



Appeal Decision

Site visit made on 18 March 2025

by J Heppell BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4 April 2025

Appeal Ref: APP/D3830/W/24/3352370

The Blacksmiths Building, The Forge, Cuckfield Road, Staplefield, Haywards Heath, West Sussex, RH17 6ET

- 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 Cath Dixon against the decision of Mid Sussex District Council.
 - The application Ref is DM/24/1709.
 - The development proposed is the use of the building as a C3 dwelling house.
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Decision

1. The appeal is allowed and planning permission is granted for the use of the building as a C3 dwelling house at The Blacksmiths Building, The Forge, Cuckfield Road, Staplefield, Haywards Heath, West Sussex, RH17 6ET in accordance with the terms of the application, Ref DM/24/1709, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with drawing nos 23-07-10, 23-07-11, 23-07-12, 23-07-13, 23-07-14 and 23-07-15.
 - 3) Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) 2015 or as amended in the future, no enlargement, improvement or other alteration of the dwellinghouse, whether or not consisting of an addition or alteration to its roof, nor any other alteration to its roof, shall be carried out, nor shall any building or enclosure, swimming or other pool be provided within the curtilage of the dwelling house without the specific grant of planning permission from the Local Planning Authority.
 - 4) Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) 2015 or as amended in the future, no erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure shall be carried out without the specific grant of planning permission from the Local Planning Authority.

Preliminary Matters

2. The Council has clarified that the first reason for refusal in its decision notice should have referred to Cuckfield Road not Pickwell Lane, and that Policy AS1 of the Ansty, Staplefield & Brook Street Neighbourhood Plan (ASBSNP) should have been referred to instead of Policy BOLBB1 of the Bolney Neighbourhood Plan. I

am satisfied no party has been prejudiced. Therefore, this is the basis on which I have determined the appeal.

Main Issues

3. The main issues in this appeal are:

- whether the appeal site would be a suitable location for the proposed development having regard to local and national policy; and
- the impact of the proposed development on the living conditions of future occupiers with particular reference to outlook and privacy.

Reasons

Location

4. The Blacksmiths Building is a single storey brick and tile building located in the countryside close to the village of Staplefield. It forms part of a small cluster of redundant equestrian buildings, along with a dwelling and a workshop/equipment store. The building was formerly lived in by livery staff under planning permission 12/02563/COU, which limited the occupancy to a person employed at The Forge.
5. The proposal would be located beyond any recognised settlement boundary, and therefore, for planning purposes, in the countryside. As such, the Council contends that the use of the existing building as a C3 dwelling should secure the future of a heritage asset or lead to an enhancement of the immediate setting and maintain the quality of the rural and landscape character of the area, in accordance with Policy DP15 of the Mid Sussex District Plan 2014 – 2031 (MSDP).
6. Neither of the main parties has contended that the Blacksmiths Building is a heritage asset, but it is nonetheless an attractive building which makes a small but positive contribution to the quality of the High Weald National Landscape within which it is situated. The appellant has explained that considerable investment has previously gone into the conversion of the building to residential accommodation, and in so doing the immediate setting of the building has been enhanced.
7. The Council argues that rural buildings are only those which are required for rural activities such as farming and forestry, and that the Blacksmiths Building, being most recently used in connection with equestrianism, is not a rural building. However, there is nothing to indicate that the definition of a rural building should exclude equestrian buildings in the countryside. The Council further contends that as the requirement for a rural worker to occupy the property has ceased, the justification for the accommodation no longer exists, but to my mind this does not mean that the proposal is incapable of complying with Policy DP15 of the MSDP.
8. The reason for refusal alleges that the site is in an unsustainable location where there would be a heavy reliance on the use of motor vehicles to access local services, in conflict with the National Planning Policy Framework. Local services in Staplefield include a primary school, a church, a village hall, a public house and a children's playground, which are accessible on foot from the appeal site via pavements and grass verges next to roads with a 30MPH speed limit. I am therefore satisfied that future occupiers would not be heavily reliant on the use of motor vehicles to access local services.

9. Accordingly, I conclude that the appeal site is a suitable location for the proposed development, and that the proposal would therefore accord with Policies DP6, DP12, DP15 and DP21 of the MSDP and Policy AS1 of the ASBSNP. Taken together these policies set out the circumstances in which development in the countryside is acceptable, including criteria for the re-use of rural buildings for residential use.

Living conditions

10. Externally the property has a patio located between the bedroom window and the access road. Whilst there would be views of the patio and the bedroom window from the access road, the access road is lightly trafficked, and therefore the effect on the outlook and privacy of future residents would be minimal.
11. Moreover, the property has a modest rear garden abutted by mature trees. Given the small size of the property, I am satisfied that the garden is not only of sufficient size to meet the needs of future residents, but also would contribute to the outlook from the property and the overall privacy of the dwelling.
12. I therefore conclude that the proposed dwelling would provide suitable living conditions for future residents, in accordance with Policy DP26 of the MSDP, which protects the amenities of residents, including their privacy and outlook.

Other Matters

13. The Council has acknowledged that it cannot demonstrate a five year supply of deliverable housing sites. However, as the proposal accords with the development plan as a whole and there are no material considerations to the contrary, there is no need to consider Paragraph 11 of the National Planning Policy Framework.

Conditions

14. In the interests of certainty, I have attached a condition listing the approved plans. I consider it prudent to remove permitted development rights, as requested by the Council, given the relatively small size of the curtilage.

Conclusion

15. For the reasons given above the appeal should be allowed, subject to the conditions set out above.

J Heppell

INSPECTOR