
Appeal Decision

Site visit made on 1 October 2019

by N Thomas MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1st November 2019

Appeal Ref: APP/U1430/W/19/3233415

Bunces Farm, Lakehurst Lane, Ashburnham TN33 9PG

- 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 Mr Harry Wills against the decision of Rother District Council.
 - The application Ref RR/2019/855/P, dated 3 April 2019, was refused by notice dated 5 June 2019.
 - The development proposed is a new barn for storage of machinery and meadow hay.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The Rother Development and Site Allocations Local Plan (DSALP) Proposed Submission October 2018 is subject to examination, and public consultation has taken place on main modifications. The Council has referred to DSALP policies in its reason for refusal and appeal submissions. The DSALP is at a relatively advanced stage of preparation, but I have insufficient evidence as to whether there are unresolved objections to the relevant policies. I therefore give those policies limited weight.

Main Issues

3. The main issues are:
 - Whether there is justification for the building on the site; and
 - The effect of the proposal on the character and appearance of the landscape and scenic beauty of the High Weald Area of Outstanding Natural Beauty (AONB).

Reasons

Justification

4. The appeal site is in the open countryside, in a rural area some considerable distance from any settlements. Policy RA2 of the Rother Local Plan Core Strategy 2014 (CS) sets out the overarching strategy for the countryside, including to strictly limit new development to that which supports local agricultural, economic or tourism needs and maintains or improves the rural character. CS Policy RA3 seeks to support new agricultural buildings which are demonstrably needed to support a farm and are of appropriate size, siting, design and materials and directly related to the enterprise, while CS Policy

OSS3 requires that new development is located in accordance with the relevant spatial strategy and its distinctive character, and the character and qualities of the landscape.

5. The appeal site is a small parcel of land within the Beech Estate, which includes a number of farms, including Bunces Farm. The land around the farm is used for sheep grazing and the production of meadow hay and totals nearly 46 hectares. There is an existing building on the site which is stated to be unsuitable for the storage of agricultural machinery as it has a stepped entrance. The requirement is for a building to accommodate equipment, namely a mower and baler for hay production, and the resulting hay. The building would have a hay store on the first floor with a full height central area, and barn doors to both sides giving access to a farm equipment store on the ground floor.
6. Alternative storage facilities at Beech Farm involve a 20 mile round trip. A map has been provided showing land close to the appeal site within the ownership of the appellant with no apparent buildings. However, it only shows part of the Estate, and it does not demonstrate that there are no other suitable buildings elsewhere on the Estate that could meet the identified need in a more convenient location. Moreover, the building has not been designed to meet modern farming needs. In particular, the upper level hay storage would not appear practical for day to day use. I am not therefore satisfied that there is adequate justification for the building to support the farm.
7. I therefore do not find that there is justification for the building on the site, and accordingly it would be in conflict with Policies RA2, RA3 and OSS3 of the CS, insofar as they seek to strictly limit new development to that which is needed to support farming.

Character and appearance

8. The appeal site is an irregular shaped area of land, accessed via an unmade track from a narrow lane, and surrounded by fields. It is located some distance from the nearest buildings at Rocks Farm, and is screened from it by woodland, field boundaries and topography. The site is in an elevated position on sloping land, so that there are long views across the countryside. It contains a thatched barn but the land is otherwise open and in keeping with the distinctive character of the AONB. Paragraph 172 of the National Planning Policy Framework (the Framework) requires great weight to be given to conserving and enhancing landscape and scenic beauty in AONBs.
9. The barn would be thatched, and built in a style that would give it a traditional appearance similar to the existing building on the site, with a timber frame on a brickwork plinth, infilled with plaster. This would be unusual for a modern agricultural building, and while I can understand that this design approach has been taken to complement the existing thatched barn, it would nonetheless appear as a large structure. Due to its remote location, it would not be readily apparent from public viewpoints, but it would add significant built form where there is currently very little development. This would detract from the landscape and natural beauty of the AONB.
10. There are the remains of other buildings on the site, but there is little visible evidence of them now and it does not appear as an active farmstead. I appreciate that the building would be associated with the sensitive

management of the surrounding grassland as wildflower meadows, which are a component of the AONB countryside. These considerations do not override the harm that would be caused.

11. I therefore find that the proposal would be harmful to the character and appearance of the landscape and scenic beauty of the AONB. It would thus be in conflict with CS Policies OSS4, EN1, RA2, RA3, which seek, amongst other things, to ensure that new development conserves the intrinsic value, rural character, landscape features and natural resources of the countryside.
12. For the same reason, the proposal would also be contrary to emerging DSALP Policy DEN2, however I attach only limited weight to this conflict. It would also be in conflict with the Framework.

Other Matter

13. The appellant considers that the proposal is permitted development, but I am aware that the Council has recently refused a prior notification¹ for a barn on the site as permitted development. In any event, I have determined the appeal on its own merits.

Conclusion

14. Overall, the proposal conflicts with the development plan when considered as a whole, and there are no considerations that outweigh this finding. Accordingly, the appeal should be dismissed.

N Thomas

INSPECTOR

¹ RR/2019/2088/FN