



Appeal Decision

Site visit made on 4 June 2025

by R Lawrence BSc (Hons), PGDip (TP), MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30th July 2025

Appeal Ref: APP/C1435/W/24/3356467

Bluebell Farm, Church Road, Rotherfield TN6 3LA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr J Penfold against the decision of Wealden District Council.
 - The application Ref is WD/2024/1826/F.
 - The development proposed is a replacement dwelling.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the area, including whether it would conserve or enhance the landscape character.

Reasons

3. The site lies within the High Weald National Landscape. The statutory purpose of National Landscapes is to conserve and enhance the natural beauty of the area. Section 85 of the Countryside and Rights of Way Act 2000 (as amended) now includes the duty on relevant authorities that they must seek to further this purpose when exercising or performing any functions in relation to, or so as to affect, land in an Area of Outstanding Natural Beauty (now National Landscapes).
4. Furthermore, the Framework requires that great weight should be given to conserving and enhancing landscape and scenic beauty in National Landscapes, which have the highest status of protection in relation to these issues.
5. The appeal site comprises a detached chalet bungalow located at the end of a linear row of houses on the edge of the village of Rotherfield. It is bordered by neighbouring homes and open, green fields that contribute to the area's attractive rural character and verdant landscape setting.
6. Church Road features a mix of single and two-storey homes, with the density and scale of development reducing as the road travels away from the village centre. These buildings follow a linear pattern and are generally modest in depth, with simple, traditional pitched roofs. Gaps between the houses allow for pleasant views of the surrounding countryside and the gently rolling, green landscape.
7. The proposal seeks to replace the existing predominantly single-storey dwelling with a two-storey house. While the design incorporates a catslide roof and low eaves to the front elevation, the inclusion of wide, projecting gables introduces

- substantial two-storey elements that appreciably increase the overall bulk of the building.
8. The proposed dwelling would have a considerable depth. Although the existing building is also deep, much of its mass is single storey, resulting in a lesser visual impact. In contrast, the proposed design would present an extended two-storey side elevation and a significantly larger first floor. This increase in floor area—particularly in depth—visually disrupts the roof proportions and contributes to a perception of excessive scale.
 9. Although no roof plan has been submitted, the design appears to incorporate a crown pitch roof form. While this may serve to reduce the extent of flat roof areas, the resulting roof mass appears disproportionate to the building below, creating a top-heavy appearance that lacks visual cohesion.
 10. Overall, the proposal does not reflect the simple architectural style and balanced proportions that characterise the surrounding roofscape. It would detract from the traditional design language that is typical of the area.
 11. Furthermore, the increased scale and massing would render the new dwelling unduly prominent within its setting. It would fail to respect the traditional building forms and simple rooflines that define the local rural character. The additional bulk would also erode the sense of openness in the surrounding landscape, thereby undermining its visual harmony.
 12. Although the proposal would not extend the existing residential curtilage and would broadly follow the current footprint, the increased scale and prominence of the new building would still have a harmful effect on the area's character.
 13. The proposal conflicts with Policy DC18, which requires that replacement dwellings located outside development boundaries are of a similar size and massing to the original. The supporting text to this policy highlights the importance of minimising visual and landscape impacts—an especially pertinent consideration given the site's location within a designated National Landscape.
 14. In addition, Policy EN6 requires that any development within the HNWL must conserve or enhance its natural beauty. The proposed replacement dwelling fails to meet this requirement.
 15. The Wealden Design Guide provides further guidance, noting that extensions resulting in a floorspace increase of more than 60% over the original dwelling are likely to be refused. It also makes clear that previous extensions should be taken into account when assessing cumulative impact. While the proposed replacement dwelling may fall below the 60% threshold when compared to the existing structure, this does not reflect the cumulative impact of earlier extensions. Moreover, the current proposal is for a replacement dwelling, not an extension, and therefore the weight given to this guidance is limited.
 16. In conclusion, the proposal would result in a harmful impact on the rural character and visual appearance of the area. It would fail to preserve or enhance the landscape character of the HNWL, contrary to the requirements of Policies DC18, EN6, GD2, EN1 and EN27 of the Wealden Local Plan (1998), and Policy WCS14 of the Wealden Core Strategy Local Plan (2013). These policies collectively require – in addition to the requirements set out above - that development is of high quality

and respects the character of surrounding development. While Policy WCS12 is referenced in the Council's reason for refusal, no substantive evidence has been provided to demonstrate a conflict with this policy.

Other Matters

17. A number of interested parties have expressed support for the proposal, particularly in relation to its design and the thoughtful approach taken to protect neighbouring privacy and amenity. I acknowledge the positive relationships the appellant has fostered with adjacent occupiers, and the efforts made to address potential impacts through the design process.
18. Nonetheless, for the reasons set out above, I have reached a different conclusion regarding the overall design and its effect on the surrounding landscape character. While the support from neighbours and the consideration given to amenity are noted and commendable, these factors do not outweigh the identified harm to the rural landscape character and the conflict with relevant planning policies.
19. The appellant has referred to a stable building permitted further into the countryside. However, I have not been provided with sufficient detail regarding that approval to enable a meaningful comparison. In any event, the proposal before me concerns a residential dwelling. Stables are a form of development typically expected in rural locations and are subject to different planning policy considerations.
20. I have also been provided with a copy of pre-application advice issued by the Council. This advice included discussion of the potential merits of a replacement dwelling compared with an extension. However, it also clearly emphasised the need for any replacement dwelling to be of comparable size and scale to the existing building. I find that the current proposal conflicts with that advice, and therefore I do not consider there to be any inconsistency between the Council's reason for refusal and the advice previously given.

Conclusion

21. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it.
22. For the reasons given above, the appeal is dismissed.

R Lawrence

INSPECTOR