



Appeal Decision

Site visit made on 11 November 2025

by A James BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 DECEMBER 2025

Appeal Ref: APP/C1435/D/25/3370915

Claytons Farm Cottage, Newick Lane, Mayfield, East Sussex TN20 6RE

- 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 Charles Swingland against the decision of Wealden District Council.
 - The application Ref is WD/2025/0839/F.
 - The development proposed is described in the application form as two storey rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for a two storey rear extension at Claytons Farm Cottage, Newick Lane, Mayfield, East Sussex TN20 6RE in accordance with the terms of the application, Ref WD/2025/0839/F, and subject to the conditions set out in the attached schedule.

Preliminary Matters

2. In 2023, Areas of Outstanding Natural Beauty (AONBs) in England and Wales were redesignated as National Landscapes. The appeal site lies within the High Weald, formerly designated as an AONB, and now recognised as the High Weald National Landscape (HWNL). Consequently, certain policies and plans continue to reference AONBs, as they have not yet been updated. However, these remain applicable and relevant.
3. Section 245 of the Levelling Up and Regeneration Act 2023 (LURA) amended the duty on relevant authorities in respect of their interactions with the statutory purposes of National Landscapes, as set out in Section 85 of the Countryside and Rights of Way Act 2000 (as amended) (CRWA). This duty requires that, in exercising or performing any function in relation to, or so as to affect, land in a National Landscape, authorities must seek to further the purpose of conserving and enhancing the natural beauty of the National Landscape.

Main Issues

4. The main issues are:
 - the effect of the proposed development on the character and appearance of the host dwelling and surrounding area, including the HWNL; and
 - whether there is sufficient information to demonstrate that the proposal is required for the functional need of the rural enterprise.

Reasons

Character and Appearance

5. The appeal property lies within a wider farm complex positioned off Newick Lane. The site is located within the HWNL. Some public views of the site can be obtained from a footpath which runs to the west of the appeal site and from Newick Lane. However, the appeal site is well screened by mature vegetation which means the complex is not prominent from those public view points, or from within the wider rural landscape. The appeal dwelling is a two-bedroom cottage and has a simple design. It makes a positive contribution to the overall farmstead character here. This in turn makes a positive contribution, albeit relatively limited, to the wider HWNL as farmsteads form a key characteristic of HWNL, as set out in the High Weald AONB Management Plan 2024-2029.
6. The proposed development is for a two-storey rear extension which would provide an additional two bedrooms and create a kitchen / dining / living area. Two dormer windows would be added to the front roofslope.
7. The proposed rear extension is sizeable and would undoubtedly add mass to the side and rear elevations of the property. I also note that the ridge height of the extension would be similar to that of the main dwelling. Nevertheless, the 'M' shaped roof profile would reduce the overall scale and massing of the extension, and it would be positioned entirely to the rear. There would be minimal change to the front elevation of the existing dwelling, apart from the addition of two relatively modest dormer windows. These would not add excessive mass to the roofslope or cottage as a whole.
8. The overall design, scale and use of materials would be similar and in keeping with the appeal property and dwellings positioned close to the appeal site. From that perspective, the proposed development, viewed as a whole, would not appear out of context with the farm complex, maintaining a relatively simple farmhouse character. It would assimilate appropriately with its surroundings.
9. Moreover, as set out above, the site is well contained within the established farm complex and is well screened by mature vegetation. While landscaping cannot be relied on in perpetuity to provide the same level of screening as at present, such landscaping is common within the surrounding area and it is unlikely to be significantly reduced or removed over time. In particular, the proposed development, where viewed from public vantage points, would be seen in the wider context of the farmstead.
10. Consequently, the proposed development would not harm the character or appearance of the appeal property or surrounding area. In respect of the impact on landscape character of the HWNL, the proposed development would have a neutral effect.
11. Overall, I conclude that the proposed development would be acceptable and would have a neutral impact on the landscape setting of HWNL. It would comply with saved Policies GD2, DC3, EN1, EN6, EN27, HG10, DC19 of the adopted Wealden Local Plan 1998; Spatial Planning Objectives SPO1 and SPO13, and Policy WCS14, of the adopted Wealden Core Strategy Local Plan 2013. These policies in summary seek to restrict development in the countryside unless it meets an

identified need and ensures good design which responds to local circumstances. This is in a similar vein to the provisions of the Wealden Design Guide.

