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## Appeal Decision

Site visit made on 15 December 2025

by **C Coles MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 24 March 2026

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**Appeal Ref: APP/C1435/W/25/3374398**

**South Park Farm, The Old Barn, Priory Road, Forest Row, East Sussex RH18 5HT**

- 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 David Mark Pendry and Amanda Pendry against the decision of Wealden District Council.
  - The application Ref is WD/2025/0946/F.
  - The development proposed is conversion of redundant detached agricultural barn with reduced footprint to three-bedroom residential unit.
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### Decision

1. The appeal is allowed and planning permission is granted for conversion of redundant detached agricultural barn with reduced footprint to three-bedroom residential unit at South Park Farm, The Old Barn, Priory Road, Forest Row, East Sussex RH18 5HT in accordance with the terms of the application, Ref WD/2025/0946/F subject to the conditions in the attached schedule.

### Preliminary Matters

2. The appellants' names were originally set out in the application form as Mark and Amanda Pendry. The appellants' have subsequently confirmed their correct titles are as set out in the banner heading. The address was originally set out in the application form and decision notice as set out in the banner heading above. The appeal form refers to the address as The Old Barn, South Park Farm, Weir Wood, Forest Row, East Sussex, RH18 5HT. On the basis of the evidence in front of me, I am satisfied that the original site address is correct. I have determined the appeal on the basis of the information contained in the banner heading.
3. The Council's second reason for refusal concerned the likely significant adverse effect on the Ashdown Forest Special Protection Area (SPA) as a result of recreational impact caused by intensified residential occupation within a zone of influence of the SPA and the lack of secured mitigation against the likely adverse effect. Alongside this appeal, the appellant's have submitted a completed Unilateral Undertaking (UU) to provide the relevant mitigation in the form of contributions towards Strategic Access Management and Monitoring (SAMMs) and Suitable Alternative Natural Greenspaces (SANGs). The Council no longer wishes to defend this reason for refusal as they consider the secured mitigation overcomes this reason for refusal. The UU also secures the dwelling as a self-build dwelling for the purposes of Biodiversity Net Gain exemption. I will return to this later in my decision.

4. The third reason for refusal is an informative. The submission of the UU addresses the informative and the Council are not seeking to defend this reason for refusal and I have not needed to consider this any further.

### **Main Issues**

5. The main issues in this appeal are;
  - i) Whether the proposal would be a suitable location for housing, having regard to the Council's spatial strategy and the provisions of the National Planning Policy Framework (the Framework);
  - ii) the effect of the proposal on the character and appearance of the surrounding area, including the High Weald National Landscape (HWNL).

### **Reasons**

6. The appeal site comprises a large agricultural building at South Park Farm, situated on land adjacent to the access track from Priory Road. The site lies immediately to the south of The Old Barn, a barn converted into a residential dwelling. The site is within the HWNL and outside any settlement boundary. It is also within the 7km Zone of Influence for the Ashdown Forest SPA and Ashdown Forest Special Area of Conservation (SAC).

#### *Whether the proposal would be a suitable location for housing*

7. Policy GD2 of the Wealden Local Plan (WLP) states that outside the development boundaries, development will be resisted unless it is in accordance with specific policies in the WLP. Policy DC17 of the WLP states that housing development will not be allowed outside development boundaries unless the proposals conform with other plan policies. Policy WCS6 identifies categories of settlement in rural areas and remains largely silent on the approach to development outside defined settlements. The Council also refer to SPO7 which is a spatial planning objective which encourages the reduction of the need to travel by car, concentrating development where it can most closely relate to public transport opportunities and making it easier to travel by more sustainable modes of transport.
8. Policy DC8 of the WLP relates to the conversion of agricultural and other rural buildings to residential use and will be considered in association with the Framework.
9. The summary criteria of Policy DC8 are that applicant has made every reasonable attempt to secure suitable business re-use; the building is in keeping with its surroundings; is of sound construction and capable of conversion without significant rebuilding, modification or extension; any alterations would not harm its architectural integrity nor materially change its appearance as a rural building and its associated activities would not detract from the rural setting of the building. The purpose of policy DC8 is to allow the conversion of existing rural buildings to residential use providing the building is in keeping with its surroundings and without damaging or substantially altering the existing character and appearance of the building or harming its countryside setting.
10. The appellant has stated the commercial re-use of the site would be likely to result in a far more intensive use of the site than residential occupation. In turn, this could have detrimental implications for the character and appearance of the

surrounding area. I agree with this conclusion. Accordingly, it seems unlikely that there would be a realistic prospect of a suitable business use being found that could be accommodated on site. As such, I am content that the objectives of the policy are not being undermined.

