



APPLICATIONS & APPEALS SERVICES

**Conversion of Hay Barn and erection of single
storey extension to create a one bedroom
dwelling and removal of mobile home**

**Willowbrook, Danworth Lane, Hurstpierpoint,
Hassocks BN6 9LW**

PLANNING, DESIGN AND ACCESS STATEMENT

May 2025

NJA/22/233



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APPENDICES

NJA-1 Appeal decision APP/D3830/W/24/3340329

1.0 INTRODUCTION & BACKGROUND

1.1 This application seeks planning permission for the conversion and extension of the existing barn to create a one-bedroom dwelling at Willowbrook, Danworth Lane, Hurstpierpoint.

1.2 The proposal will be assessed under the following series of headings to demonstrate that it accords with relevant policies and is acceptable in all respects:

- **Physical Context** – explains the physical context of the site and its surroundings;
- **Planning Context** – the planning history of the site and broad policy requirements;
- **Use** – the purpose of the development;
- **Amount** – the extent of development on the site;
- **Scale** – details of the physical size of the proposed development;
- **Layout** – the location of the proposed development and its relationship to the existing building and any other properties;

- **Appearance** – details of materials, style and impact upon the surrounding buildings;
- **Landscaping** – details of proposed landscaping
- **Access** – access to the development and parking provision.

1.3 It is asked that this Planning, Design and Access Statement is taken into account in considering the proposal, together with the submitted drawings and supporting information.

2.0 PHYSICAL & PLANNING CONTEXT

(i) Physical Context

- 2.1 The site is located approximately 800m north of the boundary of Hurstpierpoint and 1km west of Burgess Hill. Danworth Lane runs south from Goddards Green to Hurstpierpoint and the application site lies on the western side of the road.
- 2.2 The site comprises several paddock areas used for grazing, a number of stables and yard area, as well as the application building.
- 2.3 The area is rural in character, with dwellings (many substantial in size) scattered along Danworth Lane, as well as agricultural and commercial premises. The landscape comprises open fields with mature hedgerows and wooded areas. The following are images of the application site and the surrounding area.



View from site entrance



Existing barn – east and north elevations



Existing barn - north elevation



Existing barn – west elevation



South elevation



Paddock and stable range on southern boundary



Further view of stables



Eastern-most stables



View west to rear of site



Full stable range



Internal view of application building

- 2.4 The applicant states that Willowbrook was purchased by her family in February 1995. It was originally part of a much larger farm which was broken up around 1989. Since then, the land has been used mainly for agriculture and the land has housed livestock and machinery. The land has also been used by the caravan club dating back to the 1970's. The family obtained permission to keep 2 caravans on site permanently in 1996, one for ancillary use to the stables and 1 for overnight stays up to 15 nights, which has always been fully utilised. This caravan was upgraded to a 2 bed mobile home over 10 years ago. Over the years the family has

made considerable improvements to the site, renovating the stables and barn, demolishing the run down shelters, and planting and rejuvenating the hedgerows. The applicant and her husband both work from home. Currently the applicant attends the various animals three times a day. One horse is elderly and has considerable veterinary requirements, and also from a security perspective it is important to visit regularly. The security of the site is a major consideration. The majority of the time the property is unattended overnight. Over the years there have been many, many break-ins. Animals, machinery and cabling have been stolen, and the site has been subject to fly tipping. There have been many similar conversions along Danworth Lane and into High Hatch Lane.

(ii) Planning Context

- 2.5 A search of the Council's online planning records has found the following planning applications (generally described as 'land at Danworth Lane'), considered to be relevant to the current proposal:

- HP/111/78 - Use of land as caravan site from Friday 25th May until 3rd June 1979 (8 days and 9 nights). No Objection
- HP/046/96 - extension to existing pole barn and erection of two additional stables. Withdrawn
- HP/065/96 - erection of two additional stables, refurbishment of existing stables and demolition of field shelter. Approved
- HP/056/98 – extension to existing barn. Refused, Appeal dismissed
- 01/02453/FUL - Retrospective application for temporary double stable block. Approved
- 02/02369/FUL - to extend expiry of permission granted for HP/01/02453/FUL until 25 January 2004. Permission

- 05/00073/FUL - Retention of existing stables on a permanent basis. Approved
- 05/00142/FUL - Replacing roof of barn. Permission (application building)
- DM/23/0746 - proposed conversion of hay barn to create 1 no. one bedroom single storey dwelling (with two proposed parking spaces) – Refused 27.10.23; Appeal dismissed 22.11.24

The mobile home, shown in the photographs above has been on site for a period in excess of 10 years.