The functional need of the rural enterprise.

12. Policy DC3 of the adopted Wealden Local Plan 1998 sets out that proposals for new farm buildings, extensions and alterations, and other ancillary development will be permitted subject to meeting certain criteria. This includes that buildings are reasonably necessary for the purposes of the agricultural holding and the siting, design and external appearance of buildings and other structures is not intrusive within the landscape. The policy does not explicitly refer to domestic extensions and alterations, with the supporting text setting out that there is a continuing need for a range of farm buildings and structures for storing machinery and foodstuffs, livestock etc.
13. However, even were I to accept that this policy was relevant to the proposed development for a domestic extension, the appellant has provided further justification as to why the extension is required for the functional need of the rural enterprise. In summary, the evidence demonstrates that the agricultural business is growing, and the current agricultural dwelling is not fit for purpose as it cannot adequately accommodate the dependents of the daughter of the appellant or any future agricultural worker. Accommodating dependents of an agricultural worker on site would allow the agricultural business to continue evolving and provide support to an agricultural worker.
14. Furthermore, the appellant has indicated that the host dwelling was given permission under WD/1989/3622 in 1990. The appellant has indicated this permission had a legal agreement controlling occupancy and non-severance from the landholding. The Council have also indicated the host dwelling is subject to an agricultural occupancy condition that ties it to the wider farmstead. Based on the evidence before me, and by reason of the nature of the proposed development, I am satisfied that the occupancy of the host dwelling is controlled and would remain tied to the landholding.
15. In conclusion, there is sufficient information before me to demonstrate that the proposal is required for the functional need of the established rural enterprise. The proposed development would not conflict with saved policy DC3 of the adopted Wealden Local Plan 1998 which seeks to ensure that agricultural buildings and other farm development are reasonably necessary for the purposes of the agricultural holding.
16. The decision notice refers to saved policy DC2 of the adopted Wealden Local Plan 1998. Policy DC2 relates to new permanent dwellings for workers employed in agriculture, forestry or a rural enterprise with an essential need. The proposed development is for the extension of an existing dwelling with an agricultural tie. Thus, I do not consider that policy DC2 directly relevant in the determination of this appeal.

Conditions

17. I have attached a standard time limit condition. I have also specified the approved plan condition for the avoidance of doubt. A condition relating to the materials is necessary to ensure the materials match the host dwelling.
18. The Council have suggested the removal of permitted development rights for classes A to E of Part 1 of Schedule 2 of Town and Country Planning (General Permitted Development) (England) Order 2015 (the GPDO). The National Planning Policy Guidance finds that blanket removal of freedoms to carry out small scale domestic that would otherwise not require an application for planning permission are unlikely to meet the tests of reasonableness and necessity.
19. There is no substantive evidence before me to justify the need to remove permitted development rights at the appeal site in this particular instance.
20. In imposing conditions, I have had regard to the tests within the National Planning Policy Framework, the Planning Practice Guidance, and relevant statute, and have accordingly amended the wording of certain conditions proposed by the Council without altering their overall aim.

Conclusion

21. For the above reasons, having had regard to the development plan as a whole and all other relevant material considerations, I conclude that the appeal should be allowed subject to conditions.

A James

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 the following plans: Drawing No 01 (Site/Location Plan) and Drawing No 03 Revision A (Proposed Plans and Elevations).
- 3) The external materials of the extension hereby permitted shall match those used in the existing dwelling.