11. Policy DC8 is therefore broadly consistent with the Framework in allowing the conversion of rural buildings, specifically paragraph 84c of the Framework which allows for the re-use of redundant buildings in isolated locations without seeking to require commercial use.
12. Criterion 2 of Policy DC8 states that buildings must be of sound construction and capable of conversion without significant rebuilding, modification or extension. The appellants have submitted a report from structural engineers which considers the structure of the barn to be in good condition with the existing roof structure and slab to be robust and sound and that the building appears to be suitable for conversion to residential accommodation in an overall general sense. Whilst it is acknowledged the building would require a new roof, this is due to the presence of asbestos and I accept that any repurposing of the barn would require the roof to be replaced. Whilst additional supports may be required to support a new roof, these would also be required for any repurposing of the building.
13. The alterations to the barn to require its conversion would not constitute significant modification and alteration as the basic shape and structure including the floor would remain. The rear end of the barn would be demolished, however, this would reduce the bulk and mass of the building to the rear and when viewed from the curtilage listed building adjacent to the barn (The Old Barn). Other alterations include reducing the width of two bays of the rear of the remaining barn and lowering its ridge height and the insertion of a number of openings. The alterations in the form of demolition are not necessary to enable the building to be converted, but make the building more suitable for conversion purely by reducing its scale, bulk and mass.
14. Policy DC8 criterion 3 requires that any proposed alterations to the building would not harm its architectural integrity nor materially change its appearance as a rural building.
15. The alterations to the size and shape of the rear of the building would retain the overall agricultural character of the barn and the alterations would not lose the architectural character of the building.
16. Both parties agree the building has no defining features but appears as a typical building of its type and does not appear out of keeping in the rural setting. The basic shape would remain the same from public viewpoints.
17. The proposal includes additional openings for glazing, particularly at the rear. Whilst the glazing would domesticate the building, it would be discretely located away from public vantage points and would not materially change the appearance of the building as a rural building. The building would remain utilitarian in character and appearance and would not be overly domesticated with a proliferation of openings. The proposal complies with policy DC8 criteria 3.
18. Policy DC8 criterion 4 requires the proposal not to detract from the rural setting of the building and that the curtilage should not be intrusive in the landscape. The creation of a domestic curtilage would follow the existing curtilage of the building

therefore there would be no change to the site boundaries. There would be a reduction in hardstanding and an increase in soft landscaping and much of the paraphernalia on the site such as the storage of Photovoltaic panels and farm machinery would be removed which would enhance the appearance of the site and its immediate setting whilst retaining the rural context of the barn.

19. My attention has been drawn to the potential to domesticate the site from additional domestic paraphernalia. The main amenity space for the proposal would be to the rear of the barn, away from public vantage points and would be set within the context of the residential curtilage of The Old Barn. The potential for domestic paraphernalia to fundamentally alter the character of the area would therefore be limited. This could largely be controlled by the removal of permitted development rights to erect ancillary outbuildings in any event. The proposal therefore complies with criterion 4.
20. Criteria 5 of policy DC8 requires the proposal has an acceptable impact on the local road network and there is satisfactory means of vehicular access and parking arrangements. Adequate parking would be provided to the front of the proposed dwelling and the proposed use would be likely to have less impact on the local road network than the former agricultural use. As such, there would be no conflict with criterion 5.
21. The site would be located approximately 2km from the nearest settlement with everyday facilities and services of Forest Row. Access to Forest Row would be via unlit roads with approximately 1km with no pavements. The roads are also subject to the national speed limit. The distance from Forest Row and the route which would neither be safe or attractive to walkers would mean future occupiers of the dwelling would be largely reliant on private vehicles to access facilities.
22. I have not been provided with any evidence of alternative means of transport to the site such as bus routes, train routes or cycle paths from Forest Row or any other settlement. It is likely, therefore, that the majority of the trips would be made by the private car.
23. Despite the above, paragraph 110 of the Framework recognises that opportunities to maximise sustainable transport solutions will vary between urban and rural areas. Paragraph 84c of the Framework also allows for the re-use of redundant or disused buildings in isolated locations provided it would enhance its immediate setting, which this development would. As such, there is support in national policy for development of this type in locations which are likely to be less well served by public transport.
24. In conclusion, although the development would likely be more car dependent, it would not be of a significant scale and thus would not lead to substantial harm in this respect. I am also mindful that the development complies with Policy DC8 and thus would be supported in principle by policies GD2 and DC17. Policy WCS6 is largely silent on development outside settlement boundaries and thus these policies are highly relevant. The development would also be consistent with paragraph 84c of the Framework. Therefore, while there would be some limited conflict with the aims of objective SP07, compliance with other relevant policies means that, overall, I am content that the building is suitable for conversion and that this is a suitable location for housing development.

