



Appeal Decisions

Inquiry opened on 13 June 2023

Accompanied site visit made on 22 June 2023

by Matthew Nunn BA BPI LLB LLM BCL MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17th October 2023

Appeal A: Ref APP/P1425/W/23/3314192

Land East of Harrisons Lane, Ringmer, East Sussex

- 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 Gleeson Land Ltd against the decision of the Lewes District Council.
 - The application Ref LW/21/0986, dated 17 December 2021, was refused by notice dated 8 July 2022.
 - The development proposed is described as 'outline planning application (with all matters reserved except for access) for the demolition of an existing residential property and the erection of up to 200 residential dwellings including affordable housing with the provision of vehicular access on to Harrisons Lane and pedestrian and cycle access on to Potato Lane alongside public open spaces, biodiversity enhancement, sustainable urban drainage systems, landscaping, infrastructure, and earthworks.'
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Appeal B: Ref APP/P1425/W/23/3315235

Land East of Harrisons Lane, Ringmer, East Sussex

- 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 Gleeson Land Ltd against the decision of the Lewes District Council.
 - The application Ref LW/22/0472, dated 13 July 2022, was refused by notice dated 6 January 2023.
 - The development proposed is described as 'outline planning application (with all matters reserved except for access) for the demolition of an existing residential property and erection of up to 75 residential dwellings including affordable housing with the provision of vehicular access on to Harrisons Lane and pedestrian and cycle access on to Potato Lane alongside public open spaces, biodiversity enhancement, sustainable urban drainage systems, landscaping, infrastructure, and earthworks.'
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Decisions

1. Both Appeal A and Appeal B are dismissed.

Procedural Matters

2. The Inquiry opened on 13 June 2023 and sat on the following days: 13-16 June, 20-21 and 23 June 2023. In addition to my accompanied site visit on 22 June 2023, I made a series of unaccompanied visits on other occasions, at different times of the day, before, during and after the Inquiry.

3. I held a Case Management Conference on 4 April 2023 to discuss the ongoing management of the Inquiry, the likely main issues, including the best method for hearing the evidence, and to ensure the efficient and effective running of the Inquiry¹. Ringmer Parish Council ('the Parish Council') appeared at the Inquiry as a 'Rule 6' party, and participated fully in the sessions, giving evidence inviting me to dismiss the appeals. Maria Caulfield, MP for Lewes, also appeared at the Inquiry and spoke against both proposals.
4. Both applications are made in outline with all matters apart from access reserved for subsequent determination. Appeal A comprises a 200 unit scheme Appeal B is for a 75 unit scheme.
5. Certain plans for Appeal A were amended after the Council had determined the planning application. The amendments relate principally to the inclusion of landscape and ecological buffers on the northern and southern boundaries of the site. Lewes District Council ('the Council') confirmed at the Inquiry that it had no objection to the inclusion of the revised plans². I am satisfied that the revisions do not materially alter the nature of the scheme and the *Wheatcroft* tests are met³. I am satisfied that no-one would be prejudiced by my determining the appeal on the basis of the amended plans and have proceeded on this basis.
6. For the avoidance of doubt, the relevant plans for Appeal A are: Amended Parameters Plan 1949_015 Rev A; and Amended Illustrative Masterplan 1949_010 Rev M. For Appeal B, the relevant plans are: Parameter Plan 1949_030 Rev C; and Illustrative Masterplan 1949_25 Rev B. The Illustrative Masterplans show how development could be accommodated on site, but approval is not being sought for them at this stage, as they are for illustrative purposes only.
7. In Appeal A, there were originally three reasons for refusal (RfR). The Council has since confirmed that, following further discussions and provision of information, the second and third RfRs have now fallen away relating to biodiversity and highway impact. In Appeal B, there were originally two RfRs. The Council has confirmed that, in the light of further discussions and information, the second RfR relating to surface water flooding is no longer being contested. However, these issues are still controversial with the Parish Council and local residents, and I consider them in my decision. Other issues have also been raised by the Parish Council which I consider later.
8. A planning obligation by agreement dated 11 July 2023 has been completed between the Council, East Sussex County Council ('the County Council') and the owners of the site. I consider this in the body of my decision. Following receipt of the completed planning obligation, the Inquiry was formally closed in writing.
9. The Secretary of State has confirmed⁴ that both planning applications subject of these appeals do not constitute Environmental Impact Assessment

¹ Conference Note [CD9/5]

² The agreed schedule of plans are identified in the Planning Statement of Common Ground, Paragraph 10 [CD1/9]

³ *Bernhard Wheatcroft Ltd v SSE* [JPL 1982 P37]

⁴ Letters dated 2 March 2023 & 9 March 2023

development⁵.

Main Issues

10. In the light of the above, the main issues are:

- (i) the effect of the proposal on the character and appearance of the area, including the landscape and the setting of the South Downs National Park (SDNP);
- (ii) whether the proposals are acceptable in terms of: highway safety, heritage assets, drainage and sewerage, educational capacity, locational accessibility and the 'village feel' of Ringmer; and
- (iii) the planning balance.

