
Appeal Decision

Site visit made on 18 December 2017

by Graham Chamberlain BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 11th January 2018

Appeal Ref: APP/L2630/W/17/3181606

Hannah's Barn, Barnes Rd, Pulham Market, Diss, Norfolk IP21 4SP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Paul Schwier against the decision of South Norfolk District Council.
 - The application Ref 2016/2607, dated 1 November 2016, was refused by notice dated 6 February 2017.
 - The development proposed is described as 'Conversion of barns to one independent residential unit and one holiday let'.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Council issued a 'split decision' as it approved the conversion of Barn A to a holiday let but refused the part of the application that related to the conversion of Barn B to a one bedroom dwelling. Both the Council and appellant are of the view the appeal before me only relates to Barn B and therefore I have considered it accordingly, as there is nothing before me to suggest I should do otherwise.

Main Issue

3. The main issue in this appeal is whether the proposed dwelling would be in a suitable location with particular reference to policies concerned with housing in rural areas.

Reasons

4. The appeal site is located in an attractive rural setting to the east of Pulham Market. It is surrounded on all sides by gently undulating countryside that includes arable fields, hedges and small groups of trees. Access is along a small unmade track which connects the appeal site with Barnes Road. There are two small barns within the site. Barn A is a modest brick built barn the original design of which is still reasonably intact. It benefits from a small mezzanine floor and already has openings for doors and windows. Barn B is of a similar height to Barn A but it has a smaller floor plan, an earth floor and is open to one side. It is timber framed and appears to be in a rather tumble-down state.
5. The appeal scheme is for the conversion of Barn B to a one bedroom dwelling. The conversion would include an extension that would incorporate all of the

- living accommodation save for a sitting room, which would be positioned in the existing structure. The extension would be finished in traditional materials including black weatherboarding and black clay pan tiles.
6. The appeal site is located outside of the defined settlement boundary of Pulham Market. It is therefore located in the countryside for the purposes of applying development plan policies. Policy DM 1.3 of the DMP¹ sets out a planned strategy for new development in the district. It seeks to guide it to defined settlements so as to protect the countryside and promote sustainable patterns of development.
 7. Specifically, Policy DM 1.3 states that development in the countryside will only be granted if specific development management policies allow for such development outside the defined settlement boundaries or there are overriding benefits in terms of the economic, social and environmental dimensions of what is proposed. In this respect Policy DM 2.10 of the DMP is a specific development management policy that permits, subject to criteria, the conversion and re-use of buildings in the countryside for non-agricultural uses.
 8. Criteria B in Policy DM 2.10 states that the building to be converted, Barn B in this instance, should be of adequate external dimensions to accommodate the proposed use without the need for the erection of major extensions and additions. The Policy does not appear to completely rule out extensions as part of a conversion but the extension proposed would result in considerable additional floor space. When considered relative to the size of Barn B, the proposed extension would be a major extension.
 9. The proposed extension would have lower ridge and eaves heights than the existing barn but it would be the same depth and notably longer. The proposed addition would not be subservient to the existing barn. The size of the extension, along with the domestic fenestration, would seriously detract from the modest rural character of the existing building. The proposed use of vernacular materials would soften the impact of the extension but this would not fully mitigate the harm that would arise from the substantial overall increase in built form that would erode the open character of the appeal site and, to a lesser extent, the countryside. The site is currently well screened behind trees but this cannot be relied upon to afford long term mitigation as the trees could die or fail in the future and this would expose the site in views from the west.
 10. Barn B, with the proposed extension, would be much larger than Barn A, which is of a sufficient size to function as a holiday let. Policy DM 2.10 of the DMP requires compelling evidence to be submitted that the building being proposed for conversion to a dwelling could not be converted to an employment use. An employment use could include a holiday let. In this respect it is unclear why Barn B could not function as a holiday let in much the same way as Barn A.
 11. The brick plinth of Barn B is cracking, large sections of the walls and roof have been replaced by metal cladding and sections of the timber frame have fallen down. The building appears to be in a poor state of repair. I have not seen a building survey that would suggest otherwise. It is unclear what extent of rebuilding would be required in order to convert Barn B to habitable accommodation. If the extent of rebuilding is significant, which the current

¹ South Norfolk Local Plan Development Management Policies Document 2015

condition would imply, then this, taken with the size of the proposed extension, would be tantamount to a new building in the countryside. As such, the conversion of Barn B would fall outside the scope of Policy DM 2.1. Moreover, the proposal could not amount to the optimal viable use of a heritage asset. Instead, it would effectively be the rebuilding of one.