### *High Weald National Landscape*

25. Paragraph 189 of the Framework states that great weight should be given to conserving and enhancing landscape and scenic beauty in National Landscapes which have the highest status of protection in relation to these issues. Section 245 of the Levelling Up and Regeneration Act 2023 (LURA) places a duty on relevant authorities to further the statutory purpose of the National Landscape. Policy EN6 of the WLP states that development within the HWNL will only be permitted if it conserves or enhances the natural beauty and character of the landscape.
26. The natural beauty of the HWNL is derived from its landscape character created by historic and locally distinctive agricultural and forestry practices. However, the HWNL is particularly vulnerable to development which fails to respect its tranquil and rural characteristics.
27. The immediate setting for the barn comprises two residential dwellings, the closest being a former barn conversion. The surrounding area is characterised by woodland, fields and intermittent dwellings within spacious plots. The barn would remain agricultural in appearance to the front and from public vantage points.
28. The change of use of the barn to residential would respect the tranquil characteristics of the area more than any alternative commercial or agricultural use due to the low intensity use of the site and would respect its immediate setting of two other residential dwellings within spacious plots.
29. Whilst there are elements of glazing in association with the conversion to a residential dwelling, it would be proportionate to the use of the site as a dwelling. The appellant's show openings in the barn on the existing plans that are more numerous than shown on the proposed plans, however, whilst these maybe historic and capable of being reopened, at my site visit these openings were not observed. Despite this, there was clearly the potential for light spill from the previous agricultural use of the barn and I do not consider the proposed use with the associated glazing would have a harmful impact on the integrity of the HWNL.
30. The proposed conversion to residential use would also remove much of the hardstanding, agricultural machinery and paraphernalia on the site such as the storage of Photovoltaic panels which would enhance the appearance of the site and its immediate setting whilst retaining the rural context of the barn.
31. In conclusion, the conversion of the barn would conserve and enhance the landscape and scenic beauty of the HWNL and further its purposes. The proposal would also comply with Policy EN6 of the WLP which seeks to conserve or enhance the natural beauty and character of the HWNL.

### **Other Matters**

32. Both parties have referred to other appeals relating to the conversion of barns in the countryside, some of which were allowed and others dismissed. I have been provided with the decision notices referred to by the Council, however I don't have the details for all the appeals of the buildings, their settings or the works being described. Each appeal is site specific and fact sensitive. Whether or not a

proposal is a conversion is a matter of fact and degree and, in any event, each appeal must be determined on its own merit and these appeals have not been determinative in my decision.

33. A UU was submitted by the appellant which secures the proposed dwelling as a self-build dwelling. Given the appellant is relying on the self-build aspect of the dwelling to secure an exemption from Biodiversity Net Gain, this UU is necessary and meets the tests in paragraph 58 of the Framework.

#### *Heritage Assets*

34. The appeal site lies within the setting of South Park Farmhouse, a grade II listed building. I therefore have a statutory duty under the Planning (Listed Building and Conservation Areas) Act 1990 (the Act) to have special regard to the desirability of preserving the building or its setting. The Council raised no objections in relation to any impact on the Farmhouse and I have no reason to disagree.
35. Through the introduction of new soft landscaping, the removal of hardstanding and the reduction in the scale, bulk and mass of the appeal property, the development would reduce any existing impact on the setting of the listed building and help to improve long and short distance views of it. As a minimum, the development would therefore preserve the setting of the listed building, in accordance with the expectations of national policy.