Reasons

Planning Policy Context

11. The relevant legislation⁶ requires that the appeals be determined in accordance with the statutory development plan unless material considerations indicate otherwise. The statutory development plan comprises: the Lewes District Local Plan Part 1 – Joint Core Strategy⁷, adopted in 2016 ('the Core Strategy'); the Lewes District Local Plan Part 2 – Site Allocations and Development Management Policies, adopted in 2020 ('the Local Plan'); and the Ringmer Neighbourhood Plan ('the RNP'), made in 2016.
12. Various policies are cited in the RfRs for Appeals A and B. However, the Council and appellant identify that the most important for the determination of the appeals are⁸: from the Core Strategy, Policy CP10 (Natural Environment and Landscape); from the Local Plan, Policy DM1 (Planning Boundary), and Policy DM25 (Design); and from the RNP, Policy 4.1 (Planning boundaries and the countryside). Of course, these are not the only policies that are relevant.
13. The Council acknowledges that it cannot demonstrate a five year supply of housing, its latest position being an agreed supply of 3.02 years⁹. The National Planning Policy Framework (the Framework) is clear that where a Council cannot demonstrate a five year supply of deliverable sites, policies which are the 'most important for determining the application' are rendered out of date. That said, the Framework does not change the statutory basis of the development plan for decision making, and the fact that policies are deemed 'out of date' does not mean they should carry no weight or be ignored.
14. The Framework also states that where there is an absence of a five year supply of housing, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole¹⁰. However, this so

⁵ Town and Country Planning (Environmental Impact Assessment) Regulations 2017

⁶ Section 38(6) of the Planning and Compulsory Purchase Act 2004

⁷ Produced jointly with the South Downs National Park Authority

⁸ Appellant's Closing Submissions, Paragraph 17; Mr Carpenter's Proof, Paragraph 5.52

⁹ Statement of Common Ground, Paragraph 4.12 [CD1/9]

¹⁰ Paragraph 11(d)(ii)

called 'tilted balance' in favour of granting permission may be 'disengaged' where specific policies in the Framework that protect areas or assets of particular importance provide a clear reason for refusing the development. The Framework identifies policies relating to National Parks as such a category.

15. Indeed, it is of considerable importance that the appeal site falls outside but adjacent to the SDNP¹¹. The Framework advises that National Parks benefit from the highest status of protection and 'great weight' should be given to conserving and enhancing the landscape and scenic beauty of such areas¹². The Framework further advises that the scale and extent of development within these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts of the designated areas¹³.
16. The Planning Practice Guidance (PPG) also provides guidance on how development within the setting of National Parks should be dealt with. It notes that 'land within the setting of these areas often makes an important contribution to maintaining their natural beauty' and that 'poorly located or designed development can do significant harm'. It also states that 'this is especially the case where long views from or to the designated landscape are identified as important, or where the landscape character of land within and adjoining the designated area is complementary'. The PPG continues 'development within the settings of these areas will therefore need sensitive handling that takes these potential impacts into account'¹⁴.
17. The SDNP has statutory purposes¹⁵ as follows: (1) to conserve and enhance the natural beauty, wildlife and cultural heritage of the area; and (2) to promote opportunities for the understanding and enjoyment of the special qualities of the area by the public. There is also a duty to seek to foster the social and economic wellbeing of the local communities within the SDNP. The PPG makes clear relevant authorities 'shall have regard' to the delivery of statutory purposes of National Parks, and the duty 'is relevant in considering development proposals that are situated outside National Park or Area of Outstanding Natural Beauty boundaries, but which might have an impact on their setting or protection'¹⁶.
18. The appeal site lies outside the settlement boundary of Ringmer. Policy DM1 of the Local Plan only permits development outside planning boundaries where it is consistent with a development plan policy, or where the need for a countryside location can be demonstrated. This is in order to protect the distinctive character and quality of the countryside. Policy DM1 does not impose a complete prohibition on development and is permissive in certain circumstances¹⁷. However, in my view, a countryside location for housing outside the settlement boundary cannot automatically be demonstrated simply because there is an absence of a five-year supply of housing. This approach would undermine the underlying purposes of the policy. Indeed, building outside planning boundaries may not be required in every instance where there is a housing shortfall. On straightforward reading of the Policy, the housing

¹¹ Potato Lane marks the boundary but is outside the SDNP

¹² Paragraph 176

¹³ Paragraph 76

¹⁴ Paragraph: 042 Reference ID: 8-042-20190721

¹⁵ National Parks and Access to the Countryside Act 1949 & Environment Act 1995

¹⁶ Paragraph 039 Reference ID 8-039-20190721

¹⁷ Paragraph 4.7 of the Local Plan

development proposed in these appeals does not, of itself, specifically require a countryside location. As such, I consider both appeal proposals to be contrary to Policy DM1.

