



Appeal Decision

Site Visit made on 13 July 2021

by L Douglas BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 July 2021

Appeal Ref: APP/M2270/W/20/3260874

Free Heath Buildings, Free Heath, Wadhurst TN5 6RB

- 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 Alex Levitt against the decision of Tunbridge Wells Borough Council.
 - The application Ref 20/00754/FULL, dated 4 March 2020, was refused by notice dated 30 April 2020.
 - The development proposed is the siting of a mobile home for three-year period in association with conversion of agricultural building permitted by application 18/02011/FULL (retrospective).
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Information has been presented relating to works being undertaken to a former poultry building within the appeal site, the subject of a previous appeal¹. It is alleged by the appellant that the mobile home the subject of the current appeal is necessary to allow works to proceed on the former poultry building in accordance with the planning permission granted by the previous appeal; the Council allege that works to the former poultry building are proceeding other than in accordance with the planning permission previously granted. For the purposes of this appeal I have made no assessment as to whether the works being undertaken to the former poultry building are in accordance with the planning permission previously granted.
3. Retrospective planning permission is sought for the siting of a mobile home for a temporary period of three years. I have amended the description of development in the banner heading to remove reference to the 'retention' of the mobile home, as this is not an act of development, and to clarify the application is retrospective.

Main Issue

4. The main issue is the effect of the mobile home on the rural landscape character of the area.

Reasons

5. The mobile home is located along the northern boundary of the appeal site, which is 0.5 hectares in size, within a partially wooded rural area. The appeal

¹ APP/M2270/W/18/3216031

site and mobile home can be seen in fleeting views from the highway, and other views appear to be available from the neighbouring residential property to the northwest. The appeal site is largely open, save for a former poultry building and steel feed hopper undergoing works, roughly in the centre of the site. The sparsely developed rural setting of the appeal site, which is located between two large residential plots with detached dwellings, is typical of this part of the High Weald Area of Outstanding Natural Beauty (AONB), accessed from a narrow lane amongst thick trees, hedgerows and other foliage and open fields.

6. Alongside the former poultry building and the mobile home, various paraphernalia associated with the residential use and ongoing works can be seen within the appeal site. The mobile home introduces a domestic use not previously present at the appeal site, out of character in the context of its surroundings. Despite limited public views into the appeal site, the siting of the mobile home has substantially changed the character and appearance of the site, eroding the quality of its rural setting.
7. I note efforts have been made to position the mobile home close to a mature hedgerow, and the presence of the former poultry building and the planning permission granted for its conversion into holiday accommodation, but these do not sufficiently reduce the adverse impact of the mobile home on the rural landscape character of this part of the AONB. Although planning permission is sought for a temporary period of three years, the level of harm caused to the rural landscape character of the area is such that it would be unacceptable even for a temporary period.
8. The mobile home therefore causes unacceptable harm to the rural landscape character of the area and is contrary to Saved Policies LBD1, EN1 and EN25 of the Council's Local Plan² and Policies 1, 4, 6 and 14 of the Council's Core Strategy³. Amongst other things, these policies seek to restrict dwellings outside of existing settlements and maintain the landscape character and quality of the countryside, with the design of any proposal needing to respect the context of the site.

Other Matters

9. The appellant has claimed the mobile home is needed for him and his family to live in at the site while he undertakes works on the former poultry building in his spare time. In addition to providing accommodation, the appellant claims it also offers cloakroom and messroom facilities, reduces travel in motorised vehicles and provides security during the works process. No evidence has been submitted to demonstrate that the mobile home is essential for the purposes of progressing with any authorised works at the site for up to three years, or that the claimed benefits of the mobile home cannot be achieved by alternative means that are less harmful to the rural landscape character of the area. Based on the information provided, I consider these to be modest benefits which do not outweigh the harm identified, even for a temporary period.

Conclusion

10. The proposal would harm the rural landscape character of the area in conflict with the development plan taken as a whole. There are no material

² Tunbridge Wells Borough Local Plan (2006)

³ Tunbridge Wells Borough Local Development Framework: Core Strategy Development Plan Document (2010)

considerations that indicate my decision should be made other than in accordance with the development plan. Therefore, for the reasons given, I conclude that the appeal should not succeed.

L Douglas

INSPECTOR