#### *Appropriate Assessment*

36. The site lies within the 7km Zone of Influence of the Ashdown Forest SPA. The qualifying features underpinning the SPA designation is the concentration of Dartford Warbler and European Nightjar.
37. Natural England's supplementary advice on conserving and restoring site features for the Ashdown Forest SPA identifies recreational disturbance as one of the principle threats to ground nesting birds.
38. The application proposal would facilitate a permanent increase in the number of people living within a short drive of the SPA. The Ashdown Forest is an attractive semi-natural area which is close to the application site. It is somewhere future residents of the home proposed would likely wish to visit for recreation. This would provide a pathway of effect for recreational disturbance.
39. Due to the relatively small scale of the proposed development, there is no scope to provide on-site mitigation for the impacts on the SPA. Thus, it is necessary to secure a financial contribution towards SANGs and SAMM in line with the tariffs in the Council's Ashdown Forest Mitigation Zone Background Paper. This is an approach supported by Natural England.
40. The appellant has submitted a UU providing the necessary mitigation. I am content that the contributions toward SANG and SAMM meet the statutory tests and can be taken into account. Therefore, with this mitigation in place, the proposal would not adversely affect the integrity of the SPA.
41. The qualifying features underpinning the Ashdown Forest Special Area of Conservation (SAC) designation are the presence of European dry heath, North Atlantic wet heath and great crested newts.

42. Given the small scale of the development, when considered on its own or in combination, there is nothing to suggest the development would adversely impact on the integrity of the SAC by virtue of changes in air quality.
43. Natural England have been consulted on the Appropriate Assessment and proposed mitigation measures and raise no objection to the proposal. I have no reason to come to a different conclusion.
44. With the appropriate mitigation in place, the proposal therefore complies with Policy WCS12 and Strategic Objective SP01 of the Wealden Local Plan Core Strategy (WLPCS) and Policies EN1 and EN15 of the WLP.

### **Conditions**

45. I have had regard to the various planning conditions that have been suggested by the Council and appellant and have considered them against the tests in the Framework and the advice in the Planning Practice Guidance.
46. Where I have imposed pre-commencement conditions, these have been agreed with the appellant.
47. I have imposed an 18 month time limit condition from the date of the decision within which to start the development to address the housing shortage within Wealden District. Whilst the appellant requested a three year time limit condition, I have not been provided with substantive evidence that this could not be sooner given the housing land supply position.
48. In the interests of certainty, I have imposed a condition specifying the relevant drawings as this provides certainty.
49. I have imposed a condition requiring the submission of external material samples for the proposal and a hard and soft landscaping scheme to safeguard the appearance of the building and the visual amenities of the locality.
50. To ensure a satisfactory standard of development, I have imposed conditions requiring the submission of foul drainage disposal details and surface water drainage. This information is required pre-commencement of development as the works would be below ground and would need to be agreed at the outset.
51. To ensure the survival of and to protect protected species, I have imposed a condition requiring a scheme for the enhancement of the site for biodiversity purposes is submitted.
52. To promote sustainable building design, I have imposed a condition requiring full details to be submitted for the incorporation of water and energy efficiency measures into the dwelling.
53. To preserve the rural and residential amenities of the locality, I have imposed a condition requiring details of any means of external illumination to be submitted to the Council.
54. To preserve the rural character of the area and amenities of neighbouring properties, I have removed permitted development rights for alterations to the dwelling or for buildings incidental to the enjoyment of the dwelling. The Council was particularly concerned about the domestication of the site and the removal of

permitted development rights as indicated restricts any further changes to the external appearance of the building without Council approval.