2.6 Application DM/23/0746 was refused by the Council for the following reasons:

1. ***The site lies within the countryside where the principle of new dwellings is contrary to the development plan. No special justification exists for these dwellings. The Council can demonstrate a 5 year supply of deliverable housing, and as such the balance to be applied in this case is a non-tilted one. The proposal is considered contrary to Policies DP12 and DP15 of the Mid Sussex District Plan and***

Policies HurstC1 and HurstH1 of the Hurstpierpoint and Sayers Common Neighbourhood Plan. In addition, the proposal is contrary to Policy DP6 of the Mid Sussex District Plan as the proposal is not contiguous with the existing built-up area boundaries of any settlements. There are not considered to be any other material considerations that would warrant determining the planning application otherwise than in accordance with the development plan. The development thereby conflicts with policies DP6, DP12 and DP15 of the Mid Sussex District Plan, Policies HurstC1 and HurstH1 of the Hurstpierpoint and Sayers Common Neighbourhood Plan and the provisions of the NPPF.

- 2. The site is in an unsustainable location, where occupants would be reliant on the use of a private car to gain access to local services. There are not considered to be any other material considerations that would warrant determining the planning application otherwise than in accordance with the development plan. The development thereby conflicts with Policy DP21 of the District Plan and paragraphs 8, 11, 104, 105, 110 and 112 of the NPPF.*
- 3. The proposed use of the building for residential purposes will have a domesticating appearance on the building, not in keeping with any traditional barn vernacular, and will be accompanied by domestic*

paraphernalia externally. This would introduce a wholly different character to the existing equestrian use and would therefore not be sensitive to the countryside. Accordingly, it is considered that the proposal would be harmful to the rural character of the area and fail to comply with Policies DP12 and DP26 of the Mid Sussex District Plan and the Mid Sussex Design Guide, in particular Design Principle DG38.

- 4. The proposed dwelling falls significantly below the Government's Technical Housing Standards - Nationally Described Space Standards requirements and is therefore not considered to provide a satisfactory standard of accommodation for future occupiers. No evidence has been provided to demonstrate any factors preventing compliance with these requirements, and therefore it is not considered that there are any exceptional circumstances to justify a departure from development plan policy. Accordingly, the proposal fails to comply with Policy DP27 of the Mid Sussex District Plan.*

- 2.7 The subsequent appeal was dismissed but the Inspector only considered reason 4 to be an issue. A copy of the appeal decision letter is attached at Appendix NJA-1.

National Planning Policy Framework (NPPF) December 2024

2.8 The National Planning Policy Framework was revised in December 2024. The presumption in favour of sustainable development remains at the heart of the revised National Planning Policy Framework. In Chapter 2 the NPPF restates at paragraph 7 that ***‘the purpose of the planning system is to contribute to the achievement of sustainable development.’*** Paragraph 10 goes on to highlight that there is a **presumption in favour of sustainable development.**

2.9 Paragraph 8 of the NPPF sets out the following three dimensions to sustainable development:

a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient

number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being; and

c) an environmental objective – to protect and enhance our natural, built and historic environment, including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

2.10 Paragraph 9 states:

“These objectives should be delivered through the preparation and implementation of plans and the application of the policies in this Framework; they are not criteria against which every decision can or should be judged. Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.”

2.11 Paragraph 11 states:

11. Plans and decisions should apply a presumption in favour of sustainable development.

For decision-taking this means:

c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

Footnote 9 clarifies part (ii) stating:

The policies referred to are those in paragraphs 66 and 84 of chapter 5; 91 of chapter 7; 110 and 115 of chapter 9; 129 of chapter 11; and 135 and 139 of chapter 12.

2.12 Chapter 4 addresses decision making. Paragraph 39 states that **'Local planning authorities should approach decisions on proposed development in a positive and creative way.'**

2.13 Paragraph 48 restates that **'Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.'**

2.14 Chapter 5 of the NPPF relates to the delivery of a sufficient supply of homes. Under the latest revisions to the NPPF (December 2024) local planning authorities are required to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old. The supply of specific deliverable sites should in addition include a buffer (moved forward from later in the plan period). Paragraph 78 sets the buffer as:

a) 5% to ensure choice and competition in the market for land; or

b) 20% where there has been significant under delivery of housing over the previous three years, to improve the prospect of achieving the planned supply; or
c) From 1 July 2026, for the purposes of decision-making only, 20% where a local planning authority has a housing requirement adopted in the last five years examined against a previous version of this Framework, and whose annual average housing requirement is 80% or less of the most up to date local housing need figure calculated using the standard method set out in national planning practice guidance.

The NPPF includes a definition of 'deliverable' in the Glossary.

2.15 Paragraph 79 states that to maintain the supply of housing, local planning authorities should monitor progress in building out sites which have permission. It states that :

Where the Housing Delivery Test indicates that delivery has fallen below the local planning authority's housing requirement over the previous three years, the following policy consequences should apply:

a) where delivery falls below 95% of the requirement over the previous three years, the authority should prepare an action plan to assess the causes of under-delivery and identify actions to increase delivery in future years;

b) where delivery falls below 85% of the requirement over the previous three years, the authority should include a buffer of 20% to their identified supply of specific deliverable sites as set out in paragraph 78 of this framework, in addition to the requirement for an action plan.

c) where delivery falls below 75% of the requirement over the previous three years, the presumption in favour of sustainable development applies, as set out in footnote 8 of this Framework, in addition to the requirements for an action plan and 20% buffer.

