
Appeal Decision

Site visit made on 5 November 2024

by Jane Smith MA MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 November 2024

Appeal Ref: APP/U1430/W/23/3330562

Guestling House, White Hart Hill, Guestling Green, Guestling, East Sussex TN35 4LP

- 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 Mr Sutton (Buckswood School) against the decision of Rother District Council.
 - The application Ref is RR/2023/509/P.
 - The development proposed is replacement barn for agricultural use.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Representations from an interested party indicate that part of the land edged blue on the Location Plan (drawing no. 654-100) is outside the appellant's ownership. An aerial photograph in the appellant's Statement of Case provides an updated boundary which broadly, but not entirely, corresponds with an updated plan (drawing no. 690-02A) appended to the Council's Statement of Case. The latter was submitted with a separate application for prior approval of a similar proposal on the same site¹, which was also refused but is not the subject of this appeal. Both the revised boundaries exclude land in the northern part of the site which was edged blue on the original Location Plan.
3. On all the above plans, the proposed building would be within the land edged red. Its proposed location and its relationship with the adjacent orchard and vineyard were clearly identifiable at the time of my site visit. I have had regard to the updated boundary information provided by both main parties and am satisfied that no party has been prejudiced by my having done so.
4. Areas of Outstanding Natural Beauty (AONB) are now referred to as 'National Landscapes', so I have referred to the High Weald National Landscape (HWNL) in this decision. However, this does not change the legal status of this AONB, relevant local or national policy, or statutory requirements for consideration of the effect of proposed development on the designated landscape.

Main Issue

5. The main issue is whether the appeal site is an appropriate location for the proposed agricultural building, having regard to national and local planning

¹ Rother District Council application ref: RR/2024/433/FN

policies in respect of conserving and enhancing the landscape and scenic beauty of the High Weald National Landscape and agricultural need.

Reasons

Previous Building

6. The proposal is described as a replacement barn, and evidence has been provided of a pre-existing building in the same location. Based on the appellant's undated aerial photograph, this appears to have been a modern, portal framed shed with corrugated metal or fibre sheeting to the walls and roof. It was next to the main building on the site, which has been used for a variety of residential and educational purposes and is currently used as a guest house. However, while there is still a concrete hardstanding in that position, there is no remaining structure above ground level.
7. The Council's officer report indicates that the previous building was demolished around 20 years ago. While the appellant maintains that its earlier presence on the site is relevant to consideration of the barn now proposed, no substantive evidence has been presented contradicting that date. In any case, there is no automatic entitlement within the development plan policies which have been brought to my attention for replacement of the previous building with another of equivalent scale or siting. Furthermore, the planning history indicates that the way the site is used has changed several times in the interim. Therefore, there is little indication whether the previous building served a similar purpose to the barn now proposed.

Policy Considerations

8. In the Core Strategy², Policy RA2 takes a positive approach towards development to support the local agricultural economy, while also limiting new development to that which maintains or improves rural character. Policy RA3 goes on to set out several specific criteria which apply to development proposals in the countryside. They include support for new agricultural buildings which are demonstrably needed to support farming, woodland and other land-based industries, that are of appropriate size, siting and design and materials and directly related to the enterprise. The same policy requires that all development in the countryside is of an appropriate scale and will not adversely impact on landscape character.
9. Policy EN1 of the Core Strategy and Policy DEN2 of the Development and Site Allocations Local Plan 2019 (DSALP) require that development within the HWNL conserves and enhances landscape and scenic beauty.
10. In the National Planning Policy Framework (the Framework), paragraphs 88-89 support the development and diversification of agricultural and land-based rural businesses, and allow in principle for well-designed, beautiful new buildings for that purpose. At the same time, paragraph 182 requires that great weight is given to conserving and enhancing landscape and scenic beauty in nationally designated landscapes such as the HWNL.

