



Appeal Decision

Site visit made on 6 July 2021

by Rachael Pipkin BA (Hons) MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 July 2021

Appeal Ref: APP/C1435/W/20/3261155

Top Barn, Station Road, Isfield TN22 5EY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Helix Homes against Wealdon District Council.
 - The application Ref WD/2019/2064/F, is dated 6 November 2019.
 - The development proposed is erection of No. 5 dwellings, access, landscaping and other associated infrastructure and to extend the Barn to include an additional bedroom.
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Decision

1. The appeal is dismissed and planning permission is refused for erection of No. 5 dwellings, access, landscaping and other associated infrastructure and to extend the Barn to include an additional bedroom.

Procedural Matter

2. The appeal was submitted on the basis of the failure of the Council to determine the planning application within the prescribed period. The Council's appeal statement indicated that, had it been in a position to do so, it would have refused the application for two reasons. These related to character and appearance and housing mix.
3. During the course of the appeal, a revised National Planning Policy Framework (the Framework) was published. The parties have had an opportunity to comment on the implications of the revised Framework in relation to this case during the appeal process.

Main Issues

4. The main issues are:
 - the effect of the proposed development on the character and appearance of area; and
 - whether the proposal provides an appropriate housing mix.

Reasons

Character and appearance

5. The appeal site comprises a field and domestic garden forming the grounds to Top Barn, a detached residential dwelling. The site is set away from the village,

accessed off an unmade track from Station Road which serves a small number of residential properties. A footpath runs along part of the site boundary. A large agricultural/equestrian building lies beyond its northern boundary. The site is in an elevated position and separated from neighbouring residential development on Tile Barn Close by extensive boundary vegetation. The limited development on the site gives it a rural character, providing a transition on the village fringe from the more dense core of development along Station Road to the fields and landscape beyond.

6. The appeal proposal is for five detached houses with single-storey additions and garages plus an extension to Top Barn. The proposed buildings, surface car parking areas and road to serve the development would result in a significant proportion of the site being developed. The proposed layout, with houses arranged in close proximity to each other around a cul-de-sac, would give the proposed development a suburban appearance.
7. The proposed houses would be set in from the site boundaries in order that their gardens provide a buffer and transition between built development and the open countryside beyond. However, the gardens in comparison to the proposed houses would not be particularly deep and the built development would be prominent. Furthermore, with domestic paraphernalia, such as sheds and play equipment in combination with the surface parking, some of which would directly adjoin the site boundaries, the proposed development would form a hard and urbanised boundary on the village fringe. The retention of the existing natural boundary and new tree planting would help to soften the appearance of the development. However, whilst this would provide some visual screening, it would not disguise the change in character of the site.
8. The access lane to Top Barn is a quiet, rural and unmade track which is also a public footpath. The proposed development would result in domestic, service and delivery vehicles serving six separate households utilising this track. Whilst no harm to highway safety may arise from this, it seems to me that this amount of additional traffic would significantly alter the quiet, rural character of this track. Some harm to the rural character of the area would arise from this.
9. There are a number of cul-de-sac developments within the village, including Tile Barn Close and Culpepper Close. This extends some distance back from the road into the open countryside. This pattern of development now forms part of the character of Isfield. However, unlike the appeal proposal, these cul-de-sacs have direct access onto the main road. The appeal proposal, due to the length of the access leading to Top Barn, would have a poor relationship with existing development along Station road, appearing both visually and physically detached from it.
10. Much of the cul-de-sac development within the village is semi-detached and at a similar or higher density than the appeal proposal. In this context, more spaciouly arranged and detached houses would not be inappropriate especially on the village fringe where they would support its transitional character. However, in the scheme before me, there would be inadequate space around the proposed dwellings to provide an effective transition between the village and the countryside resulting in a hard urbanising edge to the village.
11. The proposal includes the formation of a new pond at the head of the site. Whilst this would be an attractive feature, it would not overcome the harms to character and appearance I have identified.

