



Appeal Decision

Site visit made on 8 July 2025

by **L Francis BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 1st August 2025

Appeal Ref: APP/C1435/W/25/3360183

Land North of Perryhill Nursery, Edenbridge Road, Hartfield TN7 4JP

- 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 W Levis against the decision of Wealden District Council.
 - The application Ref is WD/2024/2284/F.
 - The development proposed is the erection of a single storey timber agricultural barn.
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Decision

1. The appeal is allowed, and planning permission is granted for the erection of a single storey timber agricultural barn at Land North of Perryhill Nursery, Hartfield TN7 4JP in accordance with the terms of the application, Ref WD/2024/2284/F, subject to the conditions in the attached schedule.

Preliminary Matters

2. In 2023, designated Areas of Outstanding Natural Beauty in England and Wales became “National Landscapes”. The appeal site falls within the High Weald Area of Outstanding Natural Beauty (the AONB) which has become the High Weald National Landscape (HWNL).
3. Section 245 of the Levelling Up and Regeneration Act 2023 (LURA) amended the duty on relevant authorities in respect of their interactions with statutory purposes of National Landscapes, as set out in Section 85 of the Countryside and Rights of Way Act 2000 (as amended) (CRWA). In so far as it relates to this appeal, the amendment now requires relevant authorities “in exercising or performing any function in relation to or so as to affect land in an AONB... to seek to further the purpose of conserving and enhancing the natural beauty of the AONB”. As such, it is incumbent on me to evidence consideration of ways to further the purpose of conserving and enhancing the natural beauty of the HWNL.

Main Issue

4. The main issues are:
 - whether the barn is reasonably necessary for the purposes of agriculture; and,
 - the effect of the proposal on the character and appearance of the area, with particular regard to the landscape, scenic and natural beauty of the High Weald National Landscape (HWNL).

Reasons

Necessity

5. Wealden Local Plan 1998 (Local Plan) Policy DC3 permits new farm buildings subject to various criteria including DC3(1) which requires buildings to be reasonably necessary for the purposes of the agricultural holding and clearly designed for such use.
6. The smallholding does not currently contain any buildings for the storage of agricultural equipment or produce. The main purpose of the smallholding is the production of hay, which the appellant estimates would be 375 bales annually. The barn would be required for the storage of hay and the storage of agricultural equipment including a tractor and other machinery necessary for land management. The size and scale of the operation on the appeal site would necessarily be limited through the relatively small, grassed area and extent of woodland to its borders. The barn itself would not be excessively large, and the extent of equipment and hay that the barn would accommodate would appear to be proportionate to the scale of the smallholding.
7. Whilst I note the concerns of the Council with respect to the security of the open-fronted design, this is not a matter in itself which would indicate the barn was not designed for agricultural purposes.
8. I conclude on this main issue therefore that the proposed barn would be reasonably necessary for the purposes of agriculture on the appeal site and would be in line with Local Plan Policy DC3(1).

Character and Appearance

9. The HWNL is characterised by ridges and valleys covered by mosaics of small fields, surrounded by hedges and areas of woodland. Its outstanding beauty derives from its essentially rural and human scale character, high proportion of natural surfaces, tranquillity and dark skies. Paragraph 189 of the National Planning Policy Framework (the Framework) sets out that great weight should be given to conserving and enhancing the landscape and scenic beauty of these areas. This is also reflected in Policy EN6 of the Local Plan and in Spatial Planning Objective SPO1 of the Wealden District Core Strategy Local Plan 2013 (Core Strategy).
10. Planning Practice Guidance (PPG) refers to the relevance of management plans for National Landscapes for assessing planning applications. Whilst these do not form part of the development plan, they help to set out the strategic context for development and provide evidence of the value and special qualities of these areas. The High Weald AONB Management Plan 2024-2029 (AONB Management Plan) is therefore a material consideration.
11. The appeal site is set within a gently rolling landscape of small fields and woodland which reflects some of the key characteristics of the HWNL. The appeal site is bordered by trees along its boundary with Edenbridge Road and to the northern boundary of the site. The proposed barn would be located some distance into the field on lower ground, set away from the trees and the road. Consequently, in views from Edenbridge Road, the barn would be well screened. The intervening woodland between the appeal site and the Public Rights of Way to the southeast

would also screen public views. Whilst there would also be longer views of the appeal site from higher ground across the valley, these views would be distant.

