



Artisan
Planning & Development Consultants

Building at Stoney Brook Farm
(part) Eastergate Lane,
Walberton,
Arundel
BN18 0BA

Change of Use and associated works to Annexe
to form 1no. separate self-contained dwelling
(Class C3) (self-build)

Planning Statement Incorporating
Design & Access Statement

Prepared for Mr T Reynolds

March 2025

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1. Introduction & Planning Submission Checklist

Introduction

- 1.1 This application for full planning permission is for the change of use of an annexe to form 1no. dwelling and associated works. The subject property is located at Stoney Brook Farm, Eastergate Lane, Walberton, Arundel.
- 1.2 Mr Tom Reynolds is the applicant and property owner.

Planning Submission Checklist

- 1.3 This application comprises the following:

General

Application form
Application fee
CIL Form 1

Technical Reports

Planning, Incorporating Design & Access Statement (March 2025) by Artisan Planning
Stoney Brook Farm Preliminary Ecology Report (April 2024)
Stoney Brook Farm Bat Survey Report (August 2024)
Groundsure Contamination Assessment

Drawings

DWG. 1 as existing floor plans
DWG. 2 as existing elevations
DWG. 3 proposed floor plans
DWG. 4 proposed elevations

Patrick Allen & Associates
4470-06A Site Plan

2. Background to the Proposed Development

2.1 This section sets out relevant background to the proposed development. In this instance, that is considered to be the application site's history.

Application Site Planning History

2.2 The only relevant planning history is application reference WA/87/20/CLE, which was for a certificate of lawfulness for the dwelling that is the subject of this application.

2.3 Whilst the application for a CLEUD was refused, it is highly relevant to this application. The council determined that the existing property entity was not a self-contained dwelling. Indeed, the Officer Report for application WA/87/20/CLE states that the subject property was a "family annexe" and its creation did "...not require planning permission."

2.4 Therefore, the starting point for this application is the council's finding that the subject property is a residential annexe. This application seeks to separate the annexe from the residential use at the North End of the building to create a self-contained dwelling as part of a new and distinct planning unit.

3. Site Description

3.1 The site is located in the village of Walberton which is a settlement in the Arun district of West Sussex 5 miles to the north west of Little Hampton and just to the south of the A27 road. The village has about 1300 homes and a population of about 2370 (2022) in combination with two other villages at Fontwell and Binsted making up the Walberton Parish. Together with another four large villages, the adopted Arun Local Plan (2018) (ALP), notes that they are so close together that many services are shared.

3.2 The Parish Council describes facilities and services in the village as

“Our villages offer the choice of 2 pubs, a variety of shops, beautiful countryside, outdoor and indoor sports and activity clubs, playing field and cricket practice nets, 2 children’s play areas, a primary school, a pre-school and play centre and is the home to many businesses, some small office based, others related to home improvements and many involving the horticultural industry.

3.3 The subject building comprised within this application forms part of an established holding part of which is already in residential use as Stoney Brook Farm (SBF). Immediately adjacent and on the opposite, north side of the entrance to SBF off Easterbrook Lane, there are established residential properties and their curtilages as is illustrated in the google earth extract below. Consequently, the site is far from being isolated in relation to other residential properties.



Fig. 3.1: Site and context (Google)

- 3.4 To the immediate west of the Barn is a commercial business park also evident on the google extract on the preceding page. To the south, is the commercial workshop of New City Joinery which manufactures specialist joinery and kitchens. This is the applicant's business. To the east is an open agricultural field which is laid to grass.
- 3.5 Consequently, the immediate context of the proposed site is that of a variety of built forms including both commercial and residential, so a mix of compatible uses.
- 3.6 One principal access serves all of the uses on Stoney Brook Farm at Eastergate Lane. The present user of the annexe who will be the same for the proposed dwelling when approved, will access the property from the existing point of access into the site off Eastergate Lane.
- 3.7 The northern end of Stoney Brook Farm Barn is already in residential use as indeed is the southern end of the same barn at ground floor level. The barn sits within a wider commercial and agricultural context with open fields bordered by defined hedges and tree boundaries.