19. All that said, and importantly, the strict application of Policy DM1 is not delivering sufficient housing and I accept there may be situations where boundaries may need to be breached to remedy this situation. Consequently, the absence of a five supply of housing diminishes the weight that can be attached to any conflict with that policy.
20. Policy CP10 requires that the natural environment of the district be conserved and enhanced by, amongst other things, maintaining and where possible enhancing the natural, locally distinctive and heritage landscape qualities and characteristic of the district including hedgerows, ancient woodlands and shaws¹⁸. It requires that the highest priority be given to the first purpose of the SDNP, namely conserving and enhancing the natural beauty, wildlife and cultural heritage of the area. It also states that within and in the setting of the SDNP, development will be resisted if it fails to conserve and appropriately enhance its rural, urban and historic landscape qualities, and its natural scenic beauty¹⁹. I consider the compliance of the appeal proposals with this policy in due course.
21. Policy DM25 seeks to promote high quality design, requiring nine criteria to be met. To the extent that this policy is relevant at this stage, only DM25(1) is really relevant, requiring that the siting of development should respond sympathetically to the characteristics of the development site, its relationship with its immediate surroundings, and views into, over or out of the site. DM25(2) is primarily concerned with more detailed design matters rather than the principle of development, and is more relevant in the context of any reserved matters rather than outline applications. Other criteria of DM25 are not relevant at this stage.
22. Also of relevance is the Council's 'Interim Policy'²⁰, published in March 2021, which is intended to be applied in relation to housing development proposed outside the defined settlement boundaries. Its purpose is to facilitate the delivery of housing until a new Local Plan is adopted. The Council, relying on recent appeal decisions²¹, argues that the Interim Policy should be given little weight on the basis it does not form part of the statutory development plan, nor has it been subject to consultation. This may be so, but it is the only policy response to address the housing shortfall and has been approved by the Council. Given that it is extant Council policy, it would seem odd not to apply it, and there is no evidence that the Interim Policy is intended to be withdrawn. Therefore, it is a material consideration and should be given some weight in these appeals.
23. The Interim Policy contains eight criteria against which to assess proposals. The Council considers that although the proposals generally comply with a number of the policy's criteria, there is a conflict with (2) and (5). Criteria 2 requires that the scale of development is appropriate to the size, character and role of the adjacent settlement, having regard to the settlement hierarchy; and

¹⁸ Core Policy 10(1)(i)

¹⁹ Core Policy 10(2)

²⁰ CD7/8, published March 2021

²¹ Broyle Gate Farm [CD5/1] and Land South of Lewes Road [CD5/3]

Criteria 5 states that within the setting of the SDNP, an assessment should be undertaken to demonstrate that the proposed development will conserve the special qualities of the National Park²². I return to these matters below.

24. Policy 4.1 of the RNP states that development outside planning boundaries that is not in accordance with other policies and would have an adverse effect on the countryside or rural landscape will not be permitted unless it can be demonstrated that the benefits of the development clearly outweigh the adverse impacts, and that it cannot be located on an alternative site that would cause less harm. Again, this policy does not impose an absolute prohibition on development outside boundaries but requires that benefits must outweigh harms.
25. Although not relied on in the Council's RfRs, Policy 6.3 of the RNP is also relevant and has been highlighted by the Parish Council. This states that all proposals for new development within or extending village planning boundaries should respect the scale of the village. The supporting text of the policy identifies 10-30 units as the preferred scale of development²³. The current proposals for schemes of 200 and 75 units respectively clearly exceed this by some margin, and would represent a fairly sizeable addition to Ringmer, well beyond that envisaged in the RNP. However, to address the housing supply deficit within the district, it is likely that developments of a larger scale will be required. Again, the absence of a five year supply of housing diminishes the weight that can be attached to any conflict with this policy.
26. The Council has started a review of the Core Strategy but this is still at a very early stage. Having regard to the advice in the Framework²⁴, it is agreed that no weight can be placed on the emerging plan at this time²⁵.

Character and appearance, including the landscape and the setting of the South Downs National Park

27. The site for both appeals comprises an irregular wedge-shaped area beyond the eastern edge of Ringmer, adjacent to Rushey Green. Historically, these were separate settlements, but have merged over time. The site lies immediately to the north of the SDNP, the boundary of which is defined by Potato Lane²⁶. The site currently comprises six individual fields²⁷, which are in pastoral use, although the easternmost is part of a larger arable field. The western boundary of the site adjoins a row of bungalows, the northernmost of which would be demolished to create a vehicular access to the proposed housing. The northern boundary of the site is formed by a watercourse known as 'Bulldog Sewer', with dense vegetation and trees running along its banks. Further to the north lies Ringmer Primary and Nursery School, King's Academy, and playing fields and sports pitches.
28. The eastern boundary, which adjoins open countryside, is formed partially by a low hedge at the northern end, but the boundary then cuts rather arbitrarily across the middle of an arable field²⁸ towards Potato Lane, with no physical

²² This assessment should be informed by the SDNP View Characterisation & Analysis Study 2015, the SDNP Tranquillity Study 2017, and the SDNP Dark Skies Technical Advice Note 2018

²³ Paragraph 6.3.1

²⁴ Paragraph 48

²⁵ Statement of Common Ground, Paragraph 4.11 [CD1/9]

²⁶ Potato Lane itself is outside the SDNP

²⁷ See Field Numbers at MB Figure 11, Appendix 1 to Proof of Ms Bolger

²⁸ Field 6

demarcation on the ground. Potato Lane itself, apart from a series of dwellings near Rushey Green, including the more recently constructed 'Peters Cottages', is deeply rural in character, with hedgerows and intermittent trees on either side. Low-lying arable fields separate Potato Lane from the chalk escarpment which rises sharply to the south. A single wind turbine associated with the Glyndebourne Opera complex is located at the highest point of this ridge and is a notable feature in the locality.