12. I conclude that the proposed development would cause significant harm to the character and appearance of the area. It would therefore conflict with Saved Policies EN8 and EN27 of the Wealdon Local Plan 1998 (WLP) which together require development to have regard to the agricultural character of the landscape, having regard to the setting of settlements and for the layout and design, in terms of scale, site coverage and density to respect the character of the adjoining development and promote local distinctiveness. It would also conflict with the Framework which seeks development that adds to the overall quality of the area, is sympathetic to local character and establishes a strong sense of place.

Housing Mix

13. The Council considers that the provision of five four-bedroom houses would not address an identified need as set out in the Wealdon District Council Strategic Housing Market Assessment (SHMA) 2016. This sets out a requirement for smaller sized properties within the northern part of the district where there is currently predominance of larger size four and five bedroom properties.
14. The district has been identified as having an ageing population with many homes being under occupied and current occupiers seeking to downsize. In view of these trends, the SHMA sets out an indicative size specific distribution for market housing that the Council should seek in order to rebalance the stock and address housing needs. The greatest need is for smaller two-bedroom and three-bedroom properties, however, according to the Council there is also a need for fifteen per cent of properties to be four-bedroom properties.
15. The SHMA supports the need for a suitable housing mix to be provided on site. The scheme in only providing four-bedroom properties would not do this and would also not make a contribution to identified housing needs for smaller sized houses. I find this a shortcoming of the scheme.
16. The Framework sets out that the size and type of housing needed for different groups in the community should be reflected in planning policies. However, the only policy relating to housing mix is Saved Policy HG5 of the WLP but this only applies to new estate development within settlement boundaries. It would not be applicable in the circumstances of the appeal before me.
17. Whilst I find that the proposal would not provide an appropriate mix of housing, in the absence of a specific policy requirement that would apply in this location, I can only give the harm that arises from this limited weight.

Other Matters

18. The village of Isfield has a very limited number of services and facilities. There is some dispute about which of these are currently operating. In any event, as established in the appeal¹ at Culpepper Close, they would not provide for the full day to day needs of residents. A bus stop, approximately a ten minute walk from the site, has a few services throughout the day to Uckfield where residents can access a wider range of services. Whilst not physically far from these services, unlike the Culpepper Close appeal, the route to the nearest shop and the bus stop is only partially served by a footpath. It is also unlit. Whilst within the 2 kilometre walkable distance as set out in the Manual for Streets, the route would be less safe for pedestrians and a less attractive

¹ APP/C1435/W/17/3178137

option. For this reason, I find that the appeal proposal would not be as accessibly located as that appeal and future occupants would be more likely to rely on their cars for travel for most things.

19. The appellant has suggested that the appeal site is previously-developed land (PDL) on the basis that it forms the garden to Top Barn. On this basis, he considers it should be prioritised for residential development in accordance with the Framework. There is some dispute as to whether the entire site could be included within this definition given the presence of an open field on the site. In any event, even if the site were to fall within the definition of PDL, this does not automatically confer suitability for development in the manner proposed.

Planning Balance

20. The Council has a housing land supply of 3.28 years. This represents a significant shortfall. In such circumstances, paragraph 11 of the Framework indicates that housing policies should be regarded as out of date. Paragraph 11 d) makes it clear that where development plan policies are out of date planning permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework as a whole.
21. The appeal site is not located within an identified development boundary. However, given the considerable shortfall in housing land supply, the weight I give to the conflict with the Council's development strategy is substantially reduced. The Council has taken the same approach.
22. The proposed development would provide five residential units which in the context of the very significant housing land shortfall carry considerable weight. In addition, residents could help to support the vitality and viability of the limited services and facilities within the village. There would also be some additional economic benefits during the construction of the scheme.
23. The scheme would fail to provide an appropriate mix of housing. However, in the absence of a specific policy requirement for this I give this limited weight. It would have access to a limited number of services by means other than the private car. More fundamentally however, I have found the appeal scheme would cause significant harm to the setting of the village and the character and appearance of the area. This would be in conflict with both development plan policies and the Framework policies that seek to achieve well-designed places.
24. In my view, the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework taken as a whole. Therefore, the proposal would not constitute sustainable development with regard to paragraph 11 d ii) of the Framework.

Conclusion

25. For the reasons set out above, I conclude the appeal should be dismissed and planning permission be refused.

Rachael Pipkin

INSPECTOR