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The Planning Inspectorate
Temple Quay House
2 The Square
Bristol BS1 6PN

PI ref: APP/Z3825/W/20/3263985

LPA ref: DC/20/1832

XX February 2021

Dear Sir/Madam

Town and Country Planning Act 1990: Appeal under Section 78

Appeal by Chas and Linda Taylor

Site Address: Lockyers Farm, Polecat Lane, Copsale, West Sussex RH13 6QR

Appellant: Chas and Linda Taylor

Local Planning Authority: Horsham District Council (HDC)

Details of appeal: Against the refusal of planning permission for conversion of existing barn to a single storey dwelling.

Background

In 2002, planning permission (N/74/02) was granted for a change of use of redundant cow sheds to form two residential units and office for stud farm. This was subject to condition 3 that: *"The accommodation hereby permitted shall be occupied solely for purposes incidental to the occupation and enjoyment of Lockyers Farm as a dwelling and shall not be used as a separate unit of accommodation."*

In 2005, an application (DC/05/1979) for the removal of condition 3 of N/74/02 was refused on grounds that:

- it fails to comply with HDC's Local Plan;
- the residential development is unrelated to the adjacent equestrian uses;

- there would be an unacceptable relationship between equestrian use and residential occupation; and
- it would be harmful to future occupants of the dwellings.

In 2020, an application (DC/20/0432) was submitted for prior approval for change of use of agricultural building to a single dwelling house. HDC decided that prior approval was required and it was refused because the notification did not comply with paragraph Q.1.(a) of Part 3, Class B of the TCP(GDP)(E)O 2015 since there was significant doubt as to whether the building was in agricultural use for the purpose of trade or business.

The current appeal

Later in 2020, the application (DC/20/1832), the subject of this appeal, was submitted for conversion of existing barn to a single storey dwelling. This was refused by HDC.

Nuthurst Parish Council fully supports HDC's correct decision to refuse planning permission for the conversion of the barn to a dwelling. HDC's reasons were:

- 1) The proposed development would be located in the countryside, outside of a defined built-up area boundary, and on a site that is not allocated for development within the Horsham District Planning Framework, or a made Neighbourhood Plan. The Council is currently able to successfully demonstrate a five-year housing land supply and consequently the proposed development would be contrary to the Council's overarching strategy for settlement expansion. Furthermore, the proposed development is not essential to its countryside location. The proposed development is therefore contrary to Policies 1, 2, 4 and 26 of the Horsham District Planning Framework (2015), Policy 1 of the Nuthurst Parish Neighbourhood Plan, and paragraphs 2, 11, 12, and 47 of the National Planning Policy Framework (2019).*
- 2) The proposed dwelling would be sited on an existing equestrian site, in which its continued use coupled with the proximity of the proposed dwelling in relation to the site's access would result in adverse harm to occupant amenity by way of frequent disturbances. Furthermore, the proposal does not serve to provide adequate private amenity space for the*

occupants of the dwelling. The proposal is therefore contrary to Policy 33(2) of the Horsham District Planning Framework (2015).

However, the Parish Council considers that there were other valid planning reasons for refusing planning permission. They are:

- 1) The proposed development is in an unsustainable location, remote from any services such as public transport, shops etc.
- 2) No structural report has been submitted to demonstrate that the agricultural building is capable of conversion. Furthermore the works required probably go beyond what is reasonably necessary to convert the agricultural building to a dwelling house, thereby falling foul of one of the requirements for prior approval under Class Q.
- 3) The building is not redundant. It is currently in use for housing tractors and other equipment that are required for the agricultural and equestrian activities at the Lockyers Farm. If approval were to be given for conversion to a dwelling, then another building may need to be constructed in its place as there is limited other storage space on the farm.
- 4) The building would form a particularly unattractive dwelling out of character with surrounding dwellings and contrary to Policy 10, Housing Design, in the Nuthurst Parish Neighbourhood Plan and the overarching aim on the design of dwellings in the Nuthurst Parish Design Statement.
- 5) Furthermore, it would represent overdevelopment of an agricultural/equestrian site which already has three nearby dwellings.

The Parish Council therefore urges the Planning Inspectorate to dismiss this appeal for the reasons set out in this letter.

Yours sincerely

Sarah Hall
Clerk to Nuthurst Parish Council

Attachments

Nuthurst Parish Neighbourhood Plan (uploaded separately)

Nuthurst Parish Design Statement (uploaded separately)