29. At a national level, the site is identified as falling within National Character Area (NCA) '121 Low Weald' described as a 'broad, low lying clay vale in predominantly agricultural use, supporting mainly pastoral farming owing to heavy clay soils'²⁹. At a county level, the site is located in the 'Eastern Low Weald Landscape Character Area' (LCA 15) which is described as a 'largely pastoral landscape especially on the heavy clay soils' with 'more mixed and arable farming on the higher ground and lighter soils' which form 'a distinctive patchwork of angular fields enclosed by low hedges'³⁰. A South Downs Landscape Character Assessment (SDLCA)³¹ has also been undertaken which identifies the area immediately to the south of the appeal site, falling within the SDNP, as falling within the 'Scarp Footslopes' landscape character type (LCT) and specifically 'LCA J1: Ouse to Eastbourne Scarp Footslopes'. This area is described as 'dominated by the chalk scarp which forms a dramatic backdrop'³². I accept that the appeal site itself is not identified within the development plan as protected by any specific national or local landscape designation, nor is it designated as a 'valued landscape' in terms of the Framework³³. Nonetheless, it is adjacent to a nationally valued landscape, namely the SDNP, and importantly, it falls within the setting of that landscape³⁴.
30. On the ground, there are rarely strict demarcations between landscape character types, and areas where two types merge may display characteristics of both. Whatever character 'label' is attached, the character of the site and its surroundings is clear from inspection. I consider that the appeal site, bordering the SDNP, forms part of an attractive unspoilt landscape composed of predominantly pastoral fields, punctuated and peppered by intermittent deciduous trees and hedgerow boundaries. The historic field patterns are intact, and the elements of the landscape remain in good condition. Whilst electricity pylons exist in the wider landscape, these do not dominate the landscape to any real degree. The well-vegetated edge along the site's northern boundary (Bulldog Sewer) provides a green buffer and reduces the impact of existing built development on the SDNP.
31. There is an obvious continuity between the appeal site and the adjacent SDNP, and in views from the SDNP, especially from the scarp, the appeal site reads as part of the same landscape character³⁵. This impression of continuity is also apparent walking along Potato Lane, a rural single lane road, observing the appeal site on one side, and the SDNP on the other. Both sides adjacent to the lane are low lying topographically, with an absence of built form. This essentially flat and low-lying landscape provides a contrast with, and a

²⁹ National Character Area Profile [CD10/10]

³⁰ East Sussex County Landscape Assessment 2016 [CD10/11]

³¹ South Downs Landscape Character Assessment 2020 [CD10/4 & CD10/5]

³² Ibid, Appendix J

³³ Paragraph 174

³⁴ Landscape Statement of Common Ground, Paragraph 3.15

³⁵ See SDNP Consultation Responses [CD10/14 & CD 10/15]

transition to, the rising land of the scarp to the south which is an ever-present feature. There is certainly no abrupt change in landscape between the appeal site and the SDNP. In fact, because the appeal site mirrors the immediately adjacent land within the SDNP and is indiscernible from it, it contributes to the low-lying landscape which performs a functional role in enhancing the striking topography of the scarp.

32. Walking along footpath RIN21/1 along the ridge near the Glyndebourne wind turbine³⁶, views are obtained of the SDNP in the foreground seamlessly blending into the appeal site beyond, all forming part of a larger expanse of attractive panoramic landscape. Similarly, continuing along footpath RIN/23/1 northwards back towards Ringmer, the appeal site is clearly visible as part of a predominantly rural view with no obvious change in landscape character. Whilst the site itself has no direct public access or public rights of way, and does not itself provide a recreational function, it nonetheless forms an important setting for the SDNP.

Appeal A

33. The proposed extensive coverage of the existing fields with new housing means views of the rural landscape both from the footpaths on the elevated scarp and from Potato Lane would be significantly compromised. Currently, the predominant impression walking along Potato Lane, away from the village, is of being in a deeply rural area, with a feeling of tranquillity and remoteness. Potato Lane has very limited vehicular traffic and is a popular route for walkers and cyclists, and thus performs a recreational role. This remote and tranquil character contributes to the appreciation of the SDNP.
34. The intrusion of extensive urban built form would fundamentally alter users' experiences of Potato Lane. Rather than walking past open fields which form part of a wider rural landscape, the route would in effect become a walk past a housing estate on one side. The proposed two emergency accesses would result in clear breaks in the boundary hedgerow and create direct and obvious views of the proposed development. This would entirely change the character of the locality, introducing a more suburban feel. Most users are likely to find their experience and enjoyment of Potato Lane considerably reduced by such changes to the landscape. Crucially, it would harm the setting of the SDNP.
35. The intrusiveness of the proposed development would be particularly evident when viewed from Potato Lane at the junction with footpath RIN/21/1³⁷, especially in the early years before landscaping has fully established. A similar situation arises from footpath RIN/20/1 looking west³⁸. I acknowledge that the scheme proposes significant structural planting along the boundaries to minimise the impact of the new housing³⁹. I am aware that amendments were made to the Landscape Strategy, as well as to the Parameter Plan and Illustrative Masterplan to accommodate an enlarged and strengthened buffer to the SDNP⁴⁰. However, I am not convinced that this, even once it has become fully established over time, would be fully effective in altering the perception of urban development behind the vegetative screening. Also, in the winter

³⁶ Ms Bolger's View Point G

³⁷ Appellant's View Point 4

³⁸ Appellant's View Point 5

³⁹ See Year 15 visualisations

⁴⁰ Paragraph 4.7, Proof of Ms Ede

months when deciduous trees lose their leaves and vegetation dies down, the houses would inevitably be more obvious.