2.16 Paragraph 73 makes it clear that small and medium sized sites can make an important contribution to meeting the housing requirement of an area and are often built-out relatively quickly.

2.17 It is widely publicised that the building of new homes at present rates is not enough to meet demand. The NPPF therefore takes a positive and proactive approach to increasing the supply of housing and confirms the need for local planning authorities to significantly boost the supply of housing land.

2.18 Paragraph 82 states:

In rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs

2.19 Paragraph 84 states:

Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:

a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside;

b) the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets;

c) the development would re-use redundant or disused buildings and enhance its immediate setting;

d) the development would involve the subdivision of an existing residential building;

or

e) the design is of exceptional quality, in that it:

i. is truly outstanding, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and

ii. would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area.

2.20 Paragraph 109 requires transport issues to be considered at the early stages of plan-making and development proposals. This is to ensure that (*inter alia*) the potential impacts of development on transport networks can be addressed and opportunities to promote walking, cycling and public transport use can be pursued.

2.21 Paragraph 110 acknowledges that ***‘opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making’.***

2.22 Paragraph 112 states that if setting local parking standards for residential and non-residential development, policies should take into account the accessibility of the development, its type, mix and use, the availability of and opportunities for public transport, local car ownership levels and the need to ensure that adequate provision of spaces for charging plug-in and other ultra-low emission vehicles. Maximum parking standards for residential and non-

residential development should only be set where there is a clear and compelling justification that they are necessary for managing the local road network, or optimising the density of development in city and town centres and other locations that are well served by public transport (paragraph 113).

- 2.23 In assessing development proposals, paragraph 115 states *inter alia* that sustainable transport modes should be prioritised taking account of the vision for the site, the type of development and its location, and that any significant impacts on the transport network or on highway safety terms can be cost effectively mitigated to an acceptable degree through a vision-led approach.
- 2.24 Paragraph 124 of the Framework states that ***‘Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions’.***
- 2.25 Paragraph 125 confirms that planning policies and decisions should (*inter alia*) ***‘promote and support development of under-utilised land and buildings, especially if this***

would help meet identified needs for housing where land supply is constrained and available sites could be used more effectively (for example converting space above shops, and building on or above service yards, car parks, lock-ups and railway infrastructure)’.

- 2.26 Paragraph 129 – ***‘Planning policies and decisions should support development that makes efficient use of land.....’***
- 2.27 In terms of design, Section 12 seeks to achieve well designed places sets out that the ***‘The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities’*** (paragraph 131).
- 2.28 Paragraph 135 states:
- “Planning policies and decisions should ensure that developments:***

a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;

b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and

f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.”

2.29 Paragraph 139 states that:

Development that is not well designed should be refused, especially where it fails to reflect local design

policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to:

a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or

b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

2.30 Chapter 15 relates to conserving and enhancing the natural environment. Paragraph 187 states that planning decisions should **“contribute to and enhance the natural and local environment”** by *inter alia* protecting and enhancing valued landscapes, sites of biodiversity value, recognising the intrinsic character and beauty of the countryside, and minimising impacts on and providing net gains for biodiversity.

2.31 Paragraph 189 sets out that:

Great weight should be given to conserving and enhancing landscape and scenic beauty in National

Parks, the Broads and National Landscapes which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks and the Broads. The scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.

- 2.32 Paragraph 192 relates to habitat sites, and states that plans should promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species. Paragraph 193 states that when determining planning applications, local planning authorities should refuse planning permission if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for.

New Homes Bonus

- 2.33 Part 6 of the Localism Act (enacted in January 2012) requires local planning authorities to have regard to local finance considerations (so far as material to the application) as well as the provisions of the Development Plan and any other material considerations. The New Homes Bonus started in April 2011 and will match fund the additional Council tax raised for new homes and empty properties brought back into use, with an additional amount for affordable homes. The New Homes Bonus is as such a consideration in determining this planning application.

Local Planning Policy

- 2.34 Local Planning policy is set out within the Development Plan which comprises the Mid Sussex District Plan 2014 - 2031 (MSDP) adopted in March 2018, and the Hurstpierpoint and Sayers Common Neighbourhood Plan, made March 2015.
- 2.35 The relevant policies of the MSDP are set out as follows:
- DP4: Housing
 - DP6: Settlement Hierarchy
 - DP12: Protection and enhancement of the countryside

- DP15: New homes in the countryside
- DP20: Securing Infrastructure
- DP21: Transport
- DP26: Character and Design
- DP27: Dwelling Space Standards
- DP37: Trees, Woodland and Hedgerows
- DP38: Biodiversity
- DP39: Sustainable Design and Construction
- DP41: Flood Risk and Drainage

2.36 Policy DP4 sets out the District's housing requirements for the lifetime of the Plan. Policy DP6 allows for new development outside the defined boundaries of towns and villages, subject to certain criteria. Any redevelopment will be required to demonstrate that it is of an appropriate nature and scale (with particular regard to DP26: Character and Design).

