



Appeal Decision

Site visit made on 28 September 2020

by S M Holden BSc(Hons) MSc CEng MICE CTPP FCIHT MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 October 2020

Appeal Ref: APP/C1435/W/20/3252867

Land adjoining The Oaks, Tunbridge Wells Road, Argos Hill, Rotherfield TN6 3QH

- 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 Messers Joseph and Joshua Bluck against the decision of Wealden District Council.
 - The application Ref WD/2020/0161/F, dated 23 January 2020, was refused by notice dated 27 March 2020.
 - The development proposed is erection of two storey detached dwelling.
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This decision is issued in accordance with Section 56(2) of the Planning and Compulsory Purchase Act 2004 (as amended) and supersedes the decision issued on 12 October 2020.

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the suitability of the site for a residential dwelling having regard to local and national planning policy for the location of housing.

Reasons

3. The western side of Tunbridge Wells Road within Argos Hill is characterised by ribbon development predominantly comprising detached properties set in long narrow plots. The Oaks is a modest semi-detached house also set in a long plot. However, it has a good-sized side garden within which the proposal seeks to construct a dwelling.
4. While the site is in an area of existing residential development and therefore cannot be considered to be isolated, it is beyond any settlement boundary defined within the Wealden Local Plan 1998 (Local Plan). Neither is Argos Hill identified as an area suitable for accommodating housing growth in the Wealden Core Strategy Local Plan 2013 (Core Strategy). It is therefore in the countryside for the purposes of planning policy.
5. Saved Policy GD2 of the Local Plan seeks to resist all development beyond settlement boundaries. Policy DC17 of the Local Plan specifically resists residential development beyond settlement boundaries, although the supporting text sets out a series of exceptional circumstances where housing may be acceptable. It has not been suggested that any of these exceptions apply to this case.
6. Policy WCS6 of the Core Strategy sets out categories of rural settlement which relates to their respective roles and function. Its intention is to direct additional

housing to existing settlements taking account of the quality of local facilities and services, their accessibility and community aspirations. Argos Hill does not have a shop, primary school or pub. The nearest day-to-day services are approximately 3km away in Mayfield, Mark Cross and Rotherfield. Secondary schools, supermarkets and employment opportunities are further afield in the towns of Crowborough, Heathfield and Tunbridge Wells. Hence Argos Hill is not listed in the policy as an area suitable for additional development.

7. Policy SPO7 of the Core Strategy seeks to reduce the need for travel by car and make it easier to make trips on foot, by bike or by public transport. Even if there were some local facilities, the A267 is a busy road with traffic travelling at speed along it. Using the existing footpath on the western side of Tunbridge Wells Road would not be a pleasant experience even in daylight during the summer. In the dark, or inclement weather, at best it would feel uncomfortable, at worst potentially unsafe. Furthermore, while this footpath provides a pedestrian link between the existing houses, it does not extend as far as either of the nearest villages. The practical reality is that even with increasing access to services on-line, future residents would rely on a car as a significantly quicker, safer and more convenient means of going about their day-to-day lives.
8. Taking all of the above into consideration, I conclude that the appeal site is not a suitable location for a residential development due to its location where access to services and travel choices are limited. The proposal would be contrary to Policies GD2 and DC17 of the Local Plan and would significantly conflict with Policies WCS6 and SPO7 of the Core Strategy.

Planning Balance and Conclusion

9. As the Council is only able to demonstrate a 3.67-year supply of deliverable housing sites, the relevant development plan policies are considered to be out-of-date and paragraph 11(d)(ii) of the National Planning Policy Framework (the Framework) is engaged.
10. The proposal would deliver a single dwelling which would provide adequate living conditions for future occupants and would not be harmful to neighbours. Nevertheless, one dwelling would make only a minimal contribution to the shortfall in housing supply. The associated social and economic benefits would therefore be very limited. The proposal would not be isolated in terms of paragraph 79 of the Framework, would not harm the intrinsic character or beauty of the countryside and lies beyond the area where additional residents would cause recreational disturbance to the Ashdown Forest Special Protection Area. There is therefore no conflict with the Framework in these respects which are neutral factors in the balance.
11. However, the Framework states that rural housing should be located where it will enhance or maintain the vitality of local communities (paragraph 78). It also encourages patterns of growth that identify and pursue opportunities to promote walking, cycling and public transport (paragraphs 102 and 103). In the case of the appeal site, future occupants would have no access to locally based services and would be almost entirely reliant on a car to get around. This reduces the already limited social and economic benefits of the scheme and would be harmful to the environment. Consequently, the adverse effects of locating a house on the appeal site would significantly and demonstrably outweigh the benefits when considered against the policies in the Framework as a whole. The presumption in favour of sustainable development therefore does not apply in this case.

12. The proposal conflicts with the development plan and there are no material considerations, including the shortfall in housing land supply, that outweigh that conflict. For this reason, the appeal is dismissed.

Sheila Holden INSPECTOR