



Appeal Decision

Site visit made on 4 January 2023

by A Tucker BA (Hons) IHBC

an Inspector appointed by the Secretary of State

Decision date: 10 January 2023

Appeal Ref: APP/C1435/W/22/3295460

Land rear of Park Farm Barn, Park Farm Lane, Maresfield, Uckfield, TN22 2EE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant permission in principle.
 - The appeal is made by Mr A Farrell against the decision of Wealden District Council.
 - The application Ref WD/2021/2660/PIP, dated 18 October 2021, was refused by notice dated 25 February 2022.
 - The development proposed is erection of between 2 and 5 dwellings.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The proposal is for permission in principle. Planning Practice Guidance advises that this is an alternative way of obtaining planning permission for housing-led development. The permission in principle consent route has 2 stages: the first stage (or permission in principle stage) establishes whether a site is suitable in-principle and the second ('technical details consent') stage is when the detailed development proposals are assessed. This appeal relates to the first of these 2 stages.
3. The scope of the considerations for permission in principle is limited to location, land use and the amount of development permitted¹. All other matters are considered as part of a subsequent Technical Details Consent application if permission in principle is granted. I have determined the appeal accordingly.

Main Issue

4. The main issue is whether the site is suitable for residential development, having regard to its location, the proposed land use and the amount of development, with particular regard to its effect on the setting of the listed buildings at Park Farm and the character and appearance of the Maresfield Conservation Area.

Reasons

5. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (LBCA) requires the decision maker, in considering whether to grant permission in principle for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it

¹ PPG Paragraph: 012 Reference ID: 58-012-20180615

- possesses. Additionally, Section 72 of the LBCA requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.
6. The appeal site is a portion of land that sits behind Park Farm Barn, which is a Grade II listed building that was built as a barn in the 18th century and converted into a dwelling in the 1980s. It is constructed of dark timber weather boarding over a stone base with a clay tile roof. The main range is a substantial barn that is now divided into two floors of domestic accommodation. A long and low single storey range extends out from this to the side and returns at the far end to enclose a small yard at the rear, which is further enclosed by a low building at the rear that is parallel to the principal building. The rear of this low building and the rear of the main range face out towards the appeal site.
 7. The barn is associated with the Oasthouse to the northeast and the Farmhouse to the east. The three buildings are significant individually, as a result of their historic fabric and form, the extent that this illustrates their original function and development, and their aesthetic value. They face towards each other over an open area and are seen together as an historic farmstead. This arrangement enhances their individual evidential, historic and aesthetic values, and is a highly important aspect of the setting of each building that contributes to their individual significance. The submitted Assessment of Impact² suggests that the farmstead remains intact and clearly legible as a collection of historic buildings that inform upon the past use of the land.
 8. The significance of the group of buildings is further enhanced by the undeveloped character of the surrounding land, to the northwest, north, east, south and southwest. This gives the building group an isolated appearance that reinforces its historic functional association with the surrounding farmland, and the manner that it has developed as a separate entity, away from the historic core of the village. I note that the Inspector who determined a recent appeal at Park Farm Barn was of the same view³.
 9. This characteristic has been eroded to a certain extent by the modern development to the east of the farmstead, including that which has been recently completed between Rolling Mills and the A22. This has had an urbanising impact on its setting, and the dwellings are prominent in views of the farmstead from a number of perspectives.
 10. However, all of this new development is contained behind the clear line that is defined by Park Farm Lane and the footpath beyond. Thus, as one moves along the Lane and the footpath it is clear that modern development is only to one side, and the strong undeveloped setting of the farmstead, as is particularly appreciated to its north and southwest from this walking route, is retained. Although some of the dwellings at Rolling Mills are close to Park Farm Barn, they are set back behind its building line, and well back from the shared farmyard area that the historic buildings face towards.
 11. The farmstead is within the Maresfield Conservation Area (MCA). The Draft Conservation Area Character Appraisal places the farmstead within Character Area D – Park Farm. The appraisal notes that the visual significance of the rural setting of Park Farm, in a position isolated from the village centre to the north,

² DGC (Historic Buildings) Consultants Limited Ref: DGC22197 dated 16 December 2021

³ Appeal Ref: APP/C1435/D/21/3282614

has been maintained. The lack of built form on the appeal site and in those undeveloped areas around the farmstead, both within and outside of the MCA, are important contributors to its character, appearance and setting.