2.37 Policy DP12 states that development will be permitted in the countryside provided it maintains or where possible enhances the quality of the rural and landscape character of the District. The impact of development proposals on the

quality of rural and landscape character will be assessed using evidence such as Landscape Character Assessments.

2.38 Policy DP15 allows for the re-use of rural buildings for residential use, subject to certain criteria.

2.39 Policy DP20 is intended to ensure that developers provide for, or contribute towards, the infrastructure and mitigation measures made necessary by their development proposals. This is to be done via the use of S106 legal agreements, Unilateral Undertakings and CIL payments. It is noted that MSDC have yet to adopt a CIL charging schedule.

2.40 Policy DP21 seeks to ensure that schemes are sustainably located to minimise the need for travel, and protect the safety of road users and pedestrians, and seeks to provide adequate parking in relation to development proposals.

2.41 Policy DP26 requires all development and surrounding spaces, including alterations to existing buildings, to be well designed and reflect the distinctive character of the towns and villages while being sensitive to the countryside.

- 2.42 Policy DP27 confirms that all new dwellings should meet the minimum nationally described space standards.
- 2.43 Policy DP37 confirms that the District Council will support the protection and enhancement of trees, woodland and hedgerows, and encourage new planting. In particular, ancient woodland and aged or veteran trees will be protected. Development that will damage or lead to the loss of trees, woodland or hedgerows that contribute, either individually or as part of a group, to the visual amenity value or character of an area, and/or that have landscape, historic or wildlife importance, will not normally be permitted.
- 2.44 Policy DP38 aims to protect and enhance biodiversity. Development proposals should be informed by local ecological and geological evidence and national guidance. Local ecological evidence should include protected and notable species as well as considering the potential effects of the development on habitats and species.
- 2.45 Policy DP39 required all development proposals to seek to improve the sustainability of development and should where appropriate and feasible according to the type and size of development and location incorporate a variety of measures to ensure sustainable design and construction.
- 2.46 Policy DP41 aims to ensure that development is safe from flooding, and will not increase the risk of flooding elsewhere.
- 2.47 The District Council is reviewing and updating the District Plan. Upon adoption, the new District Plan 2021 - 2039 will replace the current District Plan 2014-2031 and its policies will have full weight. In accordance with the NPPF, Local Planning Authorities may give weight to relevant policies of the emerging plan according to the stage of preparation, the extent to which there are unresolved objections to the relevant policies, and the degree of consistency of the relevant policies in the emerging plan to the NPPF. The draft District Plan 2021-2039 (Regulation 19) is currently at Examination and stage 1 Hearings were concluded on the 31st October 2024. There are unresolved objections to the majority of policies in the draft District Plan and as such, only minimal weight can be given to the Plan.

Hurstpierpoint and Sayers Common Neighbourhood Plan

2.48 The Hurstpierpoint and Sayers Common Neighbourhood Plan (HSCNP) has been formally 'made' as of March 2015.

2.49 The most relevant policies in the HSCNP are:

- HurstC1 - Conserving and enhancing character
- HurstH1 - Hurstpierpoint and Sayers Common new housing development

Mid Sussex Design Guide Supplementary Planning Document (SPD)

2.50 The Council has adopted a 'Mid Sussex Design Guide' SPD that aims to help deliver high quality development across the district that responds appropriately to its context and is inclusive and sustainable. The Design Guide was adopted by Council on 4th November 2020 as an SPD for use in the consideration and determination of planning applications. The SPD is a material consideration in the determination of

planning

applications.

2.51 The merits of the proposal will be considered against relevant planning policies in the following sections of this Planning, Design & Access Statement.

3.0 DETAILS OF THE PROPOSAL: USE & AMOUNT OF DEVELOPMENT

- 3.1 This application seeks planning permission for the conversion and extension of a redundant barn to create a one-bedroom dwelling.
- 3.2 The existing building is of timber construction and is clad externally with black stained timber boarding. It has a shallow pitched, ridged roof over. The building has a footprint of 4 x 9.5m and has a maximum height of 4.48m (eaves height 3.8m). It is set back from the road frontage by some 20m.
- 3.3 The current proposal includes an extension to the north elevation, which would be the full length of the structure, and project 3.5m. The existing roof would continue to slope downwards, creating a catslide roof, with an eaves height of 2.5m.
- 3.4 The extension would be constructed to match the existing building in all respects. The barn, as extended, would

provide an open plan kitchen and living space with utility area, a study, bedroom and a bathroom. All rooms would meet the national space standards.

- 3.5 Paragraph 61 of the NPPF supports the Government's objective of significantly boosting the supply of homes, and stresses the importance of a sufficient amount and variety of land coming forward for development where it is needed.
- 3.6 A new standard method formula for the Housing Delivery Test was published alongside the revised NPPF. This gives Mid Sussex a significantly higher housing requirement than the current District Plan (the annual LHN increasing from 1039 to 1356 units). As a result, and having regard for the need for an appropriate buffer, the Council is unable to demonstrate a five year supply of deliverable housing sites as per the requirements of paragraph 78 of the NPPF. As such, the provisions of NPPF paragraph 11 (d) (and the *'tilted balance'*) apply to the proposal which must in turn be considered against the Framework's presumption in favour of sustainable development. Having regard to paragraph 11 (d) i, NPPF footnote 7, the site is not located within a 'protected area'.

