The Planning Inspectorate

Appeal Decision

Site visit made on 22 June 2020

by J E Jolly BA (Hons) MA MSc CIH MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 June 2020

Appeal Ref: APP/C1435/W/20/3246336
Jubilee Cottages, High Cross Estate, Palehouse Common, Framfield, Uckfield TN22 5QY

- 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 Ms A. De La Mare against the decision of Wealden District Council.
- The revised application Ref WD/2018/2761/F, dated 20 December 2018, was refused by notice dated 19 August 2019.
- The development proposed is the demolition of existing, dilapidated 'Jubilee Cottages' on the Eastbourne Road and the erection of replacement dwelling in the north-westerly parkland of the High Cross Estate.

Decision

1. The appeal is dismissed.

Procedural Matters

2. In January 2019 the Council submitted Stage 1 of the new Wealden Local Plan (NWLP) for examination. However, in December 2019 the Council was informed that the submission failed to meet a number of requirements for legal compliance. As a result, in February 2020 the Council decided to withdraw the NWLP with the intention to produce a new Plan. As such, the Council have relied upon Policies from the relevant adopted plans which are; the Wealden Local Plan, 1998 (WLP), the Wealden Core Strategy Local Plan, 2013 (CS) and the Wealden Design Guide Supplementary Planning Document, 2008 (SPD). I have proceeded accordingly.

Main Issues

3. The main issues are the effect of the proposal on:

   - the character and appearance of the area, and;
   - the reduction of existing housing numbers against the Council's five-year housing land supply.

Reasons

Character and appearance

4. The High Cross Estate is located in the countryside of Palehouse Common and outside the development boundaries of nearby Framfield and Uckfield. The immediate area is typified by fields and hedges, and loose-knit development set back from the highway along Eastbourne Road and the surrounding side roads.

5. Jubilee Cottages are a pair of empty semi-detached cottages in disrepair located adjacent to Eastbourne Road. I noticed at my site visit that the cottage to the right-hand side when viewed from the road is no longer standing and appears to have been hoarded on all sides.

6. The gated entrance to the High Cross Estate is found at the end of a tree-lined, unmade lane. A track to the right-hand side of the entrance leads past a range of modest estate properties on the left. Beyond the track there is a pasture type area in the north west corner of the 'High Cross Estate' which has tree lined boundaries to the nearby side roads and is populated with scattered trees.

7. The proposal is to fully demolish Jubilee Cottages and to replace them with a 4-bedroom, 'manor-house' style dwelling of a similar floor area to the demolished buildings within the north-west pasture of the High Cross Estate.

8. However, the proposed brick and tile, two-storey house would be a residential dwelling of significant scale and mass in comparison to the other estate properties that would include; raised chimney stacks to either side, Georgian style windows, and a Doric style entrance with a renaissance type baluster and gable above.

9. Furthermore, the development would introduce an extended access route from the existing track and other domestic paraphernalia into the relatively spacious and simple pasture area. Indeed, there is substantial scope for the introduction of a range of activities associated with a residential dwelling. For example, this could include, but is not limited to, washing lines, barbeques, sheds, informal play-areas, seating etc. Moreover, the proposal, notwithstanding the opportunity for additional landscaping, would be incongruous with the surrounding High Cross Estate grounds which are typified by trees, open grassland and rural type activities such as poultry and small animals. As such, the scale and positioning of the development would harm the beauty of the countryside.

10. Indeed, whether the development could be seen through the hedgerows or in the wider views or not, where development exists nearby it is found in 'low-key' clusters, for example the properties found along the track, or as road facing properties such as Jubilee Cottages. Accordingly, the proposal would be a separate and distinct development in comparison with other properties on the High Cross Estate and nearby area, and therefore would be at odds with its immediate surroundings.

11. I acknowledge that the development would be constructed in similar materials to other properties on the High Croft Estate, including a locally definitive 'Thornton armorial marker', and that construction would not lead to the loss of trees or hedgerows. Nevertheless, the proposal due to its ornate nature, size and bulk would be overly prominent and appear out of place in its immediate setting in comparison to the modest road-side dwellings that it would replace.

12. Therefore, I conclude for the above reasons that the proposal would harm the character and appearance of the area. As such the proposal is contrary to Policies GD2, EN8, EN27 and DC18 of the WLP and Policies SPO1, SPO13 and WCS14 of the CS which say, amongst other things that development will only be permitted if it is in keeping with the character of the locality, having regard to the appearance and general design of the original building.

13. For similar reasons, the proposal does not meet the aims of Paragraphs 8, 79, 127 and 170 of the *National Planning Policy Framework* (the Framework) which require that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting.

Housing land supply

14. The Council cannot demonstrate a five-year housing land supply. Moreover, from the evidence before me and the recent withdrawal of the NWLP, I cannot be certain whether the supply is likely to increase or not. Therefore, my decision needs to take account of the situation as it is on the date of the decision. As such, whether there would be future interest in Jubilee Cottages as residential properties or not, as noted at my site visit, one of the cottages is no longer standing. Moreover, the appellant has restricted future use of the land to that related to agricultural purposes and has stated that she wishes to return the plot to flower rich wild grassland.

15. Consequently, there would be a one for one residential unit replacement as a result of the proposal. Hence, the effect of the proposal in this respect is neutral as there would be no net loss to the Council's housing stock. It follows then, that the proposal accords with Policy HG8 of the WLP which says that the Council will resist the loss of residential accommodation, and Paragraph 11 of the Framework which requires that plans and decisions should apply a presumption in the favour of sustainable development.

Other Matters

16. I note that there is a lapsed outline permission for a similar proposal related to the appeal site. Similarly, my attention has been drawn to a number of other schemes approved by the Council.[1] However, I have little detail of those schemes before me. Therefore, I have considered the proposal on its own planning merits.

17. I acknowledge that the appellant has indicated that she has a need for a larger home, and that the proposal would replace dilapidated dwellings that have a challenging access onto a well-used road. However, neither of these factors, or in combination, outweigh the harm to the character and appearance of the area I have found.

Conclusions

18. Although I have found in favour of the appellant related to the second main issue this does not outweigh the harm to the character and appearance of the area.

19. Therefore, for the reasons given above I conclude that the appeal should be dismissed.

J E JOLLY

INSPECTOR

[1] WD/2003/0083/JBN, WD/2018/0868/F, WD/2010/2118/F and WD/2015/1944/F