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## Appeal Decision

Site visit made on 12 August 2025

by **K Allen MEng (Hons) MArch PGCert ARB**

an Inspector appointed by the Secretary of State

Decision date: 26<sup>th</sup> August 2025

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**Appeal Ref: APP/D3830/W/25/3362865**

**Stumble Ridge, Oldlands Avenue, Balcombe, West Sussex RH17 6LP**

- 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 Steven Baker against the decision of Mid Sussex District Council.
  - The application Ref is DM/24/2770.
  - The development proposed is Removal of existing outbuilding and holiday let building. Erection of detached dwelling with associated landscaping and access.
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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, having particular regard to the Balcombe Conservation Area.

### Reasons

3. The appeal site lies within the High Weald National Landscape (NL) and the Balcombe Conservation Area (CA). Despite the adjacent Stumblemead cul-de-sac development, this portion of Oldlands Avenue is predominantly characterised by large, detached, street-fronting, dwellings within substantial, verdant plots. The site itself comprises an area of garden land to the rear of Stumble Ridge. It is largely open with mature planting to the boundaries. A small timber holiday let is positioned towards the host property, with the land sloping steeply down towards a woodland and open countryside in the south. Although the Garden has already been somewhat subdivided, it contributes to the rural edge of settlement character.
4. The CA is focused on the central village crossroads extending in linear form. The densely spaced 16<sup>th</sup> and 17<sup>th</sup> Century properties at the village crossroad contrast against the spacious verdant plots seen on the tree lined roads towards the south of the village. Although there is a wide variety in property ages, there is consistency in the layout and spacing of properties as well as the use of traditional materials and detailing. The sense of openness is accentuated by the views out towards the surrounding rolling countryside. Accordingly, insofar as is relevant to the appeal the significance of the CA derives from the quality of traditional materials and detailing, the layout and positioning of the built form in relation to its surroundings and density of development. Moreover, the low density verdant southern aspect of the CA positively contributes to the natural beauty of the wider NL.

5. The proposal introduce a two-storey dwelling, built into the slope of the site, accessed by the existing grass track. Nonetheless, it would introduce a substantial mass in a backland position which would fail to replicate the road fronting pattern of development seen in the immediate area. Whilst it would replace the existing holiday let, the proposal would not be subordinate in scale and function, to the host property.
6. Although the proposal would be a similar height above ground level to the holiday let and would be constructed using sustainable materials, it would subdivide the existing curtilage and fill the majority of the sites' width. Whilst public views of the proposal would be largely screened by existing structures and planting, it would be visible from surrounding properties. Despite its sunken position, green roof, and proposed landscaping, the proposal would appear incongruous when viewed in relation to the surrounding large gardens to the west and road fronting development to the east.
7. Moreover, the proposal would increase the density of development and physically and visually intrude into the surrounding countryside. As such, the development would diminish the contribution the site makes to the rural edge of settlement character and hence the significance of the CA. Consequently, the proposal would fail to preserve the character and appearance of the CA and as referred to in the National Planning Policy Framework (Framework), would result in a modest amount of less than substantial harm.
8. As required by the Framework, where a development proposal would lead to any level of less than substantial harm, this harm should be weighed against the public benefits of the proposal. As I set out below, the public benefits include the efficient use of land, an additional dwelling within an accessible location, biodiversity net-gain, minimised greenhouse gas emissions, employment opportunities and ongoing support for local services. Nevertheless, I find that the great weight I attach to the identified harm with respect to the designated heritage asset would not be outweighed by the benefits of the proposal and the development would conflict with the Framework.
9. Notwithstanding the above, when viewed from further afield within the NL. The village itself would act as a backdrop, within which the proposal would not be perceived. As such, the proposal would conserve and subject to appropriately worded conditions, enhance the natural beauty of the NL.
10. Overall, I conclude that the proposal would harm the character and appearance of the area, with particular regard to the Balcombe Conservation Area. It would conflict with Policies DP26 and DP35 of the Mid Sussex District Plan where they seek to ensure development is of high-quality design and layout, contributes positively to private realms, creates a sense of place and protects gardens that contribute to the character of the area.
11. Similarly, there would be conflict with Policy 3 of the Balcombe Neighbourhood Plan which requires the layout and design of development to reflect the architectural and historic character of the area.

### **Other Matters**

12. The parties agree that the Council cannot demonstrate a 5-year housing land supply. However, I have no evidence before me as to the extent of the shortfall.

13. The Framework seeks to boost housing supply, whilst supporting development which makes efficient use of land. The development would make an efficient use of previously developed land with an existing access, providing an additional dwelling within an accessible location and contribute towards housing diversity and the districts housing supply. Even small-scale developments can make an essential contribution to the housing supply. As such, the boost to supply would be of moderate weight.
14. The proposal supports biodiversity, incorporates energy-efficient construction, rainwater harvesting and eco-friendly drainage, and accords with light pollution guidance. Further, the parties agree that there would be no harm to the Ashdown Forest SPA/SAC. While this is commendable and would accord with the provisions of the Framework, this would be expected of any well-designed development. Therefore, these benefits attract limited weight.
15. Short term employment would be provided during the construction and in the long term the future occupiers would benefit the local economy and community by helping to sustain the vitality and viability of the existing settlement. The appellant contends that the proposal would increase affordability, however I have no substantiated evidence before me as to how this would be secured. Overall, these benefits would be modest and would have limited weight.
16. My attention has been drawn to several other developments in the locality. However, elements of their design, including their plot locations, road frontages and surrounding character, including landscape character, are significantly different. Moreover, the existence of other backland or infill development in the wider area does not justify the harm identified to the character and appearance of the area as set out previously.
17. I acknowledge the concerns raised by the appellant regarding the conduct of the Council and the consistency of their decisions as well as neighbour support for the proposal. Nevertheless, these matters have not affected my consideration of this appeal.

### **Planning Balance and Conclusion**

18. The fact that the Council cannot demonstrate a 5-year housing land supply triggers the circumstances in paragraph 11 d) of the Framework. However, in this case, the application of policies in the Framework that protect designated heritage assets provide a clear reason for refusing the proposed development in accordance with paragraph 11d)(i). As such, the presumption in favour of sustainable development does not apply.
19. Therefore, for the reasons given above, I conclude that the proposal would conflict with the development plan as a whole, and there are no material considerations, including the provisions in the Framework and the benefits of the proposal, which indicate that the development should be determined other than in accordance with it. Therefore, the appeal is dismissed.

*K Allen*

INSPECTOR