Planning Inspectorate

Appeal Decision

Site visit made on 8 May 2025

by Jane Smith MA MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 May 2025

Appeal Ref: APP/Z3825/W/24/3354517
1 Cootham Brow, New Town Road, Storrington, West Sussex RH20 4JP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
- The appeal is made by Mrs Shona Partington against the decision of Horsham District Council.
- The application Ref is DC/24/1102.
- The development proposed is described as 'Change of use to a single-storey Outbuilding on an Existing property from a Presumed C3 "Sui-Generis" Holiday-Let to a Permanent C3 Dwellinghouse'.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. In the banner heading above, I have used the description as given on the application form. The appeal concerns change of use of a single storey detached outbuilding at the rear of a semi-detached house. According to the appellant's evidence, it was formerly a workshop, but was converted to use as a holiday let, with planning permission having been granted for that use on appeal in 2014[1].

3. The 2014 appeal decision has not been provided, but details have been supplied of relevant conditions which were attached. In summary, these restricted use of the building to short term holiday accommodation not exceeding 4 weeks at a time (condition 3) and required that the building remain in the same ownership as the host dwelling (condition 4). The appellant refers to removing these conditions, to enable the building to be used as a residential unit in its own right. However, the application was not made under s73 of the Town and Country Planning Act 1990. It was a full planning application for change of use of the building as described above and I have considered the appeal on that basis.

4. A revised National Planning Policy Framework (the Framework) was published in December 2024 and is relevant to this appeal. Both main parties have had the opportunity to comment on any implications for their case. The Council provided an update on its housing land supply position, which I have taken into account, but neither party commented on any other aspects of the revised Framework.

Main Issues

5. The main issues are the effect on the character and appearance of the area, and whether the proposed development would provide suitable living conditions for future occupiers, with particular regard to the proposed private amenity space.

[1] Appeal ref APP/Z3825/A/13/2204995

Reasons

6. The appeal site fronts onto New Town Road which is in a residential area comprising a variety of dwellings and bungalows. Most of these stand in reasonably generous garden plots, and soft landscaping, including grass verges and mature trees, contributes a further sense of space within the streetscape.

7. Behind the host dwelling, the plot slopes gently upwards towards the outbuilding, at the end of the rear garden. Between the two buildings, the garden is screened by hedges and fencing. However, the outbuilding fronts onto a cul-de-sac to one side of the site, which also provides access to dwellings at the rear. There is a small hardstanding here, providing a parking space. Otherwise, the only usable space around the building is the rear garden of the host dwelling and the plot around the proposed dwelling would be small.

Character and Appearance

8. Despite its recent use as a holiday let, the appeal building still displays typical characteristics of an ancillary outbuilding, which was its original purpose. It is a single storey building with a fully hipped roof and limited external openings, and it is located behind the host dwelling, with which it has a clearly subservient relationship. There are also several other ancillary outbuildings within the surrounding area, in comparable relationships to their host dwellings.

9. The building is not widely visible, being at the rear, although it is conspicuous from the cul-de-sac. Since no external alterations are proposed, and much of the boundary is well screened, there would initially be little visible indication of the change of use. However, there may, over time, be changes to garden landscaping and boundary treatment, which would make the subdivision of the plot more clearly discernible. If so, the cramped nature of the plot and the unusually small proportions of the proposed dwelling would become more apparent. Since very small dwellings in restricted plots are not typical of the area, the dwelling would look incongruous and awkward in the context of the wider street scene.

10. The appellant alludes to small, two-bedroom properties in the area. There are several bungalows nearby, including a group of what appear to be small single storey dwellings, at New Town Green. However, even these compact properties stand in their own garden plots, which in turn back onto an area of open space. There is a significantly greater sense of space around them than there would be around the proposed dwelling. There is no evidence of a prevalence of single storey, one-bedroom properties on comparably limited plots.

11. That being the case, I conclude that the proposal would have a harmful effect on the character and appearance of the area. The level of harm would be limited, since the building already exists and is not widely visible. Nevertheless, the proposed development would conflict with relevant requirements in Policies 32 and 33 of the Local Plan[2], which include that new development should respect and complement local character and relate sympathetically with the built surroundings.

Living Conditions

12. On the basis that the building has been used as a holiday let, it is evidently capable of habitation, at least for limited periods. Nevertheless, the internal

[2] Horsham District Planning Framework (excluding South Downs National Park), adopted 2015

accommodation is modest. There is also very limited usable space around the building, and the garden which separates it from the host dwelling is not large.

13. When use as a holiday let was permitted, it was on the basis that the garden was likely to be shared. With the garden sub-divided, there would be only a narrow area of private amenity space, at one end of the building, with the other elevations being tight to the cul-de-sac, parking space and boundary fence. From the living room windows, the outlook into the small private amenity space would be very limited, being curtailed by the proposed boundary fencing. Consequently, following the proposed sub-division, the internal accommodation would feel hemmed in, and the outdoor space would feel cramped.