36. Turning to views in the wider landscape, specifically from the SDNP, the proposal would project significantly into the open countryside. Although the existing built development of Ringmer is clearly visible from the scarp, the proposal would be seen as significantly expanding the urban edge of Ringmer, resulting in a harmful intrusion of urban sprawl into a currently open and undeveloped area. There would be extensive views from the public footpaths RIN/21/1 and RIN/23/1 on the scarp slope. From here the development would be seen as protruding into the countryside well beyond the existing settlement of Ringmer and Rushy Green, resulting in harm to the landscape⁴¹. The view from the scarp immediately beyond the SDNP boundary would no longer be into the rural 'Low Weald' but rather into an expanse of houses. The 'transitional' effect of the site would be lost. Again, the structural planting designed to screen the development⁴² is unlikely to adequately shield the development, especially in elevated views from the scarp.
37. The appeal site is promoted on the basis that it should be regarded as essentially an area close to, and read in the context of, the built development of Ringmer. It is argued that the site is relatively well contained, and harm to views would be limited and localised. However, in my judgement, whilst it is adjacent to the existing built up area of Ringmer, the larger Appeal A scheme cannot realistically be regarded as relatively self-contained. Rather, from my observations, it would encompass a series of fields that merge with the wider sweep of rural land beyond the built-up confines of Ringmer, that itself merges with the SDNP. The appeal site forms an important part of the landscape setting of the SDNP, and the proposal in Appeal A would be harmful to it.
38. There was some discussion regarding whether the view from the scarp in these appeals could be regarded as 'iconic' in terms of the SDNP's View Characterisation and Analysis⁴³. The 'iconic' view types include 'views from the scarp looking north across the scarp footslopes (within the National Park) and the Low Weald (outside the National Park)'. Comparisons were made with the view from Firle Beacon. My site visit to Firle Beacon revealed that this is a natural observation point where views extend 360 degrees: northwards over the Low Weald, north-west to the historic landmark of Caburn Fort, south-east along the scarp and south to the sea. The higher elevation at Firle Beacon undeniably gives more expansive views than are available from the scarp towards the appeal site. Whether the view from the scarp in this case is regarded as 'iconic' or not is really a matter of judgement. In my view, however defined, the views available from the scarp towards the appeal site are important, extensive and sweeping, and worthy of protection.
39. To sum up, in relation to Appeal A, I find the encroachment of new development would have very significant and adverse effects for the landscape. The development would cause a serious incursion into the open countryside and materially harm the setting of the SDNP. Harming its setting would also result in harm to the SDNP itself. As such, the proposal would conflict with Policy CP10 of the Core Strategy, harming the setting of the SDNP, and failing to conserve and appropriately enhance its rural, urban and historic landscape

⁴¹ Appellant's View Point 8 and footpath north of Glyndebourne wind turbine

⁴² CD 10/24, pdf page 20-21

⁴³ CD10/8, Paragraph 3.10-3.11

qualities, and natural scenic beauty. It would conflict with Criterion 5 of the 'Interim Policy' as the development would fail to conserve the special qualities of the National Park by harming its setting. It would fail to comply with Policy DM25 of the Local Plan to the extent it would fail to respond sympathetically to the characteristics of the development site, its relationship with its immediate surroundings, and views into and over the site.

Appeal B

40. Although significantly less housing is proposed in Appeal B and on a smaller area, the overall extent of the appeal site itself remains the same size. In this scheme, only the most westerly field closest to the existing built-up area would be developed with housing⁴⁴. A central area would be retained as a void, apparently for potential agricultural or pasture use, although the Parameter Plan⁴⁵ shows this area as 'white land' with no indication of its future use. An area to the north would be used as a play area⁴⁶. The easternmost fields⁴⁷ would, according to the Parameter Plan, be retained as 'green infrastructure' including landscape buffers, planting and areas for biodiversity net gain, but with no public access.
41. This is a rather odd arrangement, with housing on only part of the larger appeal site, with an isolated central area devoid of any development, and a landscaping buffer and green infrastructure set at some distance beyond to the east. This configuration would suggest that this proposal is not primarily landscape-led, with the intent of minimising impacts of the setting on the SDNP, but rather a layout formulated to facilitate a further phase of development on the central 'void'. In other words, the overall scheme layout is informed more by an ultimate desire to obtain permission for a larger scheme, rather than a bespoke smaller scale scheme. In fact, the appellant confirmed at the Inquiry that it was the overall preferred intention to develop the whole site even if only Appeal B was granted permission at this stage⁴⁸. Whilst I accept there is nothing 'sinister'⁴⁹ in this aim, and it is perfectly understandable for the appellant to wish to develop the wider site, it does not alter the impression that this scheme appears to be more 'phase' led than having been carefully designed to minimise harmful impacts on the SDNP's sensitive setting.
42. Furthermore, the 'attenuation pond', in addition to the green infrastructure, is shown to be located on the eastern flank beyond the central void, again extending development related features into the much wider landscape and changing the agricultural character of the area. Although the appellant states that there are 'good reasons' for the proposed layout of the scheme, including that the attenuation pond is at the lowest point of the appeal site, and the biodiversity gains are 'best achieved' by the proposed arrangement, there is limited evidence to support these claims, and they do not seem to be informed by a desire to minimise the impact on the SDNP.
43. The landscape harm is clearly reduced compared to Appeal A. The housing itself would not be as prominent as in Appeal A as it would be contained within the field closest to the existing settlement of Ringmer. It would not be as

⁴⁴ Field 1

⁴⁵ Parameter Plan 1949-30 C

⁴⁶ Field 2

⁴⁷ Field 4, 5, and 6 (part)