12. The development of the site for 2 to 5 dwellings would see the urban spread of the settlement of Maresfield extend to one side of the existing farmstead. Much is made about the potential to limit the visual impacts of development at the site and its existing level of visual containment. Indeed, at my visit I could see that the southwest and southeast boundaries of the site are particularly well defined with very limited views in or out of the site along these boundaries.
13. However, direct views between development at the site and the heritage assets are not the only thing to consider. Indeed, Historic England guidance⁴ makes it clear that setting can be more broadly defined as the surroundings within which an asset is experienced. Currently, as one moves past the Farmstead along the track in a south-westerly direction, it is clear that the land behind Park Farm Barn is undeveloped and well vegetated. Additionally, from the footpath and open land to the east of the farmstead a sense of the wider setting of the farmstead can be easily appreciated, despite the fact that the buildings are largely hidden from this perspective.
14. Even if dwellings could be constructed at the site that would largely be underground, there would still be some above ground expression of residential development, such as the presence of parked cars and domestic paraphernalia, lighting and general activity. As a result, when passing the site along the footpath, development at the site would be readily apparent. The way that the asset is currently experienced would be changed, and the isolated and well defined form of the historic farmstead would be significantly eroded.
15. An alternative would be to develop the site with something that resembles a modest secondary farmyard. This would however undermine our understanding and appreciation of the existing farmstead and its development. It would also lessen the distinct and well defined form of the existing farmstead, aided by the undeveloped appearance of most of the surrounding land.
16. Retaining a gap between Park Farm Barn and the site would do little to successfully address the adverse impacts I have identified. The existing buildings that make up the farmstead are widely spaced, and face onto a large open yard area. The undeveloped areas that surround the farmstead are broad and expansive. Thus, even with the gap, development at the site would be on land that is associated and close enough to the farmstead to give it a much more developed setting, which would have an adverse effect on its relationship with the surrounding land. Once developed, the farmstead would connect with the urban spread of Maresfield, to the extent that it could appear as part of it to those passing by, significantly lessening its isolated position.
17. Some modest development has taken place recently in the immediate context of the farmstead. This includes the erection of a garage at Park Farm Barn and the upward extension of Hunters to the northeast of Park Farm House. Both are close to the group of buildings that make up the farmstead. The garage building is closely related to the existing buildings and has not resulted in the spread of built form away from the group into an undeveloped area of land.

⁴ Historic England The Setting of Heritage Assets Historic Environment Good Practice Advice in Planning Note 3 (Second Edition)

Hunters has seen a significant degree of change through its upward extensions, however this has also not drawn built form out away from the farmstead sufficient to erode or lessen its well defined form.

18. The proposal would thus cause significant harm to an aspect of the setting of the listed buildings that contributes towards their significance. It would also harm the character and appearance of the MCA by harming the rural setting of Park Farm. In terms of the National Planning Policy Framework (the Framework) the harm identified would be less than substantial. Paragraph 202 of the Framework establishes that any harm to a designated heritage asset should be weighed against the public benefits of the proposal.
19. The proposal for permission in principle relates to the provision of up to 5 dwellings at the site. The development would be close to other recent development and would have reasonable access to existing services and facilities in Maresfield. There would be some economic benefits arising from the construction of dwellings at the site and from those who would occupy the dwellings making use of local services and facilities. The provision of housing is a clear public benefit that carries considerable weight, particularly in the context of the Council's housing land supply position.
20. Thus, the public benefits of the proposal carry considerable weight. However, Paragraph 189 of the Framework states that heritage assets are an irreplaceable resource and paragraph 199 establishes that great weight should be given to the conservation of a heritage asset. I have found that the proposal would cause significant harm to an aspect of the setting of three adjacent listed buildings that contributes to their significance and the character and appearance of a conservation area. In weighing these matters together, I am not satisfied that the benefits would be sufficient to outweigh the degree of harm identified.
21. In summary, the proposed location and land use would harm the setting of the listed building group and the character and appearance of the MCA. This would be contrary to Spatial Objective SPO2 and Policy WCS14 of the Wealden District Core Strategy Local Plan 2013 and the Wealden Design Guide 2008. Together these seek to ensure that development proposals respect local character and distinctiveness and protect the intrinsic quality of the historic environment.

Other Matters

22. The site lies within 7Km of the Ashdown Forest Special Protection Area. The addition of up to 5 additional dwellings within this area has the potential to have an adverse impact on its features of importance as a result of the recreational impact of the development. This matter forms the basis of the Council's second refusal reason. There is nothing before me to secure any form of mitigation. The parties suggest that this is a matter that can be addressed at the Technical Details Consent stage if this appeal is allowed. However, as I am dismissing the appeal for other reasons, the impact will not occur in any event, and this matter does not therefore need to be considered further.
23. The Council is unable to demonstrate a 5 year housing land supply and therefore a presumption in favour of sustainable development applies. However, with reference to paragraph 11 d) of the Framework, an exception is provided where policies in the Framework that protect assets of particular

importance provide a clear reason for refusing the proposal. Footnote 7 establishes that this includes designated heritage assets. I have found that the proposal would harm the character and appearance of the MCA and an aspect of the setting of three adjacent listed buildings that contributes to their significance. It would therefore not accord with the Framework. Consequently, the tilted balance does not apply.

Conclusion

24. In conclusion, the proposal would conflict with the development plan and there are no other material considerations, including the Framework, that outweigh this conflict. Therefore, the appeal should be dismissed.

A Tucker

INSPECTOR