12. The appellant has also suggested that Policy DM 2.11 would be a development management policy that would allow for a dwelling at the appeal site². This policy, which is based upon, and consistent with, the wording in Paragraph 55 of the National Planning Policy Framework, permits the erection of a dwelling to meet the needs of a full time worker connected with the land subject to criteria. This includes the requirement to demonstrate a functional need for a full time worker to be readily available at all times for the enterprise and that this need cannot be met by another existing dwelling.
13. It is unclear what the nature and size of the appellant's enterprise is and why he would need to live somewhere where he would be readily available at all times. Moreover, I have seen nothing of substance to suggest a functional need could not be met by a dwelling nearby, including a dwelling in Pulham Market. As such, it has not been demonstrated that the proposal would amount to an exception to Policy DM 1.3 permitted by Policy DM 2.11.
14. Consequently, there is not a specific development management policy, including Policies DM 2.10 and DM 2.11, which would allow for a dwelling at Barn B. As such, it is necessary to consider the proposal against the second limb of Policy DM 1.3 to gauge whether the proposal would have overriding economic, social and environmental benefits.
15. As a benefit of the proposal the appellant has suggested that it would be a 'restoration' of an existing building and he has directed me to historic maps and the existing brick and flint footings as evidence of an earlier structure. Any structure that was in the position of the proposed extension is now gone and I have seen nothing of substance to suggest it was of sufficient interest to now warrant its rebuilding as an overriding benefit. Moreover, the design of the earlier structure is unknown and therefore any 'restoration' through rebuilding would, at best, amount to an educated guess. Thus, the accuracy of the restoration cannot be guaranteed. As such, the presence of a preceding structure does not justify the appeal scheme.
16. The construction industry would accrue some economic benefits if the appeal scheme were implemented. Given the modest scale of the project these benefits would be limited. For similar reasons the benefits to the local housing land supply would be very modest, especially as the Council states that it can currently demonstrate a supply in the region of 39.6 years³. This figure has not been disputed by the appellant.
17. There would also be some social and economic benefits from the 'spend' of future occupants, however this would be from a remote base where the occupants would have a predisposition to travel by private car. This would frustrate national and local policies that promote sustainable transport. This would be an adverse environmental impact. The benefits of the proposal would

² The appellant has also referred to Policy DM 2.7 of the DMP but this is of very limited relevance as it relates to agricultural buildings and diversifications whereas Policy DM 2.11 relates to agricultural workers dwellings.

³ This figure is supported by the Council's Annual Monitoring Report

be limited and would not override the Council's general strategy for the location of new housing set out in the development plan.

18. I therefore conclude that the proposal would amount to a new dwelling in the countryside which is not supported by a development management policy or over riding benefits. As such, the appeal scheme would be contrary to Policy DM 1.3 of the DMP and thus harmfully undermine the planned strategy for housing and the protection of the countryside therein. Policy DM 1.3 is up to date and consistent with the National Planning Policy Framework.

Other Matters

19. Various concerns have been raised by interested parties in respect of highway safety, biodiversity, the need for the dwelling and the route of an oil pipeline, which I have noted. However, given my findings above it has not been necessary for me to address these further as they would not alter the outcome of the appeal, which has failed on the main issue.
20. I accept that Barn A has permission to be converted and the proposal needs to be considered in this context. However, the conversion of Barn A was permitted as an exception because it would adhere to Policy DM 2.10. The appeal scheme on the other hand would not for the reasons already given. As such, the conversion of Barn A would not justify the conversion of Barn B.
21. The appeal site has been the subject of vandalism and anti-social behaviour but I have seen nothing to suggest this could not be prevented by means other than the conversion of Barn B, such as the conversion of Barn A and/or further security measures. Barn B in its current state may be considered by some as a visual detractor that would put off future holiday makers from wishing to stay at Barn A. However, there is nothing of substance before me to suggest Barn B must stay in its current state.
22. My attention has been drawn to data that suggests the Council have permitted housing outside of settlement boundaries. However, the precise details are not before me and therefore I am unable to gauge whether any of the approvals present similar circumstances to that before me. Likewise, my attention as also be drawn to an extension approved at Walnut Cottage (Ref. 2016/2679) but this does not relate to a conversion of a rural building. Thus, it is not directly comparable to the appeal scheme and of particular relevance to my considerations.

Conclusion

23. The appeal scheme would be contrary to the development plan taken as a whole and material considerations do not indicate planning permission should be forthcoming in spite of this. Accordingly, the proposal is not sustainable development and for this reason, the reasons given above, and having regard to all other matters raised, I conclude the appeal should be dismissed.

Graham Chamberlain
INSPECTOR