⁴⁸ Mr Mellor in cross examination

⁴⁹ Appellant's Closing Submissions, Paragraph 7

prominent an extension into the countryside and would not be as conspicuous in views from the scarp slope. There would still be an obvious, if lesser, suburbanisation of Potato Lane. In this case only one emergency access is proposed, but it would nonetheless allow direct and obvious views of the proposed development. Even though the impacts of the housing would be less, the scheme would be harmful, as the proposal as a whole is not confined solely to the field adjacent to the built-up area. The play space area and other landscaping features would protrude into the open landscape beyond. As the SDNP Authority notes, the 'recreation land, whilst retained as open land, would be likely to take on a suburban parkland feel, compared with the current agricultural use'⁵⁰. Crucially, the SDNP Authority further notes that 'the disconnect of the recreational space away from the housing would potentially be more detrimental to the setting of the National Park than the previously proposed scheme, which formed a more logical transition'⁵¹. I concur with that appraisal.

44. The Council's landscape witness notes that the western field⁵² closest to Rushy Green may have some capacity for development⁵³. I agree with that assessment. I also acknowledge that the County Landscape Architect did not raise objections to this reduced scheme⁵⁴ although the SDNP Authority did object⁵⁵. Clearly, the western field is more closely related to the built-up part of Ringmer, and less sensitive to development than the eastern fields. As acknowledged by the Council, the hedgerow and trees along its existing boundary may have some potential to form a new boundary to new development⁵⁶. However, crucially, the scheme as currently conceived, with other development related features not confined solely to the western field, but rather at distance beyond a central 'void' would cause harm to the landscape. The proposed arrangement resulting in the central fields becoming entirely severed from the wider landscape, with 'Field 6' arbitrarily being cut across (as with Appeal A) resulting in the disruption of the integrity of the existing historic field pattern⁵⁷ would cause harm to the SDNP's setting.
45. To sum up, for the reasons above, in relation to Appeal B, I find the encroachment of new development as proposed, although less than Appeal A, would nonetheless have a significant and adverse effect on the landscape. The development would cause a serious incursion in the open countryside and materially harm the setting of the SDNP. Again, I find that the harms in Appeal B are factors capable of causing harm to the SDNP itself. As such, it would conflict with Policy CP10 of the Core Strategy, Criterion 5 of the 'Interim Policy', and Policy DM25 of the Local Plan.

The effect on Highway Safety

46. In terms of highway capacity, the appellant's Transport Assessment, and subsequent submissions demonstrate that the increased traffic flows from the development could be satisfactorily accommodated within the existing highway network. The Transport Assessment reviewed various junctions in the locality

⁵⁰ SDNP Authority Consultation Response [CD10/15]

⁵¹ Ibid [CD10/15]

⁵² Field 1

⁵³ Proof of Ms Bolger, Paragraph 7.2.2

⁵⁴ East Sussex County Council's Response [CD10/13]. Objections were raised in relation to Appeal A [CD10/12]

⁵⁵ CD10/15

⁵⁶ Proof of Ms Bolger, Paragraph 7.2.2

⁵⁷ The appellant says that the field pattern only dates back to 1899 so is relatively recent

and found that they would all operate satisfactorily on the basis of the larger scheme. The junctions assessed included the following: site access/Harrisons Lane; Harrisons Lane/B2192; Springett Avenue/B2192; Gote Lane/New Road; and New Road/B2192. In addition, impacts were assessed on Earwig Corner, and other A26 junctions⁵⁸ and again it was concluded that the traffic arising from the larger scheme could be satisfactorily accommodated. The County Council as Highway Authority accepted these conclusions. I see no reason to take a different view.

47. With regards to the vehicular access to the schemes from Harrisons Lane, a simple priority junction has been designed to meet the appropriate standards required by the County Council. It would exceed the minimum width requirements and would achieve appropriate visibility in both directions.
48. The ability of Harrisons Lane to cope with the additional traffic from both appeals is questioned by objectors, especially at school peak drop off and pick up times. I observed the locality at these times on a number of occasions and it was undoubtedly busy and congested with parents and carers dropping off and picking up children. However, outside these times, Harrisons Lane returns to normal relatively quickly⁵⁹. The Highway Authority has not objected on the basis of the capacity of Harrisons Lane to accommodate additional traffic, and I see no reason to take a different view.
49. Concerns have been raised that the creation of a new access for the development would decrease the number of parking spaces for those dropping off and picking up children. However, as the appellant's highway witness points out, the new access would have the effect of displacing parking a little further away from the school entrance. Whilst this might result in a slight increase in walking distance, it would have the benefit of reducing associated congestion near the school entrance. Surveys undertaken indicate that there is plenty of street parking available in the wider area⁶⁰. As the appellant also highlights, because of the proximity of these appeal proposals to the school, there would be greater potential for a larger proportion of pupils to walk.
50. Concerns have also been raised about the adverse effects of construction traffic associated with new development. It is inevitable that there would be some temporary disruption, but I see nothing especially unusual about the site that should cause significant or insurmountable difficulties. A condition could be imposed were permission to be granted requiring the approval of a Construction and Environment Management Plan to minimise any adverse effects during the construction period.
51. I acknowledge that the Parish Council, the Headteacher of Ringmer Primary and Nursery School, and local residents have all raised serious concerns about the highway implications of the scheme. Overall, however, I am not persuaded that either appeal proposal would result in a severe residual cumulative impact in terms of Paragraph 111 of the Framework⁶¹, and I do not find these concerns constitute reasons for the appeals to fail.