- 3.7 Paragraph 84 states that planning policies and decisions should avoid the development of isolated homes in the countryside unless certain circumstances apply, including where the development would re-use redundant or disused buildings and enhance its immediate setting.
- 3.8 Furthermore, the site lies approximately 800m to the north of the boundary of the Built Up Area of Hurstpierpoint, and 1km west of Burgess Hill where a full range of facilities are available, including shops and transport links. Considering the proximity of the site to these settlements, it is not considered that the proposal constitutes an isolated site. The principle of the proposal is therefore considered to be acceptable.
- 3.9 When considering the recent appeal against the previous refusal of planning permission, the Inspector considered whether or not the appeal site was in a suitable location (paragraphs 13 – 18). Each of the Local Plan policies were discussed in turn.

- 3.10 Under Policy DP12 of the MSDP, development is permitted within areas outside defined built-up area boundaries. The Policy states:

Development will be permitted in the countryside, defined as the area outside of built-up area boundaries on the Policies Map, provided it maintains or where possible enhances the quality of the rural and landscape character of the District, and:

- it is necessary for the purposes of agriculture; or***
- it is supported by a specific policy reference either elsewhere in the Plan, a Development Plan Document or relevant Neighbourhood Plan.***

- 3.11 In this respect, the proposal maintains the quality of the rural and landscape character of the area. The resultant dwelling will retain the agricultural character of the barn. Proposed materials are appropriate to the agricultural style of the barn as well as the rural character of the area.
- 3.12 Furthermore, Policy DP15 states that new homes in the countryside will be permitted where special justification

exists. It also allows for the re-use of rural buildings for residential use:

The re-use and adaptation of rural buildings for residential use in the countryside will be permitted where it is not a recently constructed agricultural building which has not been or has been little used for its original purpose and:

- ***the re-use would secure the future of a heritage asset; or***
- ***the re-use would lead to an enhancement of the immediate setting and the quality of the rural and landscape character of the area is maintained.***

3.13 The existing barn has been present on the site for many years and has been used in the past for the storage of hay.

3.14 It is considered that the re-use of the barn would lead to an enhancement of the immediate setting by way of renovating the exterior of the barn, as well as tidying up the land immediately surrounding the barn. This in turn would enhance the rural and landscape character of the area. As

such it is considered that the principle of conversion is acceptable under policy DP15.

3.15 The Inspector stated:

The appeal site is not within a settlement boundary as defined in the District Plan. It is therefore in a countryside location for the purposes of planning policy. Policy DP12 of the District Plan sets out that the countryside will be protected in recognition of its intrinsic character and beauty. Development will be permitted within the countryside provided it maintains or where possible enhances the quality of the rural and landscape character of the District and it is either necessary for the purposes of agriculture or supported by a specific policy reference either elsewhere in the District Plan, a Development Plan Document or relevant Neighbourhood Plan.

Policy DP15 allows for the re-use and adaptation of rural buildings for residential use subject to various criteria including that the re-use would lead to an enhancement of the immediate setting and that the quality of the rural and landscape character of the area is maintained. There is no specific requirement for the converted building to be in a sustainable location. This approach is broadly in line with the National Planning Policy Framework (the Framework), which in paragraph 84, sets out that the development of isolated homes in the countryside should be avoided unless certain circumstances apply, including where the development would

re-use redundant or disused buildings and enhance its immediate setting. I acknowledge that the Framework promotes walking, cycling and the use of public transport, and the management of patterns of growth in pursuit of these objectives. However, given the specific allowances set out by the Framework for the re-use of rural buildings, the location of the proposed development would be in line with its overall aims.

I recognise that the appeal site's location is somewhat isolated in terms of its proximity to shops, services and public transport. However, the conversions allowed under Policy DP15 would by their nature often be in isolated locations due to the types of building to which the policy refers. Although Policy DP21 requires schemes to be sustainably located to minimise the need for travel, I do not consider this policy to be directly determinative to the appeal proposal given that there is no specific locational requirement in Policy DP15.

3.16 The basic principles of the current proposal remain unchanged, and it is therefore considered that the Inspector's conclusion is applicable to the current proposal.

3.17 Policy HurstC1 of the HSCNP relates to conserving and enhancing character. In part it requires development to 'maintains or where possible enhances the quality of the rural and landscape character of the Parish area'. Given the

above, it is considered that the proposal also complies with Policy HurstC1.

3.18 The Inspector continued:

As I have concluded in the previous main issue, the proposed conversion would not be harmful to the character and appearance of the area, particularly given the limited views of the barn from public vantage points. I note the Council's view that there is little evidence as to whether the foundations of the existing building would be capable of supporting the extra weight of new flooring, insulation and windows which they consider would lend weight against the use of the building for residential purposes. Although the appellant has provided an initial structural report about the barn, this is not a requirement of Policy DP15 in assessing the suitability of a building for conversion.