Fig. 3.2: Proposed Dwelling – Stoney Brook Farm Barn – Front Elevation

- 3.8 The landscape character of the application site and its immediate vicinity is typical of the rural context of many villages in the Arun district. Whilst some might claim that the landscape is of local value there is nothing which could be described as 'special' or has been worthy of any site specific protective planning policies.
- 3.9 The site is not visible in the local landscape since it is contained by defined tree and hedge boundaries which are well established. Moreover, the proposal is for the conversion of an existing barn which is already an annexe and so the external change will be minimal in terms of its visual appearance. Therefore, neither short nor medium or distant views of the site is available in the local landscape context. Any view of the site available to the passing walker, or more likely, passing motorist using Eastergate Lane, is fleeting and filtered by established trees and hedges, even when seasonality is taken into account.
- 3.10 In summary, within this context, the subject building sits along the western side of SBF, on the boundary with Brookview Nursery. The building was a former agricultural storage building that has for the most part, been converted into residential use. More specifically, the application dwelling is located on the first floor of the southern end of the existing building and the proposal will result in very little change to the exterior of that building. At ground level, the proposed curtilage to the new dwelling is for the most part, hard surface and paved areas. The flat will have a dedicated car parking and turning area and a small amenity area but again these changes will not require any significant alteration to the appearance of the building and surrounds as it presently exists.

4. Design & Access Statement

The purpose of this Design & Access Statement is to provide information on the current application proposals in terms of the proposed **Design, Appearance and Scale** as well as the proposed **Use**, the **amount** of development together with **layout** and **landscaping**:

Design, Appearance & Scale

- 4.1 There are no changes proposed to the design of the building or to its existing external material finishes. Consequently, the new dwelling will retain the existing appearance in totality. The scale of the building therefore remains unchanged. The former agricultural barn is of a simple form executed in modern materials, adapted through the use of applied colour to give it a subservient appearance in the local landscape. Whilst still being utilitarian in its appearance, the same treatment has been applied to the whole structure giving it unity of form, scale and appearance and in doing so, successfully assimilating in visual terms into the local landscape.

Amount of Development and Use

- 4.2 The proposal involves the change of use from a residential annexe to a single, separate self-contained dwelling (Class C3) and the associated works to achieve this separation. This includes the installation of separate services and utilities within the building and the formalisation of the garden and external curtilage. Other than those minor operational works inside the building, the external curtilage/garden and parking to the proposed dwelling is to be formalised/regularised as per the submitted drawing.

Access, Layout and Parking/Cycle provision

- 4.3 The existing vehicular access to Stoney Brook Farm off Eastergate Lane will be retained and used for the new dwelling. Vehicles will have the facility to park in one of two proposed spaces, one of which will have an EVCP. Vehicles will be able to arrive, turn and leave the site in a forward gear. Cycle storage will be provided in a cycle storage rack within the exterior curtilage, as required.
- 4.4 Access to the property will be taken from the ground floor via a secure personal door and dedicated staircase to the flat entry at first floor level.

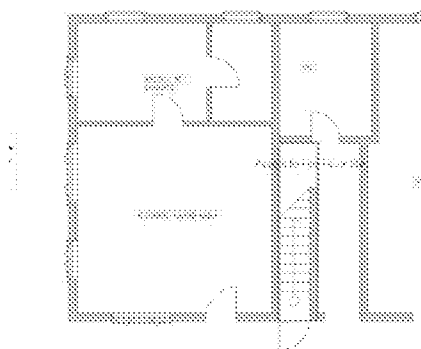


Fig. 4.1: Ground Floor Plan

5. Planning Statement

5.1 Planning applications are to be determined in accordance with the Development Plan unless material considerations indicate otherwise.¹

Development Plan

5.2 The Development Plan for this application consists of:

- (a) Arun Local Plan 2011-2031 (adopted 2018) (**"the ALP"**)
- (b) Walberton Neighbourhood Plan March 2021 (**"WNP"**)

5.3 Whilst not strictly part of the statutory development plan, Supplementary Planning Documents are useful aids to the interpretation and application of policies of the development plan and in this instance comprises:

- (c) Supplementary Policy Guidance Arun Parking Standards (**"SPD1"**)
- (d) Supplementary Policy Guidance Arun District Design Guide (**"SPD2"**)

5.4 The relevant policies of each of these Development Plan Documents will be considered in turn below. They are considered to be:

Arun Local Plan

- (a) C SP1 Countryside
- (b) D DM1 Aspects of form and design quality
- (c) T SP1 Transport and Development
- (d) W DM2 Flood Risk
- (e) W DM3 Sustainable Urban Drainage Systems
- (f) D DM2 Internal space standards
- (g) D SP1 Design
- (h) ENV DM5 Development and biodiversity

Walberton Neighbourhood Plan

- HP1 2020 BUAB
- HP13 Design Guidance

Principle of Development

5.5 The application site lies outside the built-up area boundary (BUAB) of Walberton and is therefore located in the open countryside. It does not fall within any of the categories of development permitted under Policy C SP1 of the Arun District Local Plan and is therefore in conflict with its provisions.