⁵⁸ Transport Technical Note: Impact on Earwig Corner and other A26 Junctions, dated September 2022

⁵⁹ Rebuttal Proof of Evidence of Richard Wells, Paragraph 3.4-3.5 [CD1/37]

⁶⁰ Transport Assessment, Page 22 [CD2/22]

⁶¹ Paragraph 111

Effect on Heritage Assets

52. The Parish Council alleges harm to a non-designated heritage asset, namely the Mill House, on Harrisons Lane. It is a 19th century two storey, detached, double fronted dwelling in render with a hipped clay tile roof, now in residential use. No real evidence has been adduced by the Parish Council as to what harmful impact would arise in respect of this building.
53. Paragraph 203 of the Framework, with respect to non-designated heritage assets, requires that the effect on significance should be taken into account when assessing proposals, and that a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the asset. The development proposed, set well behind the existing bungalows along Harrisons Lane, would be too far removed to have any perceptible or harmful impact on Mill House, or its setting. Consequently, the Mill House does not present a constraint to the proposals. There would be no conflict with either the Framework, nor with Policy DM33 of the Local Plan dealing with heritage assets.

Sewage and drainage

54. Serious concerns have been raised by the Parish Council regarding sewer capacity and drainage. It is argued that there is not an effective drainage and sewerage system in the locality to accommodate the development proposals, especially given the capacity of the Ringmer sewage works. Consequently, the Parish Council considers both schemes would be contrary to Policy 8.11 of the RNP. This states development will only be permitted when effective mains drainage and sewerage systems are provided and when such development can be accommodated within the capacity of the Ringmer sewage works.
55. I understand that the surface water flooding in November and December 2022 in Rushey Green highlighted by the Parish Council apparently related to a blockage in the Rushey Green sewer. I gather that this has subsequently been cleared and is likely to have resolved this issue.
56. The Parish Council has also highlighted that the foul sewer regularly exceeds its capacity in wet weather causing sewage to overtop. The appellant's technical evidence⁶² is that the existing foul water sewer is a 375mm diameter pipe set at a gradient of 1:300 and has a capacity of 120 l/s. The larger Appeal A scheme comprising 200 dwellings would generate a peak flow of 3.61 l/s⁶³ which would equate to about 3% of the overall flow of this sewer. The existing flow in the sewer is around 36 l/s and so, according to the appellant's technical evidence, there would appear to be plenty of capacity for either appeal scheme.
57. In the light of the above, the problems mentioned by the Parish Council would appear to be the result of surface water infiltrating the existing sewer. I was advised that this is probably caused by unauthorised connections of surface water discharge from existing properties into the foul network. Technical evidence provided by the appellant is that the clearance of the blockage in the Rushey Green sewer should resolve the flooding, meaning there should be a lower water table level with a commensurately lower pressure on the foul water sewer. As a consequence, less water would enter the foul sewer.

⁶² Drainage Rebuttal Statement [CD1/38]

⁶³ According to Southern Water's foul flow calculation tool

58. Importantly, I understand that Southern Water has stated an upgrade to the system would not be triggered until any planning permission has been granted⁶⁴. This is to ensure that necessary funding is available, and to ensure that investment upgrades are targeted to specific needs. Southern Water has a legal duty to provide the necessary capacity arising from any new development, funded by an infrastructure levy paid by the appellant⁶⁵.
59. Overall, I consider that were the schemes to proceed, drainage and sewerage matters could be satisfactorily addressed to avoid further problems, and are not a reason for the appeals to fail.

Education Capacity

60. The Head Teacher⁶⁶ of Ringmer Primary and Nursery School gave detailed evidence to the Inquiry that the school is at capacity, with children being turned away, and that there is no physical capacity at the site for further expansion. Existing facilities are said to be cramped, notwithstanding the school's 'Good' Ofsted rating. Despite these concerns, the County Council, as Education Authority, did not provide any consultation response, nor object to the original planning applications.
61. Nonetheless, given the capacity concerns raised by the School's Head Teacher, as well as the Parish Council, the appellant arranged a meeting with the County Council. The agreed minutes of that meeting⁶⁷ apparently show that there is sufficient capacity to meet forecast primary school needs for the foreseeable future, and that there is sufficient capacity to meet needs arising from the appeal schemes, and other known development commitments in the area. On that basis, no financial contribution for education provision was requested to be paid by the appellant.
62. Furthermore, the County Council outlined that as part of the school's expansion in 2016 from 1-form of entry to 1.5-forms of entry, it undertook feasibility work confirming that the school and nursery could, if needs arise, be further expanded to 2-forms of entry. As such, there should be no problem associated with expanding the school if needed. In addition, as the appellant points out, whilst the school may be at capacity now, the County Council is looking at future capacity as any development would be unlikely to come forward until 2025/2026 at the earliest. As such, the school's current circumstances should not act as a bar to future housing development.
63. The Framework states that 'it is important that a sufficient choice of school places is available to meet the needs of existing and new communities'⁶⁸. In this instance, the County Council has considered capacity issues in the light of concerns but has not raised objections. It seems to me that, as Education Authority exercising its statutory duty, the County Council is best placed to decide such matters. Caselaw has established that the advice given by statutory consultees should be given considerable weight and that there must be cogent and compelling reasons for departing from that advice⁶⁹. Therefore,

⁶⁴ Email dated 25 May 2023 – Appendix B, Drainage Rebuttal Statement [CD1/38]

⁶⁵ Paragraph 4.2 [CD1/38]

⁶⁶ Anna Crompton – Proof of Evidence

⁶⁷ CD1/44

⁶⁸ Paragraph 95

⁶⁹ R(Akester) v Secretary of State [2010] EWHC 232 (Admin); R(Wyatt) v Fareham Borough Council [2022] EWCA Civ 983

I do not consider that objections in relation to the school's capacity to be a reason for these appeals to fail.

