



Appeal Decision

Site visit made on 29 July 2019

by Hilary Orr MSc, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 August 2019

Appeal Ref: APP/M2270/W/19/3226865

Cattle Barn, Potters Farm, Potters Lane, Hawkhurst Cranbrook TN18 5BB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Country House Homes Ltd against the decision of Tunbridge Wells Borough Council.
 - The application Ref 18/01655/FULL, dated 23 May 2018, was refused by notice dated 16 October 2018.
 - The development proposed is the demolition of existing cattle barn and poly tunnel, erection of carbon zero dwelling, installation of detailed landscape scheme and ecology enhancements.
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Decision

1. The appeal is dismissed.

Procedural matters

2. The address of the site was amended slightly by the Council, during the course of the planning application by the addition of the words 'cattle shed'. As this gives additional clarity to the location of the appeal site, I have also used this amended address.
3. The description of the proposed development has also been slightly amended from the one originally applied for, although the appeal form does not reflect this change. I have therefore used the description as originally submitted for this appeal and my heading above.

Main Issue

4. I consider that the main issues are:
 - The location of the proposed development with regard to the availability of facilities and services; and
 - The effect of the proposed development on the character and appearance of the High Weald Area of Outstanding Natural Beauty (HW AONB).

Reasons

Location of proposed development

5. The appeal site is located approximately 1.9 kilometres from the village of Hawkhurst, with Hartley and Cranbrook further away. Gills Green business park

is some 760 metres to the south west. Although this may provide some employment opportunities, it would not realistically provide day to day essential services. My attention has been drawn to High Bank Nursery. However, I do not have information about the range of products sold and therefore can give this only limited weight.

6. There are a small number of other dwellings in the immediate area, so the dwelling would not be completely isolated. Nonetheless, it is some distance away from the nearest village or settlement.
7. The immediate area lacks day to day essential facilities and services. Access to public transport is some considerable walking distance away. I understand from the Appellants evidence, that there are train stations further away at Staplehurst and Robertsbridge. However, I have no details on routes or timetables and therefore this carries little weight in favour of the location of the development. Moreover, there are no public footpaths or street lighting in Potters Lane, making walking towards the nearest main road hazardous. I accept that this is not uncommon in rural areas, but given the distances involved, future occupiers of the proposed dwelling, would be likely to have to rely heavily on private car use to reach basic services.
8. Overall, the proposed development would occupy a rural setting some distance from the nearest settlement with day to day essential services. Consequently, it would not amount to a suitable location for the proposed new dwelling. The development would therefore conflict with saved policies LBD1 and CP14 of the Tunbridge Wells Borough Core Strategy (2010), which aims to ensure that the countryside will be protected for its own sake and concentrating development within built up areas.
9. I acknowledge that the proposal would help to contribute to the social viability of the area and would to a limited degree, support neighbouring village shops and business. Nonetheless, this contribution would be small and not sufficient to overcome the harm caused by the location of the proposed development, as outlined above.

Character and appearance

10. The appeal site forms part of a larger agricultural holding to the north of Potters Lane. The site is located Outside of the Limits to Built Development (LBD) and within the HW AONB. The HW AONB is characterised by a countryside of rolling hills with small irregular fields, abundant woods and hedges, scattered farmsteads and sunken lanes. Potters Lane is a narrow single track lane, set at a lower level to the surrounding land and lined with banks and hedges above. The area is rural and characterised by sporadic housing and agricultural buildings.
11. The site is accessed from Potters Lane up a sloped existing gated track. There is a further access to the adjoining agricultural land to the north of the site. Within the site the land continues to rise to the north. There are arable fields to the north and east and a cluster of agricultural barns and buildings to the west. A rather dilapidated poly tunnel and a timber building currently occupy the site. With the exception of these two modest buildings and the access track, the appeal site is largely undeveloped and open in appearance.

12. The proposed development would result in the removal of the timber building, poly tunnel and overhead power lines. These would be replaced by a contemporary new dwelling set to the rear of the site and partially set into the site to provide a lower ground floor. The dwelling would have four bedrooms and would include integral garaging for two vehicles with an additional two external spaces. The existing access from Potters Lane would be resurfaced to provide the main access, with the northern agricultural access relocated to the east of the site. Detailed landscaping proposals, including additional trees, form part of the scheme.
13. The unusual design of the dwelling seeks to achieve a carbon zero performance rating, with the external design and curved green roof aiming to allow it to integrate into the AONB. The proposed dwelling would be almost air tight and thermally efficient with a bio mass boiler. The roof is designed to collect rain water for filtering and harvesting and a water treatment system is proposed for foul water management. Renewable energies are proposed through the use of a raised solar array to the rear of the dwelling, with any surplus sold back to the power networks.
14. The landscaping scheme includes a wildlife meadow, native hedge planting to the boundaries with a number of additional indigenous trees throughout the site.
15. Paragraph 79 of the National Planning Policy Framework (the Framework) refers to rural housing and makes it clear that planning decisions should avoid the development of isolated homes in the countryside except in particular circumstances. One of these exceptions is that the design is of exceptional quality, in that it is truly outstanding or innovative, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area.
16. Due to the topography of the site the proposed dwelling would be visible from Potters Lane to the south and Water Lane to the north east. The design of the proposed dwelling is clearly meant to be bold and contemporary and it succeeds in this regard. The building is well designed and incorporates a number of positive design and energy efficiency features. The curved green roof and part earth sheltered lower ground floor, to some degree screen the effect of the dwelling in the landscape. Nevertheless, the Framework sets a high bar in terms of design and innovation.
17. The siting of the proposed dwelling to the rear of the site, results in a very long hard surfaced drive and this would appear as a dominant feature. The proposed dwelling sited at the end of this drive would, as a result of its scale and bold glazed design, result in a significantly more developed and urban appearance, when compared with the existing position.
18. This urbanising effect is likely to be further exacerbated by the introduction of the domestic paraphernalia normally found at residential properties. This would also be apparent in views from the surrounding fields, which form part of the AONB landscape. Consequently, the proposed dwelling would appear incongruous, given the countryside setting of the site. This harm to the countryside would not be mitigated by the proposed curved green roof.

19. The landscaping proposals appear rather contrived and lack any strong reference to the local landscape character. Similarly, many of the ecological features are not unique to this site and likely to be found in many modern design solutions.
20. Overall and for the above reasons, I am not persuaded that the proposed development is truly outstanding or innovative in terms of the objectives of the Framework and development plan policy. Consequently, the proposal would lead to harm to the character and appearance of the area and would also fail to conserve and enhance the natural beauty of the High Weald AONB. It would therefore be contrary to policies CP4 and CP14 of the Tunbridge Wells Borough Core Strategy (2010), and saved Policies LBD1, EN1 and EN25 of the Tunbridge Wells Borough Local Plan (2006).

Other matters

21. I have had regard to the current condition of the two buildings and the existing power lines on the site, and the benefits of their removal. However, it seems to me that these structures are not uncommon in rural areas and these improvements are not dependant on the outcome of this appeal.
22. I have also had regard to the corrected copy of the Energy Assessment by Stroma submitted with the Appellants final comments although this does not alter my findings.

Conclusion

23. It is acknowledged by the parties that the Council are unable to demonstrate a five year supply of housing. However, I have identified significant harm that would be caused to the character and appearance of the High Weald AONB and wider area, and the unsuitable location of the site, in relation to facilities and services. These factors significantly and demonstrably outweigh the limited benefit of providing one additional dwelling.
24. For the above reasons, and having had regard to all other matters raised, I conclude that the appeal should be dismissed.

Hilary Orr

INSPECTOR