristics, with development seeking to provide an attractive, functional and accessible environment that complements the locally distinctive character of the district. Buildings should contribute to a sense of place, and should be of a scale, massing, and appearance that is of a high standard or design and layout which relates sympathetically to the landscape and built surroundings.
- 6.10 The application site is located outside of the land designated as a Local Gap within Policy 1 of the West Grinstead Neighbourhood Plan, therefore no weight can be given to this policy. Furthermore, while the current Local Plan Review carries only very limited weight, it is noted that the site was assessed for inclusion within the intended new Secondary Settlement policy,

but excluded from the recommended Secondary Settlement boundary of Littleworth due to its landscape characteristics and visual qualities.

- 6.11 Paragraph 130 of the NPPF states that planning decisions should ensure that developments function well and add to the overall quality of the area; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; are sympathetic to local character and history, including the surrounding built environment and landscape setting; establish a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development; and create places that are safe, inclusive and accessible.
- 6.12 The proposed development would involve limited external alterations to the existing building, albeit that new and replacement windows would be installed in the east and south elevations respectively. A flue to accommodate a wood burning stove would also be inserted in the northern roof slope. The proposed external alterations are considered to retain the overall character and appearance of the rural building, and are considered to be appropriate to the distinctiveness of the subject building. The proposal is therefore considered to relate sympathetically to the character of the site and surroundings.
- 6.13 The proposal would also involve the erection of 2no. detached outbuildings along the frontage of the site, comprising a double garage with store and a greenhouse. The detached double garage would be located to the north-eastern corner of the application site, and would be oriented to face south. The proposal would measure to a length of 10.3m and a depth of 6m, and would incorporate a pitched roof measuring to an overall height of 5.5m. It is generally anticipated that ancillary buildings take consideration of the size of the host dwelling, with any proposal expected to be subservient in scale and height to the principal building. In contrast, the proposed garage would extend to a similar height as the existing building, and given the bulk and mass of the roof, is considered to physically and visually compete with the principal building. Furthermore, given the siting of the building along the frontage, the proposal would appear as a dominant and prominent addition when viewed from the access road and entrance. For these reasons, there are concerns that the proposed building would result in an intrusive and overbearing addition that would detract from and dominate the setting.
- 6.14 A greenhouse is also proposed along the southern boundary of the site. The proposal would extend to a length of 6m and a depth of 3.8m, and would incorporate a pitched roof measuring to a height of 2.7m. The proposal would incorporate a brick plinth and glass above. While recognised that this building would be located forward of the principal building, it is recognised that the proposal would be modest in size and height. Furthermore, given the nature of the building, it would appear as a lightweight addition. It is not therefore considered that the siting, scale or design of the building would result in significant harm.
- 6.15 For the above reasons, the proposed development is considered to be of a scale, form and appearance that would appropriately reflect the character and local distinctiveness of the site and wide surroundings, in accordance with Policies 32 and 33 of the Horsham District Planning Framework (2015).

Amenity Impacts

- 6.16 Policy 32 of the HDPF states that development will be expected to provide an attractive, functional, accessible, safe, and adaptable environment that contribute a sense of place both

in the buildings and spaces themselves. Policy 33 continues that development shall be required to ensure that it is designed to avoid unacceptable harm to the amenity of occupiers/users of nearby property and land.

- 6.17 Matters of amenity impact were considered under the extant planning permission reference DC/18/1827. At this stage, it was considered that the proposed holiday use of the building would be similar in nature to that of the surrounding land uses. It was therefore concluded that the proposed use would not result in harm to the amenities and sensitivities of the neighbouring properties.
- 6.18 The spatial context of the site has not changed since this previous decision, and it is considered that the current proposal would remain in general compliance with the use and activities approved previously. A residential use would be commensurate to similar uses within the immediate setting, with the resulting residential dwelling located at an appropriate distance from the nearest residential properties. On this basis, it is considered that the proposed development would result in no further harm to the amenities and sensitivities of neighbouring properties, in accordance with Policies 32 and 33 of the Horsham District Planning Framework (2015).

Highways Impacts

- 6.19 Policies 40 and 41 of the HDPF promote development that provides safe and adequate access, suitable for all users.
- 6.20 It is recognised that the site is located in close proximity to the linear residential development of this unclassified settlement, which itself is located a short distance from the defined built-up area of Partridge Green. On this basis, occupiers would benefit from reasonable access to the village centre.
- 6.21 The application seeks to utilise the existing access from Mill Lane, with a detached garage for 2no. vehicles and area of hardstanding proposed to the east of the application site.
- 6.22 Following consultation with WSCC Highways as Local Highways Authority, it is not anticipated that the change of use would result in a material intensification of use in highways terms. Sufficient parking would be provided to meet the anticipated needs of the proposed dwelling, and it is not considered that the proposal would result in severe or cumulative harm to the function and safety of the highway network. The proposal is therefore considered to accord with Policies 40 and 41 of the Horsham District Planning Framework (2015).

