



Appeal Decisions

Site visit made on 8 August 2023

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

an Inspector appointed by the Secretary of State

Decision date: 23 August 2023

Appeal A Ref: APP/C1435/W/22/3297438

Lower Field, Little Barkham Farm, Goldbridge Road, Piltdown, TN22 3XL

- 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 and Mrs Stuart and Philomena Albone against the decision of Wealden District Council.
- The application Ref WD/2021/1956/F, dated 12 July 2021, was refused by notice dated 29 October 2021.
- The development proposed is construction of four detached dwellings and access road with associated works.

Appeal B Ref: APP/C1435/W/22/3297916

Upper Field, Little Barkham Farm, Goldbridge Road, Piltdown TN22 3XL

- 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 and Mrs Stuart and Philomena Albone against the decision of Wealden District Council.
- The application Ref WD/2022/0019/F, dated 31 December 2021, was refused by notice dated 29 March 2022.
- The development proposed is construction of two detached four bedroom and two semi-detached three-bedroom dwellings with associated works.

Decision

1. Both appeals are dismissed.

Preliminary Matters

2. These appeals relate to two applications for residential development in two fields at Little Barkham Farm. Following refusal of the first scheme (referred to as 'Lower Field') a second application was submitted for a scheme on 'Upper Field'. I have dealt with both schemes in this decision letter.

Main Issues

3. The main issue in relation to **both appeals** is whether the site is a suitable location for a residential development having regard to local and national planning policy for the provision of housing.
4. In addition, the other main issues are:
 - In respect of **Appeal A**: the effect of the proposal on the character and appearance of the countryside;
 - In respect of **Appeal B**: the effect of the proposal on the character and appearance of the surrounding area, including the setting of Little Barkham Farmhouse, a Grade II listed building.

Reasons

Suitability of location – both appeals

5. There is no defined development boundary for Piltdown, which is a rural settlement characterised by ribbon development along Goldbridge Road, the A272, between Haywards Heath and Uckfield. It is therefore in the countryside for the purposes of planning policy.
6. Saved Policy GD2 of the Wealden Local Plan 1998 (Local Plan) seeks to resist all development beyond settlement boundaries. Saved Policy DC17 of the Local Plan specifically resists residential development in the countryside, 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 in this case.
7. Policy SPO3 of the Core Strategy¹ seeks to focus development primarily around Hailsham/Hellingly, Polegate/Willingdon/Stone Cross and Uckfield and the district's secondary towns of Crowborough and Hailsham rather than in the rural areas. Policy SPO8 of the Core Strategy supports some additional growth in the district's villages. Policy SPO7 seeks to reduce the need to travel by car. To achieve this aim development will be directed to places where there are opportunities to use public transport and improve the quality of journeys that can be made on foot or by bike.
8. Piltdown has a convenience store associated with the petrol station, a pub and a farm shop. However, there is no primary school; the nearest is at Fletching and it would be necessary to go to Newick to see a doctor. Piltdown therefore lacks the characteristic facilities of a village. To reach employment opportunities, secondary education, leisure activities and a wide range of shops residents would have to travel several miles to Uckfield, Haywards Heath or further afield.

Appeal A

9. Lower Field, is set back some distance from the A272. It is physically and visually separate from nearby development and has a somewhat remote character. To reach the site would necessitate the construction of a new access driveway across an undeveloped field. The length of this driveway alone would be a deterrent to future occupants choosing to walk to even the most local destinations. It is unlikely to be lit, making it unattractive in the dark or poor weather. To reach most facilities and services it would be easier, quicker, and more convenient for future occupants to do so by car, notwithstanding the bus services along the A272. Using a car would almost certainly be the default choice of travel mode for anyone who has access to private transport.
10. I therefore conclude that Lower Field is not a suitable location for new housing as future residents would be over reliant on the private car to access most of the facilities and services that they would need. The proposal would be contrary to the Council's spatial strategy set out in the above policies, which seek to locate development within identified settlements and where a genuine choice of travel mode is available.

¹ Wealden District (Incorporating Part of the South Downs National Park) Core Strategy Local Plan, 2013

Appeal B

11. Upper Field, lies immediately to the rear of existing development on the A272, a busy road with a speed limit of 40mph. Nevertheless, it is within a few minutes' walk of the garage/convenience store, pub and bus stops, all of which are less than 300m away. This suggests that there are realistic opportunities for future occupants to meet some of their day-to-day needs on foot. However, it would not be such an attractive proposition to walk to the farm shop as the footway does not extend sufficiently far along the A272. To access other facilities and services residents could also choose to catch a bus into the nearby towns, although it would be easier and more convenient to travel by car. Therefore, although Upper Field, provides the possibility for residents to make a limited number of journeys on foot and by bus, it is still likely that they would predominantly choose to use a car to meet most of their off-site needs.
12. I therefore conclude that Upper Field is not a suitable location for new housing. It would be contrary to the Council's spatial strategy and policies for the same reasons that apply to Lower Field.

