
Appeal Decision

Site visit made on 27 August 2019

by Andrew Bremford BSc (Hons) MRICS

an Inspector appointed by the Secretary of State

Decision date: 25 September 2019

Appeal Ref: APP/P1425/W/19/3231717

Plot at end of Ringmer Road, Newhaven BN9 9TN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Daniel Dorsett against the decision of Lewes District Council.
 - The application Ref LW/18/0854, dated 3 October 2018, was refused by notice dated 3 May 2019.
 - The development proposed is described as 'building a 2-bed house'.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are (i) whether the site is a suitable and accessible location for the proposed dwelling having regard to local and national planning policy; and (ii) whether the proposal would be capable of providing adequate access, parking, bin storage and cycle storage.

Reasons

Location of development

3. The site of the proposed development is a plot of land outside a planning boundary and within the countryside. It is approximately 0.1 hectare in size and accessed via a narrow track beyond the end of Ringmer Road. The site is surrounded by mature trees and dense foliage and as such is well screened from public views.
4. The supporting text of Policy CT1 of the Lewes District Local Plan 2003 (LDLP) states that planning boundaries have been defined around individual towns and villages in order to identify the area beyond the boundaries where development would normally be unacceptable unless it is for uses compatible with the countryside. I note the appellant's comments that he has used the land for more than 10 years for storage purposes, that the proposed dwelling would be of an innovative eco-friendly affordable design and that he considers that it would fit into the landscape and not impinge on rural views. Nonetheless, there is no evidence before me to indicate that the appeal development requires a countryside location.
5. In addition to the above, paragraph 79 of the National Planning Policy Framework (the Framework) states that planning decisions should avoid the development of isolated homes in the countryside. The proposed dwelling

would physically feel isolated from other buildings. It would be located in a remote position and set within a wider area which includes a lot of vegetation and where there is mainly an absence of built development. The proposal would lead to the erection of an isolated home in the countryside and it would not meet any of the circumstances listed in paragraph 79 (a) to (e) of the Framework.

6. The Council's refusal notice also refers to the '*site being located away from key facilities and services in an unsustainable location*' although it does not refer to a specific policy conflict. Moreover, the Council's officer report does not provide any assessment in regard to this matter.
7. The main access to services and facilities in Newhaven or Peacehaven from the site would be via Ringmer Road and Upper Valley Road before joining either the main A259 Brighton Road from where a bus service operates or Gibbon Road where there is a convenience store and from where a bus service also operates. There is also a designated cycle route close to the site with links to Newhaven and Peacehaven.
8. Ringmer Road is a cul-de-sac providing access to only a limited number of properties. Notwithstanding that it is unmade and unlit and with no pavement, it is a very quiet road and would not present any significant physical restrictions for pedestrians or cyclists. Thus, whilst I accept that future occupiers would travel by private motor vehicle for some journeys to access facilities and services there would nonetheless be some sustainable travel options for future occupiers of the dwelling.
9. Therefore, I find that future occupiers of the proposed dwelling would have reasonable access to local facilities and services to meet their day to day needs by means of transport other than a private motor vehicle. In this regard, the proposal would accord with the accessibility requirements of the Framework.
10. In conclusion, I find that the proposal would be accessibly located and to this extent the proposal would accord with the accessibility requirements of the Framework. However, this would not overcome or outweigh the proposal's conflict with Policy CT1 of the LDLP which, amongst other things, seeks to tightly control development outside defined planning boundaries. In addition, the proposal would lead to the erection of an isolated home in the countryside and it would not accord with any of the exceptional circumstances listed in paragraph 79 (a) to (e) of the Framework.

Provision of access, parking, bin storage and cycle storage

11. Although the site is accessible only via a narrow track and the submitted plans do not show any formal driveway or parking space(s), taking into account the size of the site and the position and scale of the proposed dwelling, there would be space to provide adequate access and parking provision and cycle storage. The Council has not referred to a specific policy objection in regard to bin storage in its refusal notice. However, for the same reasons, there would also be space for the provision of bin storage on the site.
12. Thus, despite the lack of information submitted in support of the application, I conclude the proposal would be capable of providing adequate access, parking and cycle storage. Consequently, and in these respects, the proposal would accord with Policies T7, T13 and T14 of the LDLP which, amongst other things,

seek to ensure development proposals provide adequate access and parking provision, and cycle storage. The Council has referred to Policy T6 of the LDLP in their refusal notice, however this is not a 'saved' policy.

Conclusion

13. While I have found no conflict with local or national planning policy in relation to access and parking provision, cycle storage and accessibility to facilities and services, this would not overcome or outweigh the conflict with Policy CT1 of the LDLP and the Framework in respect of the location of development. The latter conflict is a matter of overriding concern and I therefore conclude that the appeal should be dismissed.

Andrew Bremford

INSPECTOR