



Appeal Decision

Site visit made on 8 January 2024

by Jonathan Bore MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 January 2024

Appeal Ref: APP/C1435/W/23/3321354

Land to the south of Cousley Wood Road, Sparrows Green, Wadhurst, East Sussex, TN5 6DY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr Stephen Durnford against the decision of Wealden District Council.
 - The application Ref WD/2022/1610/MAO, dated 21 June 2022, was refused by notice dated 9 March 2023.
 - The development proposed is the erection of up to 15 residential dwellings.
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Decision

1. The appeal is dismissed.

Main Issue

2. The site is in the High Weald Area of Outstanding Natural Beauty (AONB). The main issue is the effect of the scheme on the AONB and the character of the countryside.

Reasons

3. The scheme is in outline with all matters reserved except for access, but indicative plans show that the proposed development would occupy the ridge at the northern end of an open field close to Cousley Wood Road. This broad historic field is part of a fine landscape of pastures, hedgerows and trees. It affords attractive views from parts of Cousley Wood Road across a beautiful valley towards Wadhurst and its church. The site's strong rural character is not significantly diminished by the moderate amount of traffic using B2100 Cousley Wood Road nor by the houses on Cousley Wood Road, Sparrows Green Road and Primmers Green, which have the character of a village edge but do not provide the site with any sense of enclosure or urbanisation. In this regard I do not accept the conclusions of the appellant's Landscape Briefing Note and Landscape Visual Appraisal. The site is clearly part of the wider countryside, and it lies outside any development boundary.
4. The appellant argues that, being simply a grazed field, the site does not exhibit the full range of characteristics of Area 5B High Weald Central in the Landscape Character Assessment for Wealden District; there is only one view of the site from a public right of way to the south; and the site cannot be regarded as "green infrastructure" with an important recreational or wildlife role, within the terms of Core Strategy policy WCS13. It is noted also that the scheme would

include a multifunctional green space, a wildflower meadow, and planting to the south and to the field boundaries to soften its visual impact. Nevertheless, the site forms a most attractive green apron to Sparrows Green and, notwithstanding the limited view from the public right of way, it is just as much an integral part of the AONB landscape and the countryside as the valley slopes, hedgerows and mature trees to the south. However designed, the proposal would represent an unfortunate intrusion of built development into this high quality landscape.

5. The scheme would result in a significant erosion of the AONB, contrary to saved policy EN6 of the Wealden Local Plan 1998 and to national policy as set out in the National Planning Policy Framework (NPPF), which accords great weight to the conservation and enhancement of landscape and scenic beauty in AONBs. Being outside the development boundary, the scheme would also be contrary to saved policies GD2 and DC17 of the Wealden Local Plan 1998, which resist development outside such boundaries. Despite their age, these saved Wealden Local Plan policies are still entirely relevant to this appeal and accord with the aims of the NPPF to protect valued landscapes and to recognise the intrinsic character and beauty of the countryside.
6. Wealden District has less than 5 years' supply of housing land, and the appellant argues that this site is a suitable sustainable location to help meet housing need. However, the NPPF states that major development in the AONB should be refused other than in exceptional circumstances. In terms of impact, I consider this scheme to amount to major development and there are no exceptional circumstances to allow the scheme; any benefit from the delivery of the proposed homes, even allowing for the deficit in housing supply, would be far outweighed by the harm to the AONB and the character of the countryside.
7. Little Primmers, a Grade II listed building, is situated on the Primmers Green just east of the site and the open field at the front forms part of its setting. Neither the proposed houses nor their gardens would extend quite as far down the field as Little Primmers, but they would encroach on the view of the house across the open field, and would consequently erode the appreciation of its setting. The scheme would therefore cause less than significant harm to the significance of the listed building. This adds to the objections to the scheme.

Other Matters

8. The appellant has signed a unilateral undertaking under s106 which would provide for affordable housing, First Homes, offsite drainage works and highway works to address the Council's reasons for refusal on these matters, but that makes no difference to the outcome of this appeal.
9. I have considered the various appeal decisions submitted by the appellant, but they were in different locations and with different circumstances and cannot be compared with this case.

Conclusion

10. The scheme would cause significant harm to the High Weald Area of Outstanding Natural Beauty and the character of the countryside and would harm the setting of a listed building. I have considered all the other matters

raised but they do not alter the balance of my conclusions. For the reasons given above I dismiss the appeal.

Jonathan Bore

INSPECTOR