¹ Planning and Compulsory Purchase Act 2004, s 38(6) and as reinforced by the PPG at paragraph 58-011.

5.6 Linked to this, there would also be conflict with Policy HP1 of the Walberton Neighbourhood Plan which addresses the identification of built up area boundaries with the inference that development proposed outside of those boundaries would not be supported.

encourage the effective use of previously developed land in accordance with the strategy, provided that it is not of high environmental value.

5.7 However, it is accepted by the Council that it currently cannot demonstrate a deliverable 5-year supply of housing land. The most recent figure is set out in the annual monitoring report for 2023-24:

Based on the new SM and updated guidance published on 12 December 2024, the 5YHLS calculation indicates that there is a 3.41-year land supply.

5.8 The Applicant considers that the following comment by the Inspector is appeal decision (APP/C3810/W/22/3309365) is highly relevant:

“By any standards the Council is facing a serious and persistent housing crisis.”

5.9 Moreover, the most recent housing delivery test measurements records a 70% delivery against the required housing need figure. Therefore, NPPF11(d) is triggered by the absence of a 5-year housing land supply and the results of the housing delivery test.

5.10 When NPPF11(d) is engaged, there are two tests to be applied to assess whether or not the presumption is disengaged. Under NPPF11(d)(i), the footnote 7 policies are considered to see whether or not they provide a clear reason for refusing the development. If there are no clear reasons for refusal, the tilted balance is applied in accordance with NPPF11(d)(ii). This means that permission should be granted unless the adverse impacts significantly and demonstrably outweigh the benefits of granting permission.

5.11 With the Council's housing land supply position standing at 3.41-years, NPPF11(d) is clearly engaged. Indeed, the housing land supply situation in the district can only be described as 'severe'.

5.12 Whilst the applicant notes the provisions of NPPF14, a closer inspection and a more detailed assessment is required.

5.13 It cannot be the intention of national planning policy to entrench out of date housing need figures into neighbourhood plans. Therefore, in a situation such as this where the housing requirement policy in the district council's development plan document is wildly out of date, a more sensible view is required. Indeed NPPF14b) requires that a neighbourhood plan contains policies and allocations to meet its identified housing requirement (see paragraphs 69-70) [emphasis added]. Whilst it is acknowledged that the framework should not be read as a contract or a statute, it is important to read its policies in their full and proper context.

- 5.14 NPPF69 sets out the strategic policy making authorities should establish a housing requirement for their whole area. This requirement is plainly informed, if not mandated, by NPPF62, where it is set out that strategic policies on housing numbers should be informed by a local housing need assessment conducted using the standard method in national planning practise guidance.
- 5.15 In this situation, the adopted strategic policies relating to housing numbers do not reflect the most recent standard method. Indeed, NPPF78 directs us to apply the local housing need requirement using the standard method in circumstances where the adopted strategic policies are more than five years old.
- 5.16 This means that the housing allocations contained in the neighbourhood plan do not meet the most up-to-date assessment of housing need for the neighbourhood plan area. It is the applicant's view, therefore, that NPPF14b) is not met in this circumstance. It is likely that even if all the housing allocations in the neighbourhood plan were delivered in their entirety, the neighbourhood plan area would be required to allocate further land for housing. This is because the overall housing need for the district has increased significantly and immediately.
- 5.17 Notwithstanding that the neighbourhood plan became part of the development planned within the last five years, therefore, NPPF14 does not indicate the outcome of the tilted balance insofar as it relates to this application.
- 5.18 Further or in the alternative, NPPF14 simply states the "likely" outcome of the application of the tilted balance. It does not prescribe the outcome. NPPF14 is one element of the overall planning balance. It is the applicant's view that the persistent, chronic under supply and under delivery of housing across this area should carry significant weight of such magnitude that it would immediately and of itself outweigh any perceived conflict with NPPF14. Indeed, this is further reinforced by the complete absence of any indication that the dire situation in respect of the provision of housing will be remedied by a plan-led solution anytime soon.
- 5.19 We note the recent (24 January 2025) appeal decision² at Land West of Bilsham Road, Yapton BN18 0LA, which considered an application for 170 dwellings. Whilst we acknowledge the difference in scale of that application, the Inspector's findings at DL58 are to be noted:

"The weight I attribute to the development's contribution to housing supply and delivery is substantial. Moreover, on applying the Framework's policies, I consider that the scheme would be in an accessible location served by sustainable modes of transport, provide an appropriate mix of affordable homes to meet identified local needs, and make efficient use of land in providing different types of housing that reflects market conditions in a sympathetic manner appropriate to local character and the setting of the area. Overall, the benefits of the development attracts considerable weight. The adverse impacts do not significantly and demonstrably outweigh the

² APP/C3810/W/24/3343922.

benefits. This is the case despite the conflicts with the NP and the provisions of paragraph 14 of the Framework.”

- 5.20 It is clear in this case, that NPPF14 did not prescribe the outcome. Rather it was one factor to be assessed in the overall planning balance.
- 5.21 It is considered that there are no policies of the Framework that would provide a clear reason for refusing the development under NPPF11(d)(i). Therefore, planning permission should be granted unless 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.
- 5.22 The Applicant also notes NPPF73(b), which states: ‘to promote the development of a good mix of sites local planning authorities should... seek opportunities, through policies and decisions, to support small sites to come forward for community-led development for housing and self-build and custom build housing’ [emphasis added]. This clearly adds further weight in favour of this application.
- 5.23 The proposed development would help to boost the supply of housing, albeit only by one unit. Given the scale and the fact, the Council cannot demonstrate a five-year supply and that shortfall is significant, the provision of any housing attracts significant weight.
- 5.24 There is no physical or tangible manifestation of any harm. The only conflict is a pure policy conflict that exists on paper only. This attracts very limited weight.
- 5.25 Accordingly, it is considered that the adverse impacts of granting permission do not significantly and demonstrably outweigh the benefits. On this basis, the principle of development can be supported and the presumption in favour of sustainable development by virtue of NPPF11(d) applies.

Design

- 5.26 There are no physical alterations proposed to the design or external appearance of the building as the proposed development is essentially a change of use of an existing annexe. Minor works are necessary to separate and create discrete utility services and to formalise spaces/rooms which have already been subdivided, none of which alter the external appearance of the building. Indeed, the change of use would retain the overall appearance of the existing building and therefore complies with D DM1 and D DM4 of the Arun Local Plan and HP13 of the WNP. It is considered that the Arun Design Guide SPD is also satisfied for the same reason.

Residential Amenity

- 5.27 The proposal would not result in adverse harm upon neighbouring amenity by way of overlooking, overshadowing or overbearing and will accord with D DM1 and D DM4 of the Arun Local Plan.

Space Standards

- 5.28 Policy D DM2 states the planning authority will require internal spaces to be an appropriate size and nationally described space standards will provide guidance. The proposed dwelling meets the national described space standards and therefore complies with the development plan requirement.

Parking

- 5.29 Policy T SP1 of the ALP supports development which incorporates appropriate levels of parking in line with the WSCC guidance on parking provision. The Council has adopted parking standards, as noted above. Two spaces are provided within the curtilage, one of which will be an EVCP.

Drainage and Flooding

- 5.30 Policy H DM4 of the Arun Local Plan states that buildings should be capable of conversion without rebuilding or significant alteration or extension. In this case, the conversion of the dwelling only involves internal works. There is to be no rebuilding involved and the barn has not been extended.

Contamination

- 5.31 A Groundsure report has been submitted with this application that demonstrates there is no issue in contamination terms with the proposed change of use. The proposed development therefore complies with policy QE DM4.

Ecology

- 5.32 Submitted with this application is a Preliminary Ecological Appraisal and Bat Survey Report. There was evidence of at least one bat using the building as an occasional roost. The Bat Survey Report goes on to suggest any modifications to the building will need to be within the legislative framework. However, no modifications are proposed to the building. It is therefore considered that this application complies with policy ENV DM5.

