
Appeal Decision

Site visit made on 8 September 2025

by L Gardner MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12th September 2025

Appeal Ref: APP/C1435/W/25/3367264

Hartwell Farm, Butcherfield Lane, Hartfield TN7 4JT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant approval required under Article 3(1) and Schedule 2, Part 6 Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by Mr R Lawrence against the decision of Wealden District Council.
 - The application Ref is WD/2025/7020/AD.
 - The development proposed is storage barn.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of development in the banner heading above is taken from the application form. This differs to that used on the Council's decision notice, which stated "Part rebuild of existing agricultural storage barn." Whilst I do not have confirmation that the appellant was agreeable to this change, I note that it was indicated within the application form that the proposal related to an alteration to an existing building.
3. There is dispute between the parties as to whether the prior approval relates to a new building or the alteration of an existing building. The Council's officer report was clear in their position that they considered the application should be for a proposed new agricultural building, not the alteration of an existing one. I understand that there was previously an agricultural barn within the appeal site. However, all that remains of this barn are its walls, with no flooring or roof. The total works relating to the proposed development would not simply be a case of replacing the roof. They would be substantial and essentially relate to rebuilding.
4. I therefore consider that the proposed development would amount to a new building, and it is on this basis which I have considered the appeal. I am satisfied that the appeal can proceed on this basis without prejudice to the main parties, noting the description of development within the application form and that the assessment for a new building would still fall under Schedule 2, Part 6, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (the Order).

Background and Main Issues

5. Article 3(1) and Schedule 2, Part 6, Class A of the Order sets out that on agricultural land comprised in an agricultural unit of 5 hectares or more, the

erection of a building reasonably necessary for the purposes of agriculture within that unit is permitted development, subject to limitations and conditions.

6. In this case, the Council refused the application on the basis that it does not consider the building to be reasonably necessary for the purposes of agriculture. The decision notice, in a note to the applicant, then goes on to state that a prior approval for the siting of the building would have been required. Given that the Council found that the proposal did not meet the requirements to be permitted development, it would not have been necessary for the Council to go on to consider prior approval matters. It is therefore appropriate that this did not form a separate reason for refusal.
7. It follows that the main issues in this appeal are:
 - whether the proposed development would be permitted development through Article 3, Schedule 2, Part 6, Class A of the Order, and
 - if so, the effect of the siting of the proposed building, with particular regard to the High Weald National Landscape.

Reasons

Permitted development

8. In determining whether the proposed building would be permitted development, it is required to establish if it would be reasonably necessary for the purposes of agriculture. The prior approval application was accompanied by details to justify the requirement for the building. This included details of the amount of hay bales being produced within the agricultural holding, as well as a list of equipment required for storage and associated storage requirements in footprint terms.
9. There is some discrepancy as to whether the holding extends to 50 or 60 hectares. Even if the holding relates to the lower figure, it is clearly still of a significant size.
10. The footprint of the building does not exactly match the appellant's stated shortfall in storage requirements. Nevertheless, in the acknowledgement of seasonal fluctuations, it is reasonable to conclude that on a holding of this size, agricultural activity could increase to a degree that the additional floor space would provide a reasonable buffer. The size of the building is therefore considered reasonably necessary for the purposes of agriculture, even if it extends beyond the 75m² which would be considered as absolutely necessary.
11. Paragraph A.1 sets out a list of criteria by which development is not permitted by Class A. There is no dispute between the parties that the appeal proposal adheres to these criteria. I see no reason to come to a different conclusion on these matters.
12. Based on these reasons, I find that the appeal proposal would be reasonably necessary for the purposes of agriculture and would therefore be permitted development through Article 3, Schedule 2, Part 6, Class A of the Order.

Siting

13. Paragraph A.2 requires, amongst other things, that where the erection of a building is proposed, development is permitted subject to the condition that before beginning the development, the developer must apply to the local planning authority for a determination as to whether prior approval of the authority will be required in relation

to the siting, design and external appearance of the building. In this case, the Council raises no objection to the design and external appearance of the building, and I see no reason to take a different view in these respects.

14. The appeal site is within the High Weald National Landscape (NL). The surrounding area is characterised by rolling hills with frequent woodlands. The statutory purpose of NLs is conserving and enhancing the natural beauty of the area of outstanding natural beauty. Paragraph 189 of the National Planning Policy Framework is clear that great weight should be given to this purpose.
15. The proposed building would be in a prominent location, broadly within the middle of a field visible from various vantage points. The appeal site forms part of the field which is elevated in the surrounding landscape, some distance from other buildings. The siting of the building would be an intrusive form of development which would fail to conserve or enhance the NL. For this reason, prior approval should not be granted.
16. Given my conclusions regarding the proposal amounting to a new building, I cannot be satisfied that the siting of the building is appropriate based on the historical position of a building. The prominence of the proposed building would be much greater than the existing remnants of the previous building.

Other Matters

17. The appellant has referred to the historical merit of the existing walls remnant of the previous building on the site. However, this is not a matter that is relevant to the prior approval process.
18. The appeal site is located within 7km of the Zone of Influence of the Ashdown Forest Special Protection Area and Special Area of Conservation, both of which are European designated habitat sites. As I am dismissing the appeal for other reasons, it is not necessary for me to consider this further.

Conclusion

19. Whilst I have found that the proposal would be permitted development through Article 3, Schedule 2, Part 6, Class A of the Order, prior approval should not be granted for the siting of the building. I therefore conclude that the appeal should be dismissed.

L Gardner

INSPECTOR