## Conclusion

55. I have not found conflict with the exceptions policy (DC8) of the development plan which allows the conversion of agricultural or other buildings in the countryside into residential use, subject to certain criteria and the policy is broadly consistent with the Framework.
56. Objective SPO7 and policy WCS6 of the WLPCS aim to reduce the need to travel by car by concentrating development in sustainable settlements. However, policies GD2 and DC17 allow for residential development outside settlements in certain circumstances. Paragraph 84 of the Framework also allows for the re-use of redundant or disused buildings which would enhance its immediate setting in isolated locations. Furthermore, paragraph 110 of the Framework also recognises opportunities to maximise sustainable transport solutions will vary between urban and rural areas. There would also be no conflict with policies seeking to protect the national landscape. For this reason, I am content that the development complies with the development plan, and national policy, when taken as a whole.
57. Even if I had determined the proposal conflicted with the development plan as a whole, the Council cannot demonstrate a 5-year supply of deliverable housing land. This would have triggered paragraph 11d of the Framework. In my view, any adverse impacts of the development in terms of additional travel by private car would not have significantly or demonstrably outweighed the social and economic benefits of delivering an additional dwelling in the context of a housing land supply of 3.68 years. Accordingly, the presumption in favour of sustainable development would have applied. This would have been a material consideration sufficient to justify a decision other than in accordance with the development plan.
58. For the reasons given above, the appeal should be allowed.

*C Coles*

INSPECTOR

## Conditions

- 1) The development hereby permitted shall begin not later than 18 months from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with drawing nos: Site Plan as Proposed 380/17A; Side Elevations as Proposed 380/25F; Front and Rear Elevations as Proposed 380/25F; Ground Floor Plan as Proposed 380/20H; Proposed Plans and Elevations Shed 380/32; Roof Plan as Proposed 380/21G; Cross Section as Proposed 380/27D; Location Plan; OS Map.
- 3) Before commencement of development above ground, samples of the materials to be used in the construction of the external surfaces of the development shall be made available for inspection on site and adequate notice given to the Local Planning Authority who will arrange inspection and thereafter approve in writing. The approved materials shall be used in the implementation of the development.
- 4) No development shall take place until full details of the proposed means of foul drainage disposal have been submitted to and approved in writing by the local planning authority. The approved drainage works shall be completed prior to the completion or occupation of the dwelling, whichever is sooner.
- 5) No development shall take place until a detailed surface water drainage scheme for the site and a management and maintenance plan, based on sustainable drainage principles has been submitted to and approved in writing by the local planning authority.  
  
The development shall be carried out in accordance with the approved details and shall be completed prior to the completion or occupation of the related dwelling on site, whichever is the sooner. The sustainable drainage system shall be managed and maintained thereafter in accordance with the approved management and maintenance plan.
- 6) Before preparation of any groundworks and foundations on site for the development hereby approved, a scheme of landscaping proposals shall be submitted to and approved in writing by the local planning authority. The scheme shall include full plans and specifications for all hard and soft landscaping, details of all existing trees and hedgerows on the land, identify those to be retained and set out measures for their protection throughout the course of development.  
  
All planting, seeding and/or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development, whichever is the sooner, and any trees, shrubs, hedges or plants which within a period of five years from the completion of development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species. All hard landscaping comprised in the approved details of landscaping shall be carried out before the completion or first occupation of the development, whichever is the sooner.

- 7) Before development above ground takes place, a scheme for the enhancement of the site for biodiversity purposes, in accordance with recommendations in Section 4 of the Preliminary Ecological Appraisal date stamped 08 April 2025, shall be submitted to and approved in writing by the local planning authority. The scheme of enhancements shall include timescales for implementation. The development works shall be undertaken in accordance with the recommendations in the Preliminary Ecological Appraisal and the scheme of enhancement works shall be carried out/implemented in accordance with the approved details and thereafter so retained.
- 8) Before preparation of any groundworks or foundations on site for the development hereby approved, full details for the incorporation of water and energy efficiency measures, the promotion of renewable energy and sustainable construction within the development shall be submitted to and agreed in writing by the local planning authority and the development shall be carried out in accordance with the approved details and thereafter so retained.
- 9) No floodlighting, security lighting or other external means of illumination of the site shall be provided, installed or operated in the development, except in accordance with a detailed scheme which shall provide for lighting that is low level, hooded and directional, and has been submitted to and approved in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details and retained thereafter.
- 10) Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no buildings, structures or works as defined within Part 1 of Schedule 2, classes A-E inclusive of that Order, shall be erected or undertaken on the site.

**\*\* End of Schedule\*\***