



Appeal Decision

Site visit made on 7 November 2023

by C Butcher BSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3 January 2024

Appeal Ref: APP/C1435/W/23/3314222

Perrymans End, Perrymans Lane, Heron's Ghyll, Uckfield TN22 4BX

- 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 C Elliott against the decision of Wealden District Council.
 - The application Ref WD/2022/2146/F, dated 15 August 2022, was refused by notice dated 21 November 2022.
 - The development proposed is described as the conversion of an equestrian barn to a dwelling and provision of a soft landscaping scheme.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have made a minor amendment to the description of development to ensure that it only sets out what is being proposed.

Main Issue

3. The main issue is whether the existing barn is suitable for conversion, taking account of development plan policies and the effect of the proposal on the character and appearance of the surrounding area, including the scenic beauty of the High Weald Area of Outstanding Natural Beauty (AONB).

Reasons

Whether the existing barn is suitable for conversion.

4. The appeal site forms part of an equestrian facility, within the countryside, and well outside of any designated settlement boundary. It is also located within the High Weald AONB. Paragraph 176 of the National Planning Policy Framework (the Framework) sets out that great weight should be given to conserving and enhancing landscape and scenic beauty within AONB's.
5. While there are existing dwellings along Perrymans Lane, including Oaks Farm immediately to the north east of the appeal site, the site and its immediate surrounds have a rural, tranquil and verdant character. Given the fact that the site is a reasonable distance from the nearest defined settlement, and with paragraph 80 of the Framework in mind, I therefore consider that it is in an isolated location.
6. The majority of dwellings in the area generally have brick exteriors, pitched tile roofs and moderately sized windows which means that their appearance accords with the rural character of the surroundings. The existing building on

the appeal site is a reasonably large metal structure with sizeable barn doors that form the western elevation. While it has a fairly modern and utilitarian appearance, barns such as this are very common in rural areas, and as such, the building has a neutral effect on the character and appearance of the surrounding area.

7. Policy DC17 of the Wealden Local Plan, December 1998 (LP) provides various stipulations for the conversion of existing rural buildings to residential within the countryside. Part of the policy, regarding business re-use is not in conformity with more recent policy set out within paragraph 80 of the Framework. However, Part 1 of Policy DC17 sets out that development proposals must ensure that the building's form, bulk and general design are in keeping with the surroundings.
8. In this instance, the proposed development would change the appearance of the existing barn quite considerably. The existing metal exterior would be replaced with wooden cladding which would conform to some extent with the appearance of traditional barn type structures. However, the plans include the provision of a very significant amount of glazing on the west elevation, both at ground floor and first floor levels. The glazing would be a highly obvious design feature, and in combination with the profiled grey metal roof, this would provide the proposed dwelling with a very modern appearance rather than that of a rural barn. As a result, it would appear highly incongruous and out of place in the context of the existing rural character of the area, including the much more traditional looking dwellings in the wider vicinity. The proposal would therefore result in harm to the character and appearance of the area, and by extension, it would erode the landscape and scenic beauty of this part of the AONB.
9. Existing hedgerows shield views into the site to some degree and some additional planting is proposed. This would ensure that the proposed parking area and garden space with the associated domestic paraphernalia would be largely hidden from public view, including from the right of way immediately to the east of the site. However, the proposed dwelling itself, and in particular the heavily glazed west elevation, would still be clearly visible via the existing access. Therefore, the resulting harm would be readily apparent. Despite the provision of windows that would reduce light transmission, the harm would be exacerbated during the hours of darkness when domestic lighting would make the proposed dwelling even more obvious, thereby reducing the existing tranquillity of the area.
10. I therefore conclude that the existing barn is not suitable for conversion, taking account of development plan policies and the effect of the proposal on the character and appearance of the surrounding area, including the scenic beauty of the High Weald AONB. The proposal would therefore conflict with LP Policies GD2, EN1, EN6, DC8 and DC17, as well as Objectives SPO1 and Policies WCS6 and WCS14 of the Wealden Core Strategy Local Plan, February 2013. In part, these policies seek to restrict development outside of settlement boundaries, subject to various exceptions, and also ensure that development is sustainable and that it protects the scenic beauty of the AONB. There would also be conflict with the relevant aspects of the Wealden Design Guide Supplementary Planning Document, November 2008, which seek to ensure that the conversion of rural buildings does not harm existing character and appearance.

Other Matters

11. The Council has set out that the appeal site is within the zone of influence of the Ashdown Forest Special Protection Area and Special Area of Conservation. The lack of suitable mitigation formed a further reason for refusal. I note the willingness of the appellant to enter into a planning obligation to satisfactorily address this issue. However, as I am dismissing this case, there is no requirement for me to consider this matter any further.

Planning Balance and Conclusion

12. It is not in dispute between the parties that the Council cannot currently demonstrate a 5-year supply of deliverable sites for housing. Indeed, the current shortfall is significant, and I have no evidence before me to suggest that this position is likely to improve in the short-term. In such circumstances, Paragraph 11d and footnote 8 of the Framework require that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole.
13. In this instance, the benefits of the proposal include the provision of one new home that would assist in meeting need in the area, support for local facilities, and the creation of jobs during the construction phase. It would also allow for a potential increase in biodiversity on the site. Despite the level of shortfall in housing land supply, which leads me to attribute increased weight to the benefits, I still only afford limited weight to them overall given that they are minor in nature.
14. I have concluded that there would be material harm in relation to the proposal to convert the existing barn. The Framework seeks to ensure that new development preserves character and appearance. Moreover, paragraph 80(c) of the Framework sets out that the conversion of redundant or disused buildings should enhance their immediate setting. Based on my observations on my site visit, and from the evidence before me, I have no reason to doubt that the existing barn is redundant. However, in this instance, the harm in relation to the setting of the building would be significant and enduring. In particular, the harm to the scenic beauty of the AONB is a matter that I must afford great weight to.
15. As a result, when assessed against the policies in the Framework taken as a whole, the adverse impacts would significantly and demonstrably outweigh the benefits. Consequently, for the reasons given, the proposed development conflicts with the development plan as a whole, and there are no other considerations, including the provisions of the Framework, that outweigh the identified harm. The appeal is therefore dismissed.

C Butcher

INSPECTOR