12. The timber framed barn would include an open front, with timber cladding to the sides and rear, along with a tiled roof. The materials and detailed design would reflect a traditional agricultural aesthetic which would be consistent with the aims of Local Plan Policy EN27 and the Wealden Design Guide Supplementary Planning Document (2008).
13. Local Plan Policy DC3(2) requires development to be integrated with existing structures, as far as practicable. In this case, the former pig pens to the northern boundary are located within a woodland area and any additional construction in this area would have the potential to harm both the canopies and root protection areas of the trees. As such, there is justification for locating the barn away from these structures.
14. Nevertheless, the location of the barn away from the trees and former pig pens would necessitate the access track running over part of the open field, though there would be a degree of screening from the woodland. I have had regard to the comments of the interested party in this respect. Tracks in connection with agricultural uses are, however, common features in the surrounding landscape. and as such it would have a minimal effect upon the character and appearance of the area and HWNL.
15. Given the agricultural function of the building and its traditional appearance, I consider it would not be an addition which is either incongruous or urbanising. It would be sited in a location to minimise visibility from surrounding public vantage points. Where it may be visible in longer or glimpsed views, it would not be harmful to the character and appearance of the area or the HWNL due to its agricultural function, along with its traditional materials and detailed design.
16. The presence of a barn in connection with the management of land would be consistent with the rural character of the HWNL and it would not conflict with the purposes of the inclusion of this land within the HWNL. It would be consistent with objectives of the AONB Management Plan particularly insofar as it seeks to secure sustainable land management, increase entry and retention in farming, forestry, horticulture and other land management activities that conserve and enhance natural beauty, as well as maintaining the pattern of small irregularly shaped fields bounded by hedgerows and woodlands.
17. In conclusion on this main issue therefore, the proposed barn and track would preserve the character and appearance of the area with particular regard to the landscape, scenic and natural beauty of the HWNL. The proposal would be consistent with the aims regarding the built and natural environment, particularly to the HWNL, as expressed in Local Plan Policy EN6, Spatial Planning Objective SPO1 of the Core Strategy and Framework paragraph 189. It would be in line with the aims of the AONB Management Plan.
18. The proposal would also be consistent with the aims of Local Plan Policies GD2, EN1, EN27, DC3, and Core Strategy Policies SPO13 and WCS14. Taken together and amongst other things, these policies reflect the presumption in favour of sustainable development, allow new farm buildings in certain circumstances, require proposals to respect existing character and promote local distinctiveness,

protect landscape character and resist development outside the development boundaries, unless it is in accordance with specific policies in the plan.

Other Matters

19. The Council identifies that the appeal site is within the zone of influence of the Ashdown Forest Special Protection Area (SPA) and Special Area of Conservation (SAC).
20. The SAC is designated for the presence of European dry heath and North Atlantic wet heath. The main threat is through air pollution arising from increased traffic movements across the forest as the heathland habitat is sensitive to changes in air quality. The conservation objectives for the SAC can be summarised as ensuring the favourable conservation status of its qualifying features by, amongst other things, maintaining or restoring qualifying habitats.
21. The SPA is designated for a number of qualifying individual species including the Dartford Warbler and nightjar. The conservation objectives of the SPA are to ensure that the integrity of the site is maintained or restored as appropriate and ensure that the site contributes to achieving the aims of the Wild Birds Directive. The main threat is through recreational disturbance from residents living within the zone of influence.
22. The Conservation of Habitats and Species Regulations 2017 (as amended) (the Habitats Regulations) requires the decision maker to undertake an Appropriate Assessment (AA) where there are likely significant effects from the proposal, either alone or in combination with other plans or projects. Given the proposal would not introduce new dwellings and it would be very small in scale, I agree with the Council that there would not be likely significant effects arising from the proposal and as such an AA is not necessary in this case.
23. The access to the site from Edenbridge Road would remain unchanged and the access arrangements would be acceptable in terms of their effect upon highway safety.

Conditions

24. The Council has provided some suggested conditions which I have considered in light of advice in the Framework and Planning Practice Guidance. As a consequence, I have amended or omitted some of the suggested wording. I have attached the standard time limit condition (1) and a plans condition (2) as this provides certainty. Condition 3 restricts construction working hours and is necessary to safeguard the living conditions of nearby residents. Conditions 4 and 5 are necessary in the interests of maintaining the character and appearance of the area. Condition 6 is necessary to maintain the characteristic dark skies of the HWNL.
25. The effect of paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 (as amended) is that planning permission granted for development of land in England is deemed to have been granted subject to the Biodiversity Gain Condition, which states that development may not begin unless: (a) a biodiversity gain plan (BGP) has been submitted to the planning authority, and (b) the planning authority has approved the plan. The planning authority, for the purposes of

determining whether to approve a BGP if one is required in respect of this permission would be Wealden District Council.

26. Based on the information available, this permission is considered to be one which will require the approval of a BGP before development is begun because none of the statutory exemptions or transitional arrangements are considered to apply. Because the BGC has a separate statutory basis as a planning condition, it is not necessary for me to include it within the schedule of conditions on this decision.

Conclusion

27. For the reasons given above the appeal should be allowed.

L Francis

INSPECTOR

Schedule of Conditions

1. The development hereby permitted shall begin not later than three years from the date of this decision.
2. The development hereby permitted shall be carried out in accordance with drawing numbers 2244.01B; 2244.02A; 2244.04
3. Demolition or construction works shall take place only between the hours of 8am to 6pm on weekdays, between 8am and 1pm on Saturdays and not at any time on Sundays, or on Bank or Public Holidays.
4. The external materials used in the construction of the barn hereby permitted shall be as detailed on the approved drawings.
5. No works on the track shall commence until full details of materials have been submitted to and approved in writing by the local planning authority. The development shall be completed and thereafter maintained in accordance with the approved details.
6. No floodlighting, security lighting or other means of external illumination shall be provided, installed or operated within the site.

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