



Appeal Decision

Site Visit made on 22 September 2021

by **H Miles BA(hons), MA, MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 05 NOVEMBER 2021

Appeal Ref: APP/M2270/W/21/3271259

Sharps Hill Farm, Queen Street, Sandhurst, Cranbrook, Kent TN18 5HR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Jarvis Homes against the decision of Tunbridge Wells Borough Council.
 - The application Ref 19/01493/OUT, dated 9 November 2020, was refused by notice dated 5 February 2021.
 - The development proposed is residential development of up to 16 no. dwellings with associated parking, amenity and landscaping.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Outline planning permission is sought but with access to be considered at this stage. I have determined the appeal on this basis.
3. Reference is made to the Pre Submission Local Plan which allocates the appeal site for 10-15 dwellings. However, this plan has not been independently examined and there may be unresolved objections to this policy. As such, I am not satisfied that the policies will be adopted in the form they are put to me. Therefore, limited weight is afforded to this emerging plan.
4. A Unilateral Undertaking (UU) has been provided. This will be dealt with in more detail later in this decision.

Main Issue

5. The main issue is the effect of the proposed development on the character and appearance of the area with particular respect to:
 - the countryside setting and the landscape and scenic beauty of the High Weald Area of Outstanding Natural Beauty (AONB)
 - the setting of nearby heritage assets including the Sandhurst Conservation Area (CA), Grade II listed Bayford House and the non-designated heritage asset Sharps Hill Oast.

Reasons

Character and Appearance - AONB and countryside setting.

6. The majority of the appeal site is open land with grassland, hedging, mature trees and a limited number of small rural outbuildings. This results in a scenic

verdant rural appearance to the land. The site is overgrown but its recent use as a paddock is evident. There is a single storey dwelling with a small domestic garden on the north-westerly side of the site which is previously developed land. However, given its modest size and the nature and extent of the separation from the village of Sandhurst, it appears as an individual building within the rural area.

7. The AONB, and the Hawkhurst Wooded Farmland Landscape Character area, are characterised by dispersed historic settlements, ancient routeways, and a peaceful, managed, farmed landscape of pasture and open arable fields. The open rural farmland characteristics described are distinctive and distinguishing features of the landscape and scenic beauty of the AONB in this respect.
8. The built up area of Sandhurst adjoins the site. The stream, which broadly forms the site boundary, forms a clear division between the extent of residential development on Stream Pit Lane and the undeveloped land of the majority of the appeal site.
9. Furthermore, there is rural land to the south and west, including the historic farm buildings of Sharps Hill Oast and Bayford House. On the opposite side of Queen Street there is a transition from the built up part of Sandhurst to the countryside. Taken together these surroundings contribute to the land's pastoral setting. As such, the site clearly appears as being within the countryside. Additionally, it lies outside the Limits to Built Development of Sandhurst and is therefore in the countryside for the purposes of the development plan.
10. The proposed development would bring a large residential development to this rural site. This would result in a significant loss of the open, green character of the land. Consequently, this would harmfully erode the positive contribution this site makes to the landscape and scenic beauty of the AONB and significantly erode the intrinsic countryside character and beauty of this land.
11. Significant boundary treatment and planting is proposed, albeit that landscaping would be a reserved matter. Nevertheless, given the number of dwellings, even with notable soft boundary treatment, these are likely to be perceived from within the AONB including from Queens Street, the nearby public right of way and houses, particularly in the winter months. As such this harm would be experienced. Given the character of the site and its surroundings, the proposed development would not form an obvious infill between areas of built development.
12. Consequently, the proposed development would have a harmful effect on the character and appearance of the AONB and the countryside. Therefore, it would be contrary to Core Policies 4 and 14 of the Tunbridge Wells Borough Core Strategy June 2010 (the Core Strategy) and Policies LBD1, EN1 and EN25 of the Tunbridge Wells Borough Local Plan March 2006 (the Local Plan). Together these policies seek to conserve and enhance locally distinctive character with specific reference to the AONB, landscape character and the quality of the countryside amongst other things. They also seek to concentrate development within the limits to built development.