Given my findings regarding the location and effect on the character and appearance of the area, including its immediate setting, the proposal would be in line with the aims of District Plan Policies DP12 and DP15 and Policy HurstC1 of the Hurstpierpoint and Sayers Common Parish 2031 Neighbourhood Plan, made in 2015 (NP). Taken together, and amongst other things, they allow for the re-use and adaptation of rural buildings for residential use, and require development in the countryside to maintain or where possible enhance the quality of the rural and landscape character.

The Council also refer to Policy DP6 of the District Plan and Policy HurstH1 of the NP in their reason for refusal. I do not consider these policies are determinative. Although DP6 refers to development outside settlement boundaries, it does not address the re-use of rural buildings. NP Policy HurstH1 relates to new housing development in the neighbourhood plan area and has little direct relevance to the re-use or conversion of an existing rural building.

Again, these views are considered to be applicable to the current proposal.

4.0 LAYOUT, SCALE & DESIGN

- 4.1 Section 12 of the NPPF refers to design and in particular paragraph 131 advises:

The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

- 4.2 The NPPF is clear that good design should be sought in all developments and that it can make buildings more usable, durable and adaptable.

- 4.3 District Plan policy DP26 is a general design policy relating to all new development. It states:

All development and surrounding spaces, including alterations and extensions to existing buildings and

replacement dwellings, will be well designed and reflect the distinctive character of the towns and villages while being sensitive to the countryside. All applicants will be required to demonstrate that development:

- is of high quality design and layout and includes appropriate landscaping and greenspace;***

- 4.4 The proposal is to convert an existing building. The carefully designed extension, and conversion scheme ensures that the rural character, appearance and style of the building will be retained. The development is small in scale and no public space is to be included.

- creates a sense of place while addressing the character and scale of the surrounding buildings and landscape;***

- 4.5 The proposed development is of a scale appropriate to the character of the area. The traditional style of the dwelling ensures it retains the agricultural character of the barn, and the rural character of the area.

- protects open spaces, trees and gardens that contribute to the character of the area;***

4.6 The proposal relates to an existing building. There will be no encroachment into open spaces. No trees will be harmed by the proposal.

• protects valued townscapes and the separate identity and character of towns and villages;

4.7 The site does not lie within an area designated for any special character or historic value. The traditional style of the resultant dwelling will blend in with the rural character of the area.

• does not cause significant harm to the amenities of existing nearby residents and future occupants of new dwellings, including taking account of the impact on privacy, outlook, daylight and sunlight, and noise, air and light pollution (see Policy DP29);

4.8 The site does not have any immediate neighbouring properties which would be impacted by the proposal. There will be no impact on outlook, daylight or sunlight. The creation of a single dwelling is unlikely to result in any

material increase in terms of noise or general disturbance. There will be no air or light pollution.

• creates a pedestrian-friendly layout that is safe, well connected, legible and accessible;

4.9 This criterion is not relevant given the modest scale of the proposal.

• incorporates well integrated parking that does not dominate the street environment, particularly where high density housing is proposed;

4.10 There is already space within the front of the site that is used for parking when visiting the horses. It is not considered that the use of such space in association with the new dwelling will cause any harm to the street scene or the character of the area in general.

• positively addresses sustainability considerations in the layout and the building design;

4.11 The Building works will comply with the relevant Building Regulations to ensure that the proposal is energy and water efficient. An air source heat pump serving underfloor heating and radiators and to provide hot water is proposed. High levels of insulation will be provided. An Energy Statement is attached.

- ***take the opportunity to encourage community interaction by creating layouts with a strong neighbourhood focus/centre; larger (300 unit) schemes will also normally be expected to incorporate a mixed use element;***

4.12 Given the small scale of the current proposal, this criterion is not considered to be relevant.

- ***optimises the potential of the site to accommodate development.***

4.13 The re-use of this existing building is considered to make efficient use of the site.

4.14 It is considered that the proposal meets all the requirements of policy DP26.

4.15 Design Principle DG53 of the adopted Mid Sussex Design Guide refers to building conversions. It states that *'The primary objective of all conversions of traditional buildings must be to retain the character and appearance of the original building, and its defining architectural characteristics.'* In addition, it advises that the *'introduction of conspicuous domestic features such as chimneys, satellite dishes, aerials, porches and additional window or door openings are often out of character with the original building and, wherever possible, such features may need to be avoided.'*

4.16 The proposed conversion will retain the traditional rural and agricultural character of the existing barn. Minimal alterations area required and no chimneys, porches etc are proposed. The character of the countryside will be maintained.

4.17 The Inspector, when considering the previous appeal, referred to the impact of the proposal on the character and

appearance of the area (paragraphs 7 – 12). The decision letter stated:

Danworth Lane is in a rural location between the settlements of Hurstpierpoint and Burgess Hill. The area is characterised by farmland interspersed with some areas of woodland and sporadic clusters of dwellings. The appeal site comprises a traditional hay barn located within an equestrian use, set off to one side of the equestrian arena. There is a grassed area next to the barn, which contains a seating area, picnic bench, shed and various pieces of children's play equipment. There is an existing vehicular access to the site, and two parking spaces are proposed adjacent to this access. Although there is a substantial hedge next to the highway, the barn can be seen in limited views from the street through the entrance to the site.