Character and appearance

Appeal A

13. The appeal site is an open field enclosed by hedgerows and trees. It is entirely rural in its character. The proposal would introduce four substantial detached houses, each with a double garage (either separate or integrated), together with associated driveways, fenced boundaries and gardens with patios. This would amount to a substantial and incongruous visual intrusion of suburban style development into the open countryside. Its separation from other nearby development would make this particularly harmful. It would not relate to, or integrate effectively with, any of the nearby buildings and would be completely at odds with the appearance of the surrounding rural area.
14. The bulk and height of the buildings would be apparent from the public bridleway adjacent to the site's south-western boundary. This would add to the sense of intrusion into the undeveloped countryside, notwithstanding the vegetation enclosing it. Added to this, over time the development would accumulate outbuildings and domestic paraphernalia within the gardens of the houses. Even if this was not seen from the surrounding area, it would further erode the character of this part of the Low Weald landscape.
15. The need for a lengthy access driveway which would require passing bays would also be a harmful urbanising feature crossing an open, undeveloped field. The arrangement would also be out of character with other houses in the area, nearly all of which have direct frontage access or short driveways to the public highway, namely the A272 or the nearby rural lanes. The change of use of the site from its historic equestrian use to residential would fundamentally change its character. Occupation of the houses would introduce associated comings and goings, diminishing the area's rural and tranquil ambience both along the access and within the site.
16. For all these reasons the proposal would conflict with Saved Policies EN8 and EN27 of the Local Plan and Policies SPO1 and SPO13 of Core Strategy. These policies, amongst other things, seek to promote local distinctiveness and conserve the character of the countryside of the Low Weald.

Appeal B

17. Upper Field is part of a larger undeveloped field immediately to the rear of Hawthorn Cottages. Whilst this row of small houses front the A272, they have a parking area to the rear which is accessed from an existing shared driveway with Little Barkham Farm (a former stable building).
18. Two detached dwellings and a pair of semis would be constructed around a new courtyard. Access would also be taken from the driveway that serves Little Barkham Farm. The envelope of development would not penetrate further into the countryside than existing buildings to the east and west of the site (notably the Ashgrove Trading Estate). However, it would result in the loss of a green field and would consolidate and intensify the looser and more dispersed pattern of built development in the locality. In addition to the significant bulk of the dwellings, the proposal would introduce hard-surfacing, boundary treatments, parking spaces and domestic paraphernalia. Any sense of the site being countryside would be displaced by a domestic character with all the activities and comings and goings associated with the use of permanent homes.
19. Furthermore, the proposed courtyard layout would have a regimented appearance with buildings close to and at right angles to each other. This would not reflect the more informal arrangement of existing buildings and the organic way in which the surrounding area has evolved over time. The two, large, detached dwellings would be mirror images of each other and their size and bulk would be out of keeping with the scale of other nearby dwellings. The design details with garages, dormer windows, balconies and chimneys would serve to emphasise the domestic appearance and suburban character of the development. The lack of space for effective landscaping within the courtyard and the need for parking spaces would result in a sterile appearance preventing the establishment an attractive place to live. Therefore, the proposal would fail to integrate effectively within this semi-rural environment.
20. The appeal site also lies to the south-west of Little Barkham Farmhouse, a Grade II listed building. I therefore have a duty to have special regard to the desirability of preserving its setting. Little Barkham Farmhouse is an early 17th century, two-storey building. It derives its significance from being a partially extant Medieval farmstead. The farmstead was formed of a loose courtyard with two sides of the yard formed of agricultural buildings in an isolated location. The farmhouse was detached with a gable onto the yard and is now the only surviving traditional structure. Its plot is enclosed by mature vegetation and intervisibility between the appeal site and the farmhouse is extremely limited. Only the chimney can be directly seen from the site.
21. Nevertheless, the appeal site and the other open fields to the south-west of the farmhouse are an important element of the rural hinterland of the farmstead. They illustrate the historic relationship between the house and the agricultural activities of the surrounding open fields. Even though the area is no longer predominantly open farmland, the house is part of a cluster of buildings of different ages and uses but with gaps retained between them. There was no evidence to suggest that there are now functional links between the farmhouse and the appeal site and visual ones are tenuous. The setting of the farmhouse is primarily focused on its own plot where it is appreciated as a surviving 17th century building. However, Upper Field is the only remaining connection between the farmhouse and the surrounding rural landscape.