Character and Appearance – Heritage

13. The significance of the Sandhurst CA as a whole, appears to derive from the traditional layout and buildings within the historic settlement. Beyond the CA boundary is an area of more modern development before reaching the open rural land which surrounds the village, including the appeal site. However, given the distance from the CA boundary, the nature of its separation with a large area of housing separating the two, the appeal site does not contribute to the significance of the CA and does not form part of its setting.
14. Bayford House is a Grade II listed historic farmhouse, built in the early 17th Century with 19th and 20th century additions. It is listed for its traditional external appearance. Sharps Hill Oast is a non-designated heritage asset and was an outbuilding linked to the farmland associated with Bayford House. Its significance therefore includes its historic use and relationship with the original farmhouse. Sharps Hill Oast consequently has a moderate degree of heritage significance meriting consideration in planning decisions, although it has no statutory protection. Both Bayford House and Sharps Hill Oast are now in residential use with separate accesses and grounds, although due to their proximity and boundary treatment these two properties are still experienced together.
15. Given their associations with the historic farm on this site, the surrounding open land makes a positive contribution to the appreciation of these properties' historic function. The farm use has since been lost, however the farmhouse appearance of the listed building and the appearance of the Oast are nevertheless related to their traditional open setting.
16. The proposed development would introduce a considerable amount of built development closer to Bayford House and Sharps Hill Oast, undermining the openness of their traditional farmstead setting. However, the proposed development would not result in the direct loss of any of the historic materials or architecture in place on these buildings. The scale of the impact on these heritage assets would therefore be minor.
17. Therefore, the proposal would fail to preserve or enhance the setting of Bayford House and Sharps Hill Oast, contrary to Core Policy 4 of the Core Strategy which requires the conservation and enhancement of heritage assets. However, there would be no conflict with Policy EN5 of the Local Plan, as I have not identified any harm to the setting of the CA.

Heritage Balance

18. The Framework advises that heritage assets are irreplaceable and should be conserved in a manner appropriate to their significance and that any harm requires clear and convincing justification. In terms of the Framework the harm to Bayford House would be less than substantial. Nevertheless, this is a matter of considerable weight and importance. Paragraph 202 of the Framework requires me to weigh this harm against the public benefits of the scheme.
19. The proposed development would provide 16 dwellings which would contribute to the Government's aim to significantly boost the supply of housing, and 40% of the dwellings would be affordable which exceeds the 35% requirement set out in Core Policy 6 of the Core Strategy. This would make increased residential use of this site and is said to represent the optimum viable use. Given the scale

of the proposed development, and the provision of an indicative 6 affordable housing units, the public benefits associated with the development are moderate.

20. Accordingly, taking all the above into account, these moderate benefits would outweigh the minor harm to the setting of the Listed Building. As such, the appeal scheme would be in accordance with the Framework in this regard.

Planning Balance

21. The Council cannot demonstrate a 5 year supply of deliverable housing sites, and it states that in April 2020 it had a 4.83 year supply. Therefore, notwithstanding whether policies relating to the Limits to Built Development are out of date, paragraph 11(d) of the Framework is engaged. However, as set out above, the application of policies relating to an Area of Outstanding Natural Beauty provides a clear reason for refusing the development proposed. This is the case notwithstanding my conclusion in relation to heritage matters. Consequently, the presumption in favour of sustainable development does not apply in this case.
22. A UU is provided which secures contributions towards Children's Recreation, Pavilion Car Park, Community Learning, Primary Education, Waste and Youth Services. Some of the facilities to be upgraded would be used by the wider public. Nevertheless, any planning obligation would be required to mitigate the impacts of the proposed development and associated population increase. As such these matters are neutral in the balance. Even if the site were to fall into neglect, its largely undeveloped green nature would remain and consequently this would be unlikely to be notably harmful.
23. The provision of new homes would provide social and economic benefits, particularly as some would be affordable. These factors in the scheme's favour attract moderate weight. However, they would not outweigh the public and permanent harm to the intrinsic character and beauty of the countryside and the landscape and scenic beauty of the AONB which has the highest status of protection in relation to these issues. This leads me to conclude that the proposal is unacceptable.

Conclusion

24. The proposal would not accord with the development plan and there are no other considerations, including the provisions of the Framework, to indicate that the appeal should be determined otherwise. Therefore, for the reasons given above, I conclude that the appeal should be dismissed.

H Miles

INSPECTOR