- 4.18 The proposed extension will be located partially within this grassed area.

The black stained timber barn has high-set eaves and a shallow pitched roof. There are window openings in its north and west elevations. Although capable of functioning for storage purposes, the barn is somewhat dilapidated. I consider it makes a neutral contribution to the character and appearance of the surrounding area. The degree of alteration proposed to its external appearance visible from the street would be limited. The most significant extent of

glazing would be confined to the west elevation, towards which there would be no public vantage point. Nevertheless, the extent of glazing proposed would be consistent with alterations necessary to convert to a residential use and would not harm the character or appearance of the surrounding area. I am satisfied that the repair and alteration of the barn would lead to an enhancement of its immediate setting.

- 4.19 The current proposal remains similar in terms of its character and appearance. The largest amount of glazing has been relocated to the southern elevation, but at the western end, and comprises a four panel bifold door, with a height of approximately 2.3m, well below eaves level. As previously, it would not be easily visible from the street. The Inspector's view that *the extent of glazing proposed would be consistent with alterations necessary to convert to a residential use and would not harm the character or appearance of the surrounding area* is considered to remain valid. The extension, utilising the catslide roof, would keep the visual dominance of the barn to a minimum, and would retain the character of an agricultural building.

- 4.20 The Inspector addressed the Council's previous concern relating to residential curtilage and paraphernalia and stated:

The grassed area adjacent to the barn already contains seating areas and some play equipment typical of a residential garden. There would be minimal alteration to hardstanding and parking arrangements as a result of the proposed residential use. This area is largely screened from the street; I do not consider there would be a degree of change which would unacceptably harm the rural character of the area as a result of domestic paraphernalia within the grassed area.

As stated above, the extension would occupy some of this grassed area, further improving the appearance of the site.

4.21 The Inspector concluded:

As set out above, the proposals would be an appropriate means of restoring the building and would be consistent with the rural character of the surrounding area.

For the reasons given above, the proposal would not be harmful to the character and appearance of the countryside, and would be in line with the aims of Policies DP12 and DP26 of the District Plan. Amongst other things, these policies require development to maintain or where possible enhance the quality of the rural and landscape character of the District, be well

designed and to address the character and scale of the surrounding buildings and landscape.

The Council refer to principle DG38 of the Mid Sussex Design Guide Supplementary Planning Document 2020 in the reason for refusal. This relates primarily to the detailed design of new buildings and as such I consider it of limited relevance to the appeal scheme.

It is considered that the views of the Inspector remain valid for the current proposal.

4.22 Policy DP27 of the District Plan relates to space standards for new dwellings, and requires all new dwellings to meet the Nationally Described Space Standards. The current proposal for a single storey, 1 bedroom, two person property, meets the prescribed standards. The bedroom has a floor area of 13.4m², and a width of 3.35m. There is ample space for storage. The overall property has a gross internal floor area of 59m².

4.23 When considering the previous appeal, the Inspector expressed concern over the fact that the property fell short of the national standards. No other objections were raised against the proposal. As the current proposal meets these

requirements, it is considered that the proposal is now acceptable in all respects.

5.0 ACCESS & PARKING

- 5.1 Development Plan policy DP21 refers to the sustainability requirements and traffic generation for all new development.
- 5.2 The proposal includes ample space for the provision of the two parking spaces required to meet the standards, as well as parking for bicycles. EV charging points can be provided by way of a condition on any forthcoming planning permission if required.
- 5.3 The level of vehicle movements generated by a single dwelling is not considered material in terms of any impact on the traffic in the area.
- 5.4 No objections were raised in terms of traffic, highway safety or parking provision when the previous scheme was considered. There is no reasonable justification in raising an objection against this very-similar proposal. It is considered that the current proposal meets the requirements of Policy DP21.

6.0 SUSTAINABILITY

6.1 Policy DP21 of the District Plan relates to transport and requires schemes to be *'sustainably located to minimise the need for travel' and take 'opportunities to facilitate and promote the increased use of alternative means of transport to the private car, such as the provision of, and access to, safe and convenient routes for walking, cycling and public Transport, including suitable facilities for secure and safe cycle parking'*. In addition, it requires that where *'practical and viable, developments should be located and designed to incorporate facilities for charging plug-in and other ultra-low emission vehicles.'*

6.2 Furthermore, Policy DP39 of the District Plan relates to Sustainable Design and Construction and requires development proposals to improve the sustainability of development and should where appropriate and feasible according to the type and size of development and location, incorporate measures including minimising energy use through the design and layout of the scheme; maximise efficient use of resources, including minimising waste and maximising recycling/re-use of materials through both

construction and occupation. The Council's Design Guide accepts that conversions allow for the re-use of existing buildings to preserve their contribution to their urban or rural context, whilst also contributing to the sustainability agenda through the capturing of embodied energy associated with the building's original construction, and avoiding the wider environmental costs linked with demolition and re-development.