² Rother Local Plan Core Strategy, adopted 2014

Agricultural Need

11. Land largely to the east and south of the proposed barn has been planted with vines and fruit trees. These are recently planted on parcels of former grassland. Evidence has been provided that various land parcels are registered with the Rural Payments Agency, and that applications have been made for countryside stewardship grants and other similar schemes. While the evidence about the scale and nature of any agricultural business is somewhat sparse, the land is, as a matter of fact, being used for growing fruit on a relatively extensive scale. As such there is a reasonable requirement for some form of indoor storage for related equipment, materials and produce.
12. The proposed barn would be adjacent to the fields containing young vines and fruit trees. It has good access to the highway which may be required for transporting agricultural equipment and produce. To that extent, it would be more conveniently located and immediately suitable than the former milking parlour, which is in a rather overgrown and dilapidated state.
13. However, the scale and form of the proposed building is not clearly limited to the likely level of storage arising from the growing of fruit. For example, the eaves would be elevated well above the door openings, but the scale of these openings would not apparently accommodate bulky machinery which may require such high internal clearance. The need for several ground floor openings is unclear, since only a single storage area is indicated internally. Although no internal stair is indicated, there would be several rooflights, which are not apparently necessary.
14. The numerous external openings give the building a rather domestic appearance, which is not consistent with its intended use as described. Although there is also reference to guests being encouraged to understand and appreciate the environment and local produce, the plans were amended prior to the Council's decision to omit a previously proposed wine tasting venue on the first floor. However, the scale of the building does not appear to have been reduced accordingly.
15. Taking these factors into consideration, based on the evidence before me, the building would not be of an appropriate size and design directly related to the needs of the enterprise.

Landscape and Scenic Beauty

16. The landscape of the HWNL is characterised by its rolling topography with small, irregular fields, enclosed within a network of hedgerows and woodland. Traditional local building materials include horizontal timber weatherboarding and plain clay tiles. Although there are urbanising features in the vicinity of the site, including the main road, pylons and guest house, the field pattern is broadly typical of these landscape characteristics. The appeal site is accessed at a relatively high point and the fields fall away to the east and north, which opens up long views through the site into the wider landscape.
17. The proposed building would be on the higher land, in a relatively exposed position. Whereas the pre-existing building appears to have been surrounded by vegetation, the access and parking area is now relatively open, providing an expansive outlook over the adjacent pattern of fields and woodland. The

barn would be conspicuously sited within this open area, and would be a prominent new built feature, by virtue of its height and bulk.

18. The number of window and door openings is a departure from the vernacular detailing of agricultural buildings in the High Weald, which the design purports to emulate. The use of black timber weatherboarding is more typical, and there are some slate roofs in the surrounding area. However, fibre cement slates laid at a steep pitch is not typical of the local vernacular for traditional barns and agricultural buildings. While fibre cement sheeting is found on more modern buildings, including the former milking parlour, it is generally laid at a shallow roof pitch, which results in a more modest building form.
19. For the above reasons, despite the fact that this part of the site has been developed in the past, and there are other urbanising features nearby, the proposed building would not conserve the landscape and scenic beauty of the HWNL, as a result of its prominent position, unjustified scale and uncharacteristic detailing.

Conclusions on Main Issue

20. While I accept that lack of suitable storage could hamper development of the agricultural enterprise, which may also affect related local businesses, that does not amount to justification for a building which fails to reflect the scale and nature of the agricultural need. The barn would be in addition to, rather than instead of, the former milking parlour, so the level of built development on the site would increase to an unjustified extent. Consequently, the proposed development does not benefit from the support in Policies RA2 and RA3, since it is not of an appropriate size and design directly related to the enterprise. Nor would it conserve and enhance the natural beauty of the HWNL, since it would increase the intrusion of unjustified built development and would not adopt suitable external materials and detailing.
21. I therefore conclude that the appeal site is not an appropriate location for the proposed agricultural building, having regard to national and local planning policies in respect of conserving and enhancing the landscape and scenic beauty of the High Weald National Landscape and agricultural need. The proposed barn would conflict with Policies RA2 and RA3 of the Core Strategy, as summarised above. It would also be contrary to Policies OSS3, OSS4 and EN1 of the Core Strategy and Policies DEN1 and DEN2 of the DSALP which collectively require that new development is considered in relation to the character and appearance of the surrounding area generally, and conserves and enhances the character of the HWNL more specifically.
22. Core Strategy Policy EN5 and DSALP Policy DEN4 are of more limited relevance, since they focus on protecting biodiversity and green infrastructure. The proposed building would be directly adjacent to an existing building, on an existing hardstanding, and no harm to biodiversity is alleged.

Other Matters

23. The inclusion of bird and bat boxes to benefit biodiversity would be of minor benefit. While Guestling Parish Council recommended that the proposal be approved, no supporting explanation was offered. These positive factors do not outweigh the harm to the HWNL which is a matter carrying great weight in accordance with the Framework.

24. The barn at Honeysuckle Cottage is related to an alpaca enterprise, so the agricultural justification for that development would have related specifically to the different operational requirements of the livestock enterprise. It is also located on lower ground and is of significantly lower overall height. Therefore, the approval of that building does not amount to justification for the appeal proposal, in circumstances which differ in a number of relevant respects.

Conclusion

25. The proposal 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