



**TO:** Planning Committee North  
**BY:** Development Manager  
**DATE:** 7 February 2017  
**DEVELOPMENT:** Conversion of buildings into a dwellinghouse  
**SITE:** Barn at Maple Hill Newells Lane Lower Beeding West Sussex  
**WARD:** Nuthurst  
**APPLICATION:** DC/16/2173  
**APPLICANT:** Mr Toby Schumacher

**REASON FOR INCLUSION ON THE AGENDA:** At the discretion of the Development Manager

**RECOMMENDATION:** 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 to convert an existing hay barn and stable block to a 2-bedroom dwelling. The proposal would retain the existing footprint of the building, with a number of external alterations caused by the addition of fenestration. A pair of double doors are proposed to the eastern elevation with the addition of a window to the proposed bathroom; 2 x stable door openings are proposed to the southern elevation; the fenestration to the western elevation would be updated, with an enlarged window to centrally; with the addition of a stable door window to the northern elevation, and 2 x windows serving bedroom 2.

1.3 It is proposed to incorporate the adjoining field to the east as part of the residential curtilage, with the existing post and rail fencing and hardstanding retained.

DESCRIPTION OF THE SITE

1.4 The application site consists of a barn and stable block positioned to the east of Newells Lane, outside of the designated built-up area of Lower Beeding. The site falls under the same ownership of the converted live/work unit that is positioned to the south of the site.

1.5 The site benefits from access to Newells Lane through an access gate to the north-west of the site, with access also provided to the south, adjoining the access/hardstanding of the neighbouring property.

- 1.6 An open field, separated by post and rail fencing is positioned to the east of the barn and stables, with the boundary separated by mature hedging and shrubbery along the norther, southern and western boundaries.

## **2. INTRODUCTION**

### STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

### RELEVANT GOVERNMENT POLICY

2.2 **National Planning Policy Framework:**

NPPF6 - Delivering a wide choice of high quality homes

NPPF7 - Requiring good design

NPPF11 - Conserving and enhancing the natural environment

NPPF14 - Presumption in favour of sustainable development

### RELEVANT COUNCIL POLICY

2.3 **Horsham District Planning Framework (HDPF 2015)**

HDPF1 - Strategic Policy: Sustainable Development

HDPF2 - Strategic Policy: Strategic Development

HDPF3 - Strategic Policy: Development Hierarchy

HDPF4 - Strategic Policy: Settlement Expansion

HDPF10 - Rural Economic Development

HDPF15 - Strategic Policy: Housing Provision

HDPF16 - Strategic Policy: Meeting Local Housing Needs

HDPF25 - Strategic Policy: The Natural Environment and Landscape Character

HDPF32 - Strategic Policy: The Quality of New Development

HDPF33 - Development Principles

HDPF41 - Parking

### RELEVANT NEIGHBOURHOOD PLAN

2.4 **Neighbourhood Plan**

Lower Beeding Neighbourhood Development Plan Area

- Designated (Regulation 7) 30 December 2015

### PLANNING HISTORY

- 2.5 No relevant planning history

## **3. OUTCOME OF CONSULTATIONS**

- 3.1 When 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](http://www.horsham.gov.uk)

### INTERNAL CONSULTATIONS

- 3.2 **Public Health And Licensing (Env. Health)**, consulted on the 30 September 2016. There was no response from this consultee at the time of report preparation.

## OUTSIDE AGENCIES

- 3.3 **County Council - Highways**, consulted on the 30 September 2016. Their comments can be summarised as follows: No Objections, subject to relevant conditions.
- 3.4 **Southern Water**, consulted on the 30 September 2016. Their comments can be summarised as follows: No public foul sewer in the area, applicant is advised to examine alternative means of foul sewage disposal.

## PUBLIC CONSULTATIONS

- 3.5 **Parish Council Consultation**, consulted on the 30 September 2016. The response can be summarised as follows: Objection as the information provided is not considered to justify a need for the dwelling.
- 3.6 Seven letters of support were received from six individual households, and these can be summarised as follows:
- Enhance the appearance of the lane and surrounding area
  - Good use of a derelict building
  - Benefit local housing shortage
  - Other uses not considered acceptable within the rural area

## 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

- 6.1 The application seeks full planning permission to convert the existing bay and adjoining stable block into a 2-bedroom dwelling.

### **Principle of Development**

- 6.2 Policies 3 and 4 of the HDPF state that development will be permitted in existing settlements which have defined built-up areas, and outside built-up areas expansion of settlements will be permitted where, amongst other criteria, a site has been allocated in a local plan or neighbourhood plan. Policy 26 states that the rural character and undeveloped nature of the countryside will be protected against inappropriate development, and that any proposal must be essential to its countryside location. The HDPF does not though contain any specific policies for the conversion of existing buildings within the countryside to dwellings. Of most relevance is Policy 10 of the HDPF, which states that conversion of rural buildings to commercial use would be favoured over residential in the first instance.
- 6.3 Paragraph 55 of the National Planning Policy Framework states that within rural areas, *"housing shall be located where it will enhance or maintain the vitality or rural*

*communities...Local planning authorities should avoid isolated homes in the countryside unless there are special circumstances such as: the essential need for a rural worker to live permanently at or near their place of work in the countryside; where such development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets; or where the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting; or the exceptional quality or innovative nature of the design of the dwelling”.*

- 6.4 It is suggested within the submitted Planning Statement that the approved barn and stables were previously used for agricultural purposes (in association with a small holding) but this use has since ceased since its purchase. The building was purchased by the owner of the adjacent property known as Maple Hill, which has permission as a live/work unit. The conversion of this property was permitted under approved planning application DC/11/0809, and was considered acceptable on the grounds that the proposed live/work unit represented acceptable development in the countryside that would contribute to the economic development of the rural area.
- 6.5 The proposal seeks to convert the existing barn and adjoined stable to a 2-bedroom dwelling, and it is suggested within the accompanying Planning Statement that this would initially be used in the short-term for the applicant’s elderly relatives. The site lies outside of a designated built-up area, approximately 3km from the centre of Lower Beeding. Therefore, in policy terms, the site lies within a countryside location.
- 6.6 The proposed dwelling would sit within an isolated countryside location, and whilst it would re-use an existing building, is not considered to lead to an enhancement of the immediate setting. The proposed development for residential purposes would constitute a development which is not essential to its countryside location, neither is it considered to contribute to existing rural enterprises, activities or recreational opportunities. Whilst Policy 10 and paragraph 55 of the NPPF allow for the conversion of agricultural, forestry or rural buildings for business, commercial or residential development outside of built-up areas, the building is required to be suitably located in that it is not in an isolated position in relation to infrastructure, amenities and services. The application site lies in the countryside, outside of, and some distance from, the identified built-up area of any settlement. Whilst there are other residential properties along Newells Lane, the site is considered to be isolated in that there are no services or facilities in close proximity to the site. The site is poorly served by public transport and the nature of the roads without footpaths and lighting, means that the occupants of the proposed dwelling would be heavily reliant on the car to access services and facilities.
- 6.7 It is recognised that a similar conversion was undertaken on the adjoining site, albeit that this proposed a live/work unit. The proposed live/work unit, at a ratio of 50/505 respectively was considered acceptable on the grounds that the conversion would contribute to the economic development of the rural area. No justification has been provided to suggest that the building subject to this application could not be used for a similar, or any other, commercial use, or that the dwelling would be essential to its countryside location. Further, it has not been outlined how the proposed private market dwelling would support the needs of agriculture or forestry; enable the extraction of minerals or the disposal of waste; provide for quiet informal recreation; or enable the sustainable development of the rural area.
- 6.8 The site is outside the limits of any town or village and the development, if permitted would result in an undesirable form of sporadic residential development in an isolated and unsustainable location, where the occupants would be dependent upon the car. In addition, the proposal does not constitute a use considered essential to such a countryside location. The proposal would therefore conflict with the aims of the NPPF, and in particular paragraph 55, and would also be contrary to policies 2, 10 and 26 of the Horsham District Planning Framework (2015).