6.3 A full Energy Report, compiled by Arcadian Architectural Services Ltd, accompanies this application. This states that:

The dwelling's thermal envelope will be designed to reduce the predicted energy load of the building using the improvement to the thermal element U values, air permeability and heating systems. The overall aim of the dwelling's design is to ensure maximum possible reduction in carbon emissions within the constraints set by the nature and form of the development and the individual site characteristics.

To seek to achieve compliance with the requirements of Local Authority, the detailed design of the development sought to achieve as its objective a minimum 20% reduction in the overall carbon emissions using renewable

technologies. Consideration has also been given to the overall appearance of the development.

6.4 It is acknowledged that the site is not in a fully sustainable location but Policy DP15 of the District Plan allows for the rural conversion of barns which would not necessarily be in sustainable locations. However, the proposal complies with Policy DP39 and also includes the provision of EV charging points and cycle storage to encourage other means of sustainable travel. These circumstances have been seen to be acceptable in other applications for conversion within the District.

6.5 When considering the location of the proposal as part of the previous proposal (paragraphs 13-15), the Inspector stated:

I recognise that the appeal site's location is somewhat isolated in terms of its proximity to shops, services and public transport. However, the conversions allowed under Policy DP15 would by their nature often be in isolated locations due to the types of building to which the policy refers. Although Policy DP21 requires schemes to be sustainably located to minimise the need for travel, I do not consider this policy to be directly determinative to the appeal

proposal given that there is no specific locational requirement in Policy DP15.

6.6 There would not appear to be any reason to take a different approach with regard to the current application, and therefore the proposal complies with Policies DP21 and DP39 of the District Plan.

7.0 ECOLOGY

- 7.1 Accompanying the application is a Daytime Bat Potential Roost Assessment (PRA), compiled by Wychwood Environmental Ltd. The report also includes the results of an ecological walkover of the site.
- 7.2 A survey of the barn showed that, based on its features, the building had negligible potential to support roosting bats. Therefore, no further surveys in relation to bats are required. Whilst the site itself had limited potential to support foraging and commuting bats, precautionary measures in relation to lighting are provided within the report as the surrounding area had good quality foraging and commuting habitat present.
- 7.3 No evidence of any other protected species such as badgers, amphibians, reptiles or nesting birds were found during the site survey.
- 7.4 The building on site had low potential to support nesting birds. There were a few droppings present at the eaves where birds such as pigeons appear to occasionally roost. No further surveys are required.

- 7.5 No evidence was found during the survey, but the site may be suitable for foraging and commuting mammals. Precautionary mitigation measures are provided within the report.
- 7.6 The report notes that it is known from the desk study that great crested newts are present within the wider area with EPS mitigation licences issued within 2km and positive recorded held for great crested newts within 500m of the barn. However, the habitats present within the immediate vicinity of the barn which may be impacted during construction consisted of amenity grassland and hardstanding. These habitats do not have potential to support great crested newts and as such the proposals are not anticipated to have any negative impacts on this species.
- 7.7 As stated above, the report includes suggested mitigations in relation to lighting, protection of any trenches on site whilst works are carried out, and the timing of works with regard to the bird nesting season. In addition, enhancements are recommended with regard to landscaping, the provision of bird boxes and bat access tiles.

7.8 All such mitigations and enhancements can be achieved by way of conditions on any forthcoming planning permission. No previous objection has been raised on these grounds. The proposal meets the requirements of Policy DP38 of the District Plan.

8.0 CONCLUSIONS

- 8.1 This application seeks planning permission for the conversion and extension of the existing barn to create a one-bedroom dwelling at Willowbrook, Danworth Lane, Hurstpierpoint. .
- 8.2 Whilst the site is located within an area of countryside restraint, Policy DP15 of the District Plan allows for the rural conversion of barns which would not be in sustainable locations. The proposal meets the relevant criteria of Policy DP15, and as such meets the requirements of Policy DP12.
- 8.3 The proposed development is entirely in keeping with the character and appearance of the area. It will not result in any detriment to the amenities of other properties. Adequate parking is provided, and access is acceptable.
- 8.4 The proposal will meet targets for the reduction of carbon dioxide emissions and will not result in any harm to biodiversity. Enhancements to improve biodiversity form part of the proposal.

- 8.5 The revised proposal ensures that the new dwelling fully meets the requirements of the national space standards.
- 8.6 Due to the lack of a 5 year housing land supply, the 'tilted balance' set out in NPPF Paragraph 11 (d) is engaged. As such planning permission should be granted unless there is a **strong** reason for refusal. No such reason has been identified.
- 8.7 The information and analysis in this statement demonstrates how the proposal accords with all relevant national and local planning policy. It has been shown that the proposal overcomes the only outstanding objection to the proposed dwelling, and the proposal is now acceptable in all respects. It is hoped that the Council will be able to view the application favourably and grant planning permission for the proposal.