Water Neutrality

- 6.23 The application site falls within the Sussex North Water Supply Zone as defined by Natural England which draws its water supply from groundwater abstraction at Hardham. Natural England has issued a Position Statement for applications within the Sussex North Water Supply Zone which states that it cannot be concluded with the required degree of certainty that new development in this zone would not have an adverse effect on the integrity of the Arun Valley SAC, SPA and Ramsar sites.
- 6.24 Natural England advises that plans and projects affecting sites where an existing adverse effect is known will be required to demonstrate, with sufficient certainty that they will not contribute further to an existing adverse effect. The received advice note advises that the matter of water neutrality should be addressed in assessments to agree and ensure that water use is offset for all new developments within the Sussex North Water Supply Zone.
- 6.25 The application site is subject of an extant planning permission under reference DC/18/1827 which approved the change of use of the building to 2no. holiday-let units. The development has commenced and the approval has been implemented, and the extant permission is

therefore of significant weight. The proposed development would result in no further water consumption beyond the extant planning permission, and it is not therefore considered that the proposal would have a likely significant effect on the protected sites and habitats within the Arun Valley.

- 6.26 Notwithstanding the above, the Applicant has outlined within the submitted Water Neutrality Statement that the development would utilise surface water harvesting; rainwater harvesting; and greywater harvesting. These mitigation measures are considered to aid in the reduction in water consumption, and would provide some environmental benefit in this regard.

Climate Change

- 6.27 Policies 35, 36 and 37 require that development mitigates to the impacts of climate change through measures including improved energy efficiency, reducing flood risk, reducing water consumption, improving biodiversity and promoting sustainable transport modes. These policies reflect the requirements of Chapter 14 of the NPPF that local plans and decisions seek to reduce the impact of development on climate change.
- 6.28 Should the proposed development be approved, the following measures to build resilience to climate change and reduce carbon emissions would be secured by condition:
- Water consumption limited to 110litres per person per day
 - Requirement to provide full fibre broadband site connectivity
 - Dedicated refuse and recycling storage capacity
 - Cycle parking facilities
 - Electric vehicle charging points
- 6.29 Subject to these conditions, the application will suitably reduce the impact of the development on climate change in accordance with local and national policy.

Planning Balance and Conclusions

- 6.30 The proposed development would not accord with the spatial strategy as set out in Policies 2, 3, 4 and 26 of the HDPF, however as concluded within the recent appeal decisions at Rascals Farm, Shipley Road (APP/Z3825/W/20/3257700) and Land South of Newhouse Farm, Crawley Road (APP/Z3825/W/21/3266503), the Council does not currently benefit from a 5-year housing land supply. Given this conclusion, the tilted balance contained in paragraph 11(d) of the NPPF is engaged. This is a material consideration of significant weight in the appraisal of the current application.
- 6.31 The Council cannot currently demonstrate a five year supply of deliverable housing sites therefore for the purposes of decision making the presumption in favour of sustainable development within Paragraph 11(d) of the NPPF applies. Paragraph 11(d) states that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, planning permission should be granted unless the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or 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.
- 6.32 In this instance, Policies 2, 4 and 26 are considered out of date and as determined by recent appeal decisions, now carry only moderate weight in decision-making. The West Grinstead Neighbourhood Plan, although recently adopted, does not contain policies and allocations to meet its identified housing requirement, instead relying on the new local plan to address

housing need in the plan area. The protections of Paragraph 14 of the NPPF do not therefore apply to decision making in this case.

- 6.33 The application site is located outside of the defined built-up area of Partridge Green and would also be located outside of the proposed Secondary Settlement boundary coming forward as part of the Local Plan Review. The site is not allocated in a Local or Neighbourhood Plan and is not considered to represent an expansion of a settlement. Furthermore, no evidence has been provided to justify that the proposed open market dwelling would be essential to its countryside location.
- 6.34 While the current housing shortfall is a material consideration of significant weight, it is recognised that Policy 10 of the HDPF states that proposals for the conversion of rural buildings to business and commercial uses will be considered favourably over residential in the first instance. The application site is subject of an extant planning permission for conversion of the building to 2no. holiday-let units, which would not only support rural economic development, but would also promote tourism and increase the range of accommodation tourists, visitors, and residents. Such accommodation was considered to result in social and economic benefits which justified the approval of the development, subject to a restricted condition limiting the use as holiday-lets. No evidence has been provided to suggest that the use of the building for 2no. holiday-lets is unviable or necessary, and it has not therefore been demonstrated that the application site would be inappropriate for the commercial enterprise as approved.
- 6.35 No justification has been provided to demonstrate that the commercial enterprise as approved under the extant permission could no longer progress. The proposed development would therefore be in some conflict with Policy 10 of the HDPF. This policy is considered to be in compliance with the NPPF and can be attributed full weight, with no evidence or justification provided to support a departure from this policy.
- 6.36 While the planning policy context has changed since this extant permission was assessed, with the Council now unable to demonstrate a 5-year housing land supply, the 1no. dwelling as proposed would make only a small and limited contribution to housing supply within the District. The benefits arising would therefore be modest. For these reasons, it is not therefore considered that the benefits of the scheme would significantly and demonstrably outweigh the conflict with the spatial strategy when read as a whole, and particularly when assessed against Policy 10 of the HDPF. Given that the benefits of the development would be minimal, the adverse impacts identified would significantly and demonstrably outweigh the benefits when assessed against the policies when taken as a whole. Therefore, the proposed development would be contrary to Policies 1, 3, 4, 10, and 26 of the Horsham District Planning Framework (2015).

7. RECOMMENDATIONS

7.1 To refuse the application for the following reason:

- 1 The proposed development would represent inappropriate development within a countryside location, where it has not been demonstrated that the development would be essential to its countryside location. It has also not been demonstrated that a business or commercial use would be unviable or unnecessary. For these reasons, the proposed development would be contrary to Policies 1, 3, 4, 10, and 26 of the Horsham District Planning Framework (2015).