### **Character of the site and landscape character of the area**

- 6.10 Policies 32 and 33 promote development which is of high quality and design, and is sympathetic to the distinctiveness of the dwelling and surroundings.
- 6.11 The proposal would retain the overall form of the barn and stable block, with the addition of windows and doors proposed in the form of a mock-stable style. The external alterations are considered to appropriately reflect the character and context of the former rural/agricultural building, with the number and scale of the fenestration considered proportionate.
- 6.12 However, concern is raised regarding the size and extent of the proposed residential curtilage. This triangular piece of land currently forms part of an open field to the east of the stable and barn, which is considered to be agricultural in nature. Given the scale and nature of the proposal, there is concern that the size of the curtilage would be disproportionate to the scale of the proposed dwelling, and given its rural countryside location, would result in the erosion of the landscape character. Should such a residential curtilage be proposed, it is likely that associated domestic paraphernalia and should permitted development not be restricted, ancillary/incidental outbuildings could also be erected. It is considered that the cumulative impact of this would potentially erode the landscape character of the rural countryside. On balance, it is though considered that the proposed curtilage would reflect existing land boundaries, and if necessary permitted development rights for future extensions / outbuildings could be removed through condition. This approach would be sufficient to ensure the proposed use did not conflict with policies 32 and 33 of the Horsham District Planning Framework.

### **Amenities of the occupiers of adjoining properties**

- 6.14 Policy 33 states that development should consider the scale, massing and orientation between buildings, respecting the amenities and sensitivities of neighbouring properties.
- 6.15 Given the nature and scale of the proposal, in the context of the size and layout of the site and distance from neighbouring properties, the proposal is not considered to result in material harm to the amenities of neighbouring properties through overlooking, loss of privacy or loss of light, in accordance with policy 33 of the Horsham District Planning Framework.

### **Existing Parking and Traffic Conditions**

- 6.16 Policy 41 states that development should provide safe and adequate access and parking, suitable for all users.
- 6.17 The site benefits from an existing access and hardstanding positioned to the west of the building. The level of hardstanding is considered sufficient to provide for the required number of off-road parking spaces, with the access considered appropriate so that vehicle movements would not have a detrimental impact upon the functioning of the highway network.
- 6.18 However, following consultation with WSCC Highways, should the application be approved, a condition relating to visibility splays has been suggested in order to ensure safe access and visibility into and out of the site. This is considered a reasonable condition in order to ensure the safe and adequate function of the public highway.
- 6.19 Subject to the imposition of the relevant condition, the proposal is considered to provide safe and adequate access, suitable for all users, in accordance with policy 41 of the Horsham District Planning Framework.

## **Conclusion**

- 6.20 Given the nature of the development and its position outside of the built-up area, the proposal is not considered to enable the sustainable development of the rural area or meet any of the other criteria as stated within policy 26 of the Horsham District Planning Framework. Therefore, the proposed residential dwelling is considered to be contrary to policies 1, 2, 10, and 26 of the Horsham District Planning Framework (2015).

## **7. RECOMMENDATIONS**

- 7.1 The application is recommended for refusal for the following reason:
- 1 The site is outside the limits of any town or village and the development, if permitted, would result in an undesirable form of sporadic residential development in an isolated and unsustainable location, where the occupants would be dependent upon the car. In addition, the proposal does not constitute a use considered essential to such a countryside location. The proposal would therefore conflict with the aims of the NPPF, and in particular paragraph 55, and would also be contrary to policies 2, 10 and 26 of the Horsham District Planning Framework (2015).

Background Papers: DC/16/2173