Biodiversity

- 5.33 The applicant notes that the Environment Act 2021 now requires all development to mean the biodiversity net gain condition. However, it is considered that two exemptions apply to this development. Firstly, the development is de minimis. Secondly, the development comprises a custom/self-build project.

De Minimis

- 5.34 The development is de minimis as the only physical alteration required is the separation of utilities. The majority of the relevant area is a sealed surface, which has a biodiversity value of zero under the metric. The development does not impact on any onsite priority habitat and there are no other onsite habitats. Accordingly, the de minimis exemption applies.

Enhancement and Gain

- 5.35 Nevertheless, to provide an ecological enhancement and biodiversity net gain for roosting bats at the site, the provision of two bat roost boxes is recommended by the applicant's ecologist to be erected upon the following mature trees Maple Sycamore (eastern site boundary) Weeping Willow (northern site boundary). The applicant also owns these trees and so the recommended enhancements can be delivered. In addition, the existing open portal into the building at ground floor level (next to access to the flat) will be retained.

Custom/Self-Build

- 5.36 The occupant of the proposed dwelling designed the finishings himself and was therefore heavily involved in the final design. The current occupant is the intended end-user for the proposed dwelling that this development seeks to establish through the change of use from an annexe.

Development Plan Policy

- 5.37 It is, however, acknowledged that policy ENV DM5 requires development to provide a net gain in biodiversity. However, see the proposed enhancement volunteered by the applicant in para 5.35 above.

Development Plan - Summary

- 5.38 The above analysis assesses the proposed development against the policies of the Development Plan. It is demonstrated that the proposed dwelling complies with the Development Plan. Therefore, planning permission should be granted, unless material considerations indicate otherwise.

Other Material Considerations

- 5.39 In terms of other material considerations, the National Planning Policy Framework (Dec.2024) and the emerging Local Plan will be reviewed below.

Emerging Local Plan Review

- 5.40 The emerging replacement Local Plan is considered to be at a stage in the process where no weight can be attached to its policies and proposals. Therefore, this does not indicate that planning permission should be refused.

National Planning Policy Framework (the Framework)

- 5.41 The Framework sets out the Government's vision of sustainable development and how to achieve it. This includes NPPF8(b), which sets out the social objective to achieve sustainable development. This includes ensuring that enough houses of a sufficient range are provided to meet the needs of the present and future generations.
- 5.42 NPPF9 is clear that planning decisions should be responsive to local circumstances to reflect the character, needs and opportunities of each area.

- 5.43 The provisions of NPPF11 have already been considered above. As demonstrated, the presumption in favour of sustainable development applies to this application. Therefore, the Framework indicates that planning permission should be granted.
- 5.44 NPPF124 states that planning decisions should promote and effective use of land in meeting the need for homes. This is reinforced by NPPF125(c) that states that planning decisions should give substantial weight to the value of using suitable brownfield land within settlements³ for homes.
- 5.45 Furthermore, NPPF125(d) goes on to state that planning decisions should (inter alia) support the development of under-utilised buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively. This applies directly to the application site where the building could be used more effectively to assist with the Council housing land supply situation, which is 'constrained' to say the least.

Self-build Plots

- 5.46 It is considered that the dwelling will constitute a self-build and therefore attracts further weight in favour of the grant of permission.

Other Material Considerations - Summary

- 5.47 There are no material considerations that indicate planning permission should be refused. Rather, the material considerations support the application and indicate permission should be granted.

Planning Balance and Conclusion

- 5.48 Whilst there are some conflicts with the adopted development plan policies (including those within the Neighbourhood Plan), there are significant material considerations that justify a decision other than in accordance with the development plan.
- 5.49 Planning permission should, therefore, be granted.

END

³ We note that the Framework does not state within settlement boundaries. Indeed, the judgment of the Court of Appeal in *Braintree District Council v Secretary of State for Communities and Local Government & Ors* [2018] EWCA Civ 610 held that the Framework's reference to 'settlements' did not require a settlement boundary in order to qualify as a settlement. A decision-maker should focus on the site's physical context rather than relying solely on defined settlement boundaries. In this context, the application site plainly falls within a settlement for the purpose of the Framework and the application of its policies.