



Appeal Decision

Site visit made on 12 March 2019

by J Evans BA(Hons) AssocRTPI

an Inspector appointed by the Secretary of State

Decision date: 1 August 2019

Appeal Ref: APP/Z3825/W/18/3210574

Morelands Barn, Naldretts Lane, Rudgwick RH12 3BU

- 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 M Watson against the decision of Horsham District Council.
 - The application Ref DC/18/0120, dated 16 January 2018, was refused by notice dated 8 June 2018.
 - The development proposed is described as the demolition of barn. Erection of four-bedroom barn style dwelling.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. Since the original decision was issued, the Slinford Neighbourhood Plan 2014-2031 (the SNDP) was 'made' on the 6 September 2018 and now forms part of the development plan documents applicable to the appeal site. Policies from the SNDP were not referred to in the decision notice. Whilst I consider that there are no policies within the SNDP that are directly relevant to the proposal, I have nevertheless assessed this appeal in light of the SNDP as part of the development plan. I do not consider any party has been prejudiced through the change in status of the SNDP.
3. In February 2019, after final comments had been received from the main parties, the latest version of the National Planning Policy Framework (the Framework) was introduced. However, the changes to the Framework are not directly relevant to the issues within this appeal, and I have used the latest version of the Framework without prejudice to any party.
4. The appellant contends that there is a fall-back position in that planning permission is in place¹ to convert Morelands Barn into a residential dwelling and that the existing barn could be converted to a dwelling through Schedule 2, Part 3, of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended. The Council accepts that the fall-back positions represent an important material planning consideration and I agree with their conclusions on the matter.

Main Issues

5. The main issues are:
 - the effect of the development on the character and appearance of the area;

¹ Through DC/16/2489 on 30 June 2017 for the 'Conversion of barn to two bedroom dwelling'.

- whether or not the proposal would align with the policies for replacement dwellings in the open countryside having regard to the development plan; and
- whether there are other material considerations, including the fall-back position, which indicate that the proposal should be determined other than in accordance with the development plan.

Reasons

Character and appearance

6. The appeal site is located in the countryside adjacent to a track and bridleway which leads from the settlement of Rudgwick into an attractive rural landscape. The site contains an existing traditional farm building called Morelands Barn, which at present lies redundant. The site is openly visible from the bridleway and on the approach to the site from the Rudgwick direction. The barn is located adjacent to the property Morelands Cottage, but otherwise there is no other noticeable built form in the context of the appeal site. The character is distinctively rural.
7. The appeal proposal would replace Morelands Barn with a new build dwelling house and would result in a larger building on the appeal site. Whilst the proposal seeks to reflect some of the characteristics of Morelands Barn, such as through the half-hip roof and the use of materials, it would nevertheless through the increase in height, the enlarged footprint and the number of openings appear domestic in its appearance, scale and massing. It would not reflect the distinctive qualities of the simple vernacular farm building that presently exists at the site or respond appropriately to the rural character of its location. As a consequence, the proposal would represent an incongruous addition adjacent to a public bridleway which would harm the character and appearance of the area.
8. I note the appellant's comments that the existing building is located within a large area of ground, the proposal would not take up a significant proportion of the appeal site and there is some boundary coverage to screen the proposal. Nonetheless the resultant development would be visible from the adjacent bridleway and, for the reasons I have already outlined, I consider that it would not be appropriate in context.
9. Therefore, in respect of this issue, the proposal would be contrary to policies 1, 2, 26, 28, 32 and 33 of the Horsham District Planning Framework (excluding South Downs National Park) 2015 (the HDPF). These policies, amongst other matters, expect development to contribute to a sense of place and to sustain local distinctiveness, character and heritage. The proposal would also be contrary to section 12 of the Framework which relates to achieving well-designed places.

Whether or not the proposal would align with the policies for replacement dwellings in the open countryside having regard to the development plan

10. The appeal site is located in the countryside outside of the defined built-up areas which are the focus for development as indicated in policies 2 and 3 of the HDPF.

11. Policy 28 of the HDPF, supports replacement dwellings outside of the defined built-up areas, where the development can be accommodated appropriately within the curtilage of the existing dwelling; it is on a one for one basis and it is demonstrated that the property is not derelict; and where the proposal would not be disproportionate to the size of the existing dwelling
12. In this case, Morelands Farm is at present derelict and does not have an active residential use. In this regard, there is a conflict with policy 28 of the HDPF purely as a matter of principle. Nonetheless, even if that was not case, as a result of other material considerations such as the fall-back position, I find that the proposal would be disproportionate in terms of height, footprint, scale and massing to the size of the existing building and would conflict with policy 28 in this regard.
13. I have determined the appeal on its own merits. Nevertheless, I note from the appellant's submissions that elsewhere the Council has permitted other replacement dwellings within the countryside that appear to be larger in size, scale and bulk than the dwelling being replaced. Whilst that maybe the case, and I have reviewed the examples submitted by the appellant, each case is a matter of judgement based upon its specific circumstances, each of which must be considered on its own merits. As a consequence, whilst I have taken these other examples into account, they do not materially alter my conclusions on the appeal proposal.
14. Consequently, I conclude that the proposal would conflict with policy 28 of the HDPF.

Fall-back position

15. Planning permission is in place to convert Morelands Barn into a dwelling, however there is limited information before me to establish if this is realistically going to take place. Nonetheless, the plans provided for this planning permission indicate that the conversion works would be undertaken in a sensitive manner whereby the general form, appearance and prevailing rural character of Morelands Barn would be retained. As a consequence, the fall-back position, does not materially alter the conclusions I have reached on the first main issue, with regard to the effects the proposal would have on the character and appearance of the area.
16. I acknowledge that a residential use of the site is in principle established through the fall-back position and that there is substance to the appellants argument that policy 28 of the HDPF is of relevance. However, whilst the fall-back position may have established the principle of a residential use at the site, as I have already concluded, policy 28 also requires that replacement dwellings should not be disproportionate to the size of the existing dwelling. I find that the appeal proposal would be disproportionate to the size of both the development previously approved and the existing building. Therefore, the fall-back position does not materially address the conflict I have found with this policy.

Other matters

17. Access to the appeal site would be via the track and bridleway which leads past the grounds of the Grade II listed Naldrett Farmhouse. Statute requires me to have special regard to the desirability of preserving a listed building or its

setting or any features of special architectural or historic interest which it possesses². Due to the separation distance of the proposal from the listed building, I am satisfied that Naldrett Farmhouse, its setting and any features of special architectural or historic interest which it possesses, would be preserved.

18. A number of other matters have been brought to my attention by interested parties through the appeal submissions, such as those relating to living conditions, ecology, and the use of the track and bridleway. Whilst I have given the points raised careful consideration, they do not materially change my overall conclusions on the appeal proposal.

Conclusion

19. For the reasons given above, having regard to all matters raised, the appeal is dismissed.

J Evans

INSPECTOR

² S66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended.