



Appeal Decision

Site visit made on 3 September 2025

by Stewart Glassar BSc (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 September 2025

Appeal Ref: APP/C1435/W/25/3362248

**Squires Farm Industrial Estate, Palehouse Common, Framfield,
East Sussex TN22 5RB**

- 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 Robin Marten (Squires Farm Developments Limited) against the decision of Wealden District Council.
 - The application Ref is WD/2024/1970/F.
 - The development proposed is a detached two storey 2 bed dwelling.
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Decision

1. The appeal is allowed and planning permission is granted for a detached two storey 2 bed dwelling at Squires Farm Industrial Estate, Palehouse Common, Framfield, East Sussex TN22 5RB in accordance with the terms of the application, Ref WD/2024/1970/F, subject to the conditions in the attached schedule.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

3. The appeal site sits at the entrance to a small development of nine houses, which are accessed through an existing industrial estate. The site, which is within the open countryside, has a complex planning history but the houses are now all largely built and, in some cases, are occupied. The Council has not sought to resist the proposed additional dwelling on the basis of the site's location within the open countryside, and I see no reason to disagree with this approach.
4. It is suggested that the way in which the housing development as a whole has evolved, means that there are two separate parts. When entering the housing area there are rendered properties directly ahead and some with a brick finish to the left (north). However, the styling of the houses, their positioning and intervisibility mean that they collectively read as a single 'estate' as opposed to being separate entities.
5. The proposed dwelling would, by virtue of the size and position of the plot, be angled towards the site entrance rather than directly addressing the access road. However, its angled position would be reflective of two of the houses to the north, which similarly face towards the site boundary and do not address the access road. As such, this aspect of the proposal would not be so out of keeping with the overall character of the 'estate' as to be harmful.

6. The proposal would utilise a brick finish. While the houses nearest to it have a rendered finish, they do incorporate brick detailing around the windows and have brick porches. The proposed dwelling would also be seen within the setting of the other houses on the 'estate' which do have a brick finish. Furthermore, the nearest buildings of the industrial estate also have a brick finish or incorporate large areas of brickwork. Overall, using a brick finish for the proposed dwelling would not result in the building being unduly prominent or discordant within this context.
7. The proposed dwelling would clearly be narrower than all the other houses around it, something which is a result of the size and shape of the plot. It would also have dormer windows on its front and rear elevations, features which would further distinguish it from the neighbouring properties on the 'estate'.
8. While the proposed dwelling would not reflect the exact styling of the existing dwellings it would have a similar height and roof pitch to the other houses. It would also incorporate weatherboarding to the upper part of the side gable, to tie in with a feature on the other houses. I have already found the brick finish to tie in with the surrounding context. There is no particular requirement that the dwellings should all be of a similar size and overall, I am satisfied that the proposal would have a sufficient connection with the design and appearance of the existing dwellings so as not to appear visually jarring.
9. This additional dwelling would benefit from space around it and would be positioned a sufficient distance from the neighbouring properties. It would be set back from the access road to reflect the prevailing open layout. The side elevation facing onto the road would contain windows and so not create a 'dead' frontage within the street scene.
10. Appropriate levels of parking and garden area would be provided, without them being difficult to access or use. While the close boarded fencing facing the road would be a somewhat discordant feature, conditions could address this aspect of the proposal. Consequently, I find that while the dwelling has been designed to fit the available space, it would not appear unduly cramped or out of keeping with the existing houses and its surroundings.
11. I therefore find that the proposal would not harm the character and appearance of the area. Accordingly, it would comply with Policies EN1 and EN27 of the Wealden Local Plan 1998; Strategic Policy Objective 13 and Policy WCS14 of the Wealden Core Strategy 2013 which, amongst other things, seek to ensure development is sustainable and is of an appropriate design and layout.
12. The proposal would also comply with the Wealden Design Guide which generally seeks to ensure new developments have sufficient regard to the prevailing character, layout and appearance of the neighbouring buildings and the wider street scene.
13. The proposal would also accord with the Framework, which amongst other things, seeks to ensure developments are sympathetic to local character.

Other Matters

14. The Council has not disputed the suggestion that the site would benefit from a Biodiversity Net Gain de minimis exemption. I have no evidence before me to come to a different conclusion.

15. There is little information regarding the claimed biodiversity enhancements that would arise nor is there much detail as regards the likely energy and efficiency credentials of the new dwelling. However, appropriately worded conditions would ensure that these details do come forward in due course.

Conditions

16. I have had regard to the conditions set out in the Council's submissions and relevant guidance on the imposition of conditions. The Council suggest 18 months would be a sufficient period within which to commence development in order to expedite the provision of housing at a time when there is an undersupply. However, I do not consider this in itself to be sufficient justification to warrant a departure from the timescales in the Town and Country Planning Act 1990.
17. In addition to the standard time limit, conditions which list the approved plans and confirm the external materials are necessary in the interests of certainty.
18. To ensure the development functions as intended conditions requiring the provision of the car parking and landscaping details prior to occupation are reasonable.
19. To protect the living conditions of existing residents, conditions controlling the hours of construction and deliveries are reasonable.
20. The site's history indicates that a precautionary condition relating to land contamination is necessary.
21. Given my comments above, conditions requiring details of biodiversity enhancements, energy and efficiency and boundary fencing to be submitted for the Council's approval are necessary. Given my comments regarding the latter, removing permitted development rights for means of enclosure is also reasonable and necessary in order to protect the character and appearance of the area.

Conclusion

22. For the reasons given above, having considered the development plan as a whole, along with all other relevant material considerations, I conclude that the appeal should be allowed, subject to the conditions below.

Stewart Glassar

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 number:
Site Location Plan/Plans & Elevations as Proposed - 2015/017/PL2 Rev X
- 3) The external surfaces of the development hereby permitted shall be constructed in the materials shown on drawing 2015/017/PL2 Rev X.
- 4) Construction of the dwellinghouse above ground level shall not take place until details of measures to improve energy efficiency, reduce carbon emissions and increase water efficiency have been submitted to and approved in writing by the local planning authority. The development shall thereafter be carried out and maintained in accordance with those approved details.
- 5) Construction of the dwellinghouse above ground level shall not take place until a scheme of biodiversity enhancements has been submitted to and approved in writing by the local planning authority. The details shall include but not be limited to:
 - (i) detailed designs or product descriptions for biodiversity enhancements; and
 - (ii) locations, orientations and heights for biodiversity enhancements on appropriate drawings.

The enhancement measures shall be implemented in accordance with the approved details prior to occupation and all features shall be retained in that manner thereafter.

- 6) Construction of the dwellinghouse above ground level shall not take place until a scheme of landscaping has been submitted to and approved in writing by the local planning authority. The scheme shall include details of all existing trees and hedgerows on the land, identify those to be retained and set out measures for their protection throughout the course of development.

All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.
- 7) Notwithstanding the approved drawing, no construction of the dwellinghouse above ground level shall take place until details of the position, height, design, materials and type of boundary treatment to be erected have been submitted to and approved by the local planning authority. The boundary treatment shall be completed in accordance with the approved details before the building is occupied and thereafter retained.
- 8) Prior to the first occupation of the dwellinghouse hereby permitted the car parking spaces shown on the approved plan shall be surfaced and laid out in accordance with the approved plans and shall be maintained in place thereafter for the lifetime of the development.

- 9) Demolition or construction works shall only take place between 0800 – 1800 hours on Monday to Friday; 0800 – 1300 hours on Saturday and shall not take place at any time on Sundays or on Bank or Public Holidays.
- 10) Deliveries in relation to the demolition or construction works shall take place only between 0800 – 1800 hours on Monday to Friday and shall not take place at any time on Saturdays, Sundays or on Bank or Public Holidays.
- 11) Any contamination that is found during the course of construction of the development hereby permitted that was not previously identified shall be reported immediately to the local planning authority. Development on the part of the site affected shall be suspended until a risk assessment has been carried out and submitted to and approved in writing by the local planning authority. Where unacceptable risks are found, the development shall not resume or continue until remediation and verification schemes have been carried out in accordance with details that shall first have been submitted to and approved in writing by the local planning authority.
- 12) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no fences, gates or walls shall be erected within the curtilage of the dwellinghouse which is forward of any wall of that dwellinghouse which fronts onto a road.

******End of Schedule******