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## Appeal Decision

Site visit made on 1 September 2022

**by D Cramond BSc MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 29 September 2022**

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**Appeal Ref: APP/C1435/W/22/3293027**

**The Barn, Penny Plain Farm, Sheepcote Lane, Chalvington BN27 3SX**

- 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 Mrs Susan Barr against the decision of Wealden District Council.
  - The application Ref WD/2021/1451/FR, dated 27 May 2021, was refused by notice dated 20 August 2021.
  - The development proposed is the change of use from annexe serving Penny Plain Farm to rented accommodation.
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### Decision

1. The appeal is dismissed.

### Main Issue

2. The main issue is whether the proposal would represent development which would be acceptable in terms of principle and sustainability.

### Reasons

3. The appeal property is an existing annexe on the site which is situated in a converted garage building to the south of the main dwelling. Externally the annexe building is constructed from brick with timber windows and doors and plain clay roof tiles. Internally a kitchen, living room, bathroom and bedroom are provided on the ground floor with a further bedroom and bathroom on the first floor. The location is a rural one albeit not isolated, outside any settlement, with some sporadic dwellings in proximity. The proposal is as described above. No internal or external changes are proposed to the building as part of the appeal application, parking for the proposed accommodation is available on an area of hard surfacing in front of the building.
  4. Saved Policies GD2, EN1, and DC17 of the adopted Wealden Local Plan (1998) (LP) and Policies SPO7, SPO8, WCS6 and WCS14 of the adopted Wealden District Council (incorporating part of the South Downs National Park) Joint Core Strategy Local Plan 2013 are relevant. Taken together and amongst other matters these policies seek to encourage reduction in travel by car; restrict development outside settlement boundaries and focus new
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development within a sustainable pattern of development and settlement hierarchy, and generally secure sustainable development in line with the thrust of local and national planning policy. Additionally, both principal parties also particularly highlight LP Saved Policy DC20 which, with detailed caveats, allows for "... the subdivision of a larger property into smaller dwelling units ...".

5. Turning first to LP Saved Policy DC20, I would say that in my opinion it would not apply to the case in hand. Whilst a "larger" property is not defined within the policy it would seem reasonable to me that the supporting text in the LP would be a fair assessment. This refers to houses which are now too large for single family occupation or properties such as hotels and institutions. The sum of the bedrooms in the annexe and host property is five, this is not atypical as a family home, and hence in my opinion LP Saved Policy DC20 would not be a reason for, or add to, the case for allowing this appeal.
6. The other development plan policies above are of a well-rehearsed nature and with a rural location such as the appeal site they would generally be seen to take a negative stance to the planned scheme within the countryside and applied accordingly. I conclude that the scheme would conflict with the development plan policies which I cite in paragraph 4.
7. However, the principal parties agree that this District does not have a five-year housing supply and this factor needs to be considered. The National Planning Policy Framework (the Framework) has a presumption in favour of sustainable development within the Framework. Using that document's content, I must assess whether the appeal scheme falls within the sustainable development category, which embodies economic, social and environmental objectives. As the Framework makes clear the development should be approved unless adverse impacts significantly and demonstrably outweigh the benefits when assessed against the policies in the document taken as a whole.
8. From my perspective I see some economic gain from an additional family locally but in reality, this would be nominal within any settlement. The property would provide the social benefit of another household in the locality and of a further home to meet the shortfall in the District, albeit numerically any gain would be minimal and there is no evidence that a dwelling in this part of the countryside would meet local needs. On the environmental front there would be some erosion of the character of the countryside given inevitable paraphernalia associated with a separate household and more particularly the dwelling would not accord with the Framework's aim to achieve sustainable patterns of growth. Finally given limited public transport and other options residents here would rely almost solely on travel by private car with the environmental implications that entails.
9. Having carefully considered all matters I conclude that the scheme would not represent sustainable development in accord with the purpose of the planning system and the central thrust of the Framework. The adverse

impacts on the environmental front would significantly and demonstrably outweigh the economic, social and other benefits including the contribution which would be made to housing land supply. I conclude that the appeal would not accord with the development plan policies which I cite above.

*Other matters*

10. I recognise and sympathise with the change in family circumstances which has seemingly been the trigger for the appeal proposal and I hope some form of family use can be found for the overall property within this curtilage. I have carefully considered the other planning decisions elsewhere which have been cited by the Appellant but I would share the Council's reasoning for these being at variance from the scheme before me which, in any event, I must assess on its own merits. I cannot account for the Council's seemingly differing approaches to the definition of 'larger' properties but I do explain my stance above.
11. Reference is made to a temporary period for the use of the premises but I see no planning justification or merit to this approach for a scheme which I determine is unacceptable in any event. Reference is also made to possible types of tenure of would-be residents but from what is before me I have to assess the scheme as a general dwelling house proposition. I recognise that previous holiday letting would have entailed car journeys but their nature would have been different and furthermore planning policies for holiday accommodation do not directly align with those for permanent residential use.
12. I have carefully considered all points raised by the Appellant and these matters do not outweigh the concerns which I have in relation to the main issue identified above.

*Overall conclusion*

13. For the reasons given above I conclude that the appeal proposal would represent unacceptable development in terms of its principle and sustainability. Accordingly, the appeal is dismissed.

*D Cramond*  
INSPECTOR