14. The relationship with the host dwelling would also be uncomfortably close, even when the separation distance as stated by the appellant is taken into account. If the outdoor space for the converted building was increased, as the appellant suggests it could be, that would be at the expense of the remaining garden for the much more substantial host dwelling. If the boundary treatment was lower in height, or of an alternative form, there would be a lack of privacy between the two adjacent gardens. That would undermine living conditions for future occupiers of both properties, on a more permanent and long-lasting basis than would be the case for short term holiday lets under the management of the host dwelling.

15. The development principles set out in Policy 33 of the Local Plan do not include any specific standards for private amenity space or separation distances. However, they do include a general requirement to avoid unacceptable harm to the amenity of occupiers/users of nearby property. Paragraph 135 of the Framework requires that development provides a high standard of amenity for existing and future users. While the amount of outdoor space has been portrayed as being generous when expressed as a percentage of the proposed floorspace, that is because the floorspace itself would also be small. In any case, it is the location and layout of the outdoor space, in combination with its limited size, which undermine its suitability to meet the needs of future occupiers.

16. The proposal would provide accommodation all on one level and the internal layout may be suitable and easily manageable for an elderly occupant. However, there is no reason to suppose that such an occupant would have no need of access to suitable private, good quality outdoor space. Overall, the cramped plot and close relationship with the host dwelling would prevent the provision of suitable living conditions for a range of potential occupiers. Consequently, the proposal would be a poor-quality addition to the housing stock.

17. For the reasons given above, having had particular regard to the proposed private amenity space, I conclude that the proposed development would not provide suitable living conditions for future occupiers. It would conflict with Policy 33 of the Local Plan, notably part 2, and with relevant requirements in the Framework, as summarised above.

Other Matters

18. While I have noted that the current occupier is unable to continue managing the holiday let, and may wish to move into the converted building, there is no substantive evidence that the proposed dwelling would be the only suitably accessible option available to them within the locality. Nor is there any convincing evidence that the site as a whole would be unsuitable for the extended family, or

other future occupiers, if maintained as a single planning unit. Therefore, while I am mindful of my obligations under the Public Sector Equality Duty set out in s149 of the Equality Act 2010 (PSED), there is little specific evidence that refusal of planning permission would result in a failure to advance equality of opportunity or otherwise conflict with the aims of the PSED. In these circumstances, while I have had appropriate regard to the family situation, based on the evidence before me it carries only limited weight.

19. While use of the building as a holiday let may not be an attractive or viable proposition for future owners, the building was not originally designed for that purpose. It appears to remain capable of use or adaptation to other uses ancillary to the dwelling, subject to any required consents. Although the Council's Economic Development team sought further information, the reasons for refusal did not allege any harmful reduction of visitor holiday accommodation and based on the evidence before me I have no reason to reach a different view.

20. There is already provision for parking and refuse storage. Any increased reliance on local services would be insignificant given the scale of the proposal. However, these are neutral factors which weigh neither for nor against the proposal.

Planning Balance

21. According to the update provided by the Council while this appeal was in progress, there is now a very substantial shortfall in housing land supply, with a supply of only around one year reported, following publication of the revised Framework and related reforms. There are no policies protecting areas or assets of particular importance which provide a strong reason for refusing the development. In those circumstances, the test set out in paragraph 11dii of the Framework is applicable.

22. Having regard to the key policies identified in the footnote to paragraph 11dii, I recognise that the proposal would make alternative use of an existing building in a built-up area and would bring forward a new dwelling on a small site. Furthermore, the site is within the built-up area and there is a range of services and facilities in Storrington, which is one of the smaller towns and villages to which housing is directed by the Local Plan.

23. However, while the Framework is supportive of the efficient use of land and the use of suitable brownfield land within settlements for new dwellings in principle, Paragraph 129 makes clear that in those circumstances account should be taken of the importance of securing well-designed places. For the reasons given above, the proposed dwelling would conflict with the Framework's approach to securing well-designed places, since it would provide a poor quality of living accommodation, along with harm, albeit to a lesser extent, to the character and appearance of the area.

24. While any new housing is beneficial, taking account of the unsatisfactory quality of the proposed accommodation, the contribution of a single small dwelling to the supply of housing carries only very modest weight, even in the context of a very substantial shortfall. For the reasons given above, the personal circumstances outlined in the evidence also carry limited weight.

25. On the other hand, the adverse effect on living conditions, potentially affecting future occupiers of both properties, and the harm to the character of the area, would be enduring. Collectively, these harmful aspects of the proposal carry

significant weight. As such, the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole. Consequently, the proposal does not benefit from the presumption in favour of sustainable development as articulated in paragraph 11d.

Conclusion

26. The proposed development would conflict with the development plan and no material considerations indicate that a decision should be made otherwise than in accordance with the development plan. Therefore, the appeal should be dismissed.

Jane Smith

INSPECTOR