22. To insert the proposal into a site where there was no previous evidence of agricultural buildings, or a courtyard of any kind, would harm the setting of the farmhouse. However, given the lack of functional and visual connections between the site and the listed building I consider this harm would be less than substantial in terms of the National Planning Policy Framework (the Framework), and at the lower end of the scale. I am therefore required to weigh this harm against the public benefits of the proposal as set out in paragraph 202 of the Framework. In this case I consider that the public benefits associated with the provision of four dwellings would outweigh the identified harm to the setting of Little Barkham Farm. The scheme would therefore accord with national policy in this respect.
23. I am aware that other developments in the locality have been granted planning permission in recent years. However, there was nothing to demonstrate that any of these is directly comparable with the appeal proposal. In any event, I have considered the scheme before me on its individual merits, having regard to the site-specific circumstances.
24. Taking all the above factors into consideration, I conclude that the proposal would harm the character and appearance of this semi-rural area, arising from its poor siting, design and layout. It would conflict with saved Policy EN27 of the Local Plan and Policy SPO13 of the Core Strategy. These policies, amongst other things, seek to promote good design, and require the scale, form and layout of development to respect its context. Notwithstanding my finding in relation to national heritage policy, the proposal would be contrary to Policy SPO2 of the Core Strategy, which seeks to protect the district's heritage assets. However, I find no conflict with saved Policy EN8 of the Local Plan as its focus is on retaining countryside that is further from main road corridors.

Other Considerations

Appeals A and B

25. The Council is unable to demonstrate a 5-year supply of deliverable housing sites; the position set out in its appeal statement was that the supply stood at 3.66 years, which is a significant shortfall. Therefore paragraph 11 d) of the Framework is engaged.
26. The Framework advocates strategic policies which maximise the use of previously developed land and manage growth by locating development where there is access to a wide range of facilities, thus limiting the need to travel and providing genuine travel choice. In rural areas it states that housing should be located where it will enhance or maintain the vitality of rural communities whilst recognising the intrinsic character and beauty of the countryside. The Framework also promotes good design by ensuring the developments are sympathetic to local character and history, including the surrounding built environment and landscape setting.
27. The Council's policies, although adopted 1998 and 2013, are broadly consistent with this approach and therefore carry significant weight in the assessment of the proposals. They recognise that development beyond settlement boundaries will be necessary in view of the shortage of housing land in the District. However, paragraph 80 of the Framework does not imply that housing must be 'isolated' for restrictive policies to apply. Furthermore, there is nothing in the Framework to indicate that the definition of settlement boundaries is no longer

a suitable policy to direct development towards the most appropriate locations, having regard to other objectives in the development plan. Although neither of the appeal sites could be described as isolated, neither of them is close to any development defined by a settlement boundary. There are therefore no policies in the development plan that offer support for either of the schemes. As the proposals would be contrary to all the policies referred to above, both would conflict with the development plan as a whole.

28. There are policies in the Framework that protect heritage assets, but I have found the effects on the setting of Little Barkham Farm alone would be an insufficient reason to reject Appeal B. It is therefore appropriate for me to apply the test set out in paragraph 11 d) ii) of the Framework in respect of both schemes. As each of the schemes would provide four new homes, this would be a public benefit of moderate weight which weighs in their favour particularly given the acute shortage of housing land in the district.

Planning Balance

Appeal A

29. In respect of the proposal for Lower Field, I found that future occupants would be heavily reliant on the private car and that the scheme would result in significant harm to the landscape of the Low Weald. Notwithstanding the Framework's objective of significantly boosting the supply of housing, the proposal would conflict with its policies relating to the location of development and the intrinsic character and beauty of the countryside.
30. Consequently, the adverse impacts of the proposal would significantly and demonstrably outweigh the benefits when considered against the Framework as a whole. The presumption in favour of sustainable development therefore does not apply.

Appeal B

31. In respect of the proposal for the Upper Field, I found that the site would not be suitable for new housing, even though future occupants could choose to walk to the limited facilities nearby, and could catch a bus to the nearest towns to meet some of their needs. However, the scheme would make a minimal contribution to the vitality of the rural community and, to reach most of the services and facilities they would need, residents would be highly likely to rely on the private car.
32. The harm to heritage assets has already been considered and found to be outweighed by the public benefits. Nevertheless, the failure to preserve the setting of Little Barkham Farmhouse is a matter of considerable weight and importance and counts against the scheme. Furthermore, the proposal's siting, design and layout would harmfully consolidate and intensify built development in this semi-rural area. This would result in permanent harm to the local environment, conflicting with the Framework's objectives of promoting good design and ensuring that development respects its context.
33. Collectively these adverse impacts of the proposal would significantly and demonstrably outweigh the benefits when assessed against the Framework. Consequently, the presumption of sustainable development does not apply.

Other Matter

34. The appeal site is within the Zone of Influence of the Ashdown Forest Special Protection Area (SPA). The appellants submitted completed Unilateral Undertakings (UU) in respect of both schemes. Both would provide a contribution towards measures to mitigate the effects of the proposal on the SPA. The Council is satisfied that this would address the third of its reasons for refusing both schemes. However, notwithstanding the UUs, as the schemes are unacceptable for other reasons, there is no need for me to consider the implications of the proposal on the protected site.

Conclusions

35. Both proposals would be contrary to the development plan. There are no other considerations, including the provisions of the Framework, which outweigh this finding.

36. For the reasons set out above, both appeals are therefore dismissed.

S M Holden

INSPECTOR