Locational Accessibility of the site

64. Ringmer is designated as a 'Rural Service Centre' in the Core Strategy's settlement hierarchy. These are described as 'sustainable locations (with either a frequent bus or rail service) with a number of key services that meet many day to day needs' and 'some employment facilities are available'⁷⁰. In this case, the site is within reasonable walking and cycling distances of various facilities including convenience shops, cafes and takeaways, primary and secondary schools, and a doctors' surgery. Ringmer residents may need to travel further afield for a wider range of shops, services and employment which may result in trips by private vehicles. However, residents of the appeal development would be in no different position to existing residents in Ringmer.
65. The Parish Council has questioned the convenience, availability, and frequency of public transport in Ringmer to other locations⁷¹. I appreciate that bus frequencies vary depending on the time of day and whether one is travelling during the week or at weekends. However, a range of bus services is available in Ringmer and there are railway stations reasonably close by at Lewes and Glynde. A 'Bus Improvement Plan' contribution within the planning obligation would improve the frequency of certain services⁷². A Travel Plan, would be secured by condition to facilitate sustainable travel modes. Overall, there are no reasons to object to the proposals on the grounds of accessibility.

Loss of 'village feel'

66. A key priority of the RNP is the maintenance of Ringmer's village feel, which is much prized by residents. It is enshrined as one of the four 'key principles' of the RNP (Section 3, Paragraph 3.1) and Policy 6.3 requires that all new proposals for development within or extending the village planning boundaries should respect the village scale.
67. The Parish Council is concerned that both appeal proposals, because of their size, would result in Ringmer losing its village feel. I acknowledge that both schemes would exceed the size envisaged by Policy 6.3. However, the absence of a five year housing supply means housing developments of a larger scale will be required. In any event, I see no cogent reason why, over time, residents of any new development, whether it be the Appeal A or B proposal, would not be adequately assimilated within Ringmer. There is nothing to suggest that new residents would not use existing village facilities or participate in village life. Indeed, it is likely they would bring social and economic benefits. Overall, I see no reason why the village feel would be compromised, and I do not consider this a reason for either appeal to fail.

Planning Obligation

68. A planning obligation has been completed by the Council, the County Council and the owners of the site dated 11 July 2023. This single planning obligation relates to both appeal schemes, with different provisions applying depending

⁷⁰ Core Strategy, Page 43

⁷¹ Comments on Buses and Trains [ID24]

⁷² Specifically for Routes 143 and 28/29

on the scheme implemented⁷³. Financial contributions would be paid to either the Council or the County Council pursuant to the triggers set out. The obligation would secure 40% of the dwellings as affordable housing of which 25% would be 'first homes', 56% would be 'affordable rent' and 19% would be 'intermediate affordable housing'. An 'Affordable Housing Commuted Sum' would be payable if the percentage requirement for affordable housing or first homes did not result in a whole number of units.

69. It includes a requirement to submit for approval a 'Travel Plan Statement' (to include measures to encourage the use of sustainable modes of transport) and the payment of a 'Travel Plan Auditing Fee' (£6,000 for Appeal A; and £4,500 for Appeal B). There are also provisions for a 'Traffic Regulation Order Contribution' (£5,000 for both appeals) to be used to consult on proposed parking restrictions on Harrisons Lane and any extension of the 30mph speed limit. The obligation includes a 'Bus Stop Clearway Contribution' (£1,000 for both appeals) to be used to consult on proposals for a bus cage and clearway markings at the repositioned northbound bus stop on Harrisons Lane. It also includes a 'Bus Services Improvement Plan Contribution' (£1,100 per dwelling) to be spent on increasing daytime services and introducing new weekend services on the 143 route and an improved Sunday service on the 28/29 bus service.
70. The obligation also secures a recycling contribution (£3,800 for Appeal A; and £1,425 for Appeal B) to provide kerbside facilities, recycling containers and to cover the cost of adding the dwellings to the Council's recycling scheme. The obligation secures the delivery and ongoing management of the areas of open space and play areas⁷⁴ for each scheme. These are shown on the Parameter Plans with the final details to be approved pursuant to a reserved matters application, with provisions to ensure that the open space and play areas are provided prior to the occupation of a certain number of the dwellings. Thereafter, those areas will be transferred to an approved management company which will be responsible for their maintenance.
71. The obligation also secures the delivery of various highway works that have been agreed as required for the developments. These are listed⁷⁵ and shown on Plan 10985/2101 P5. These works are required to be completed prior to the occupation of the development⁷⁶.
72. I have no reason to believe that the formulas and charges used by the Council and County Council to calculate the various contributions and provisions of the obligation are other than soundly based. I am satisfied that the provisions of the obligation are necessary to make the development acceptable in planning terms, that they directly relate to the development, and fairly and reasonably relate in scale and kind to the development, thereby meeting the relevant tests in the Framework⁷⁷ and Community Infrastructure Levy Regulations⁷⁸. I have taken the planning obligation into account in my deliberations.

⁷³ Provisions also exist where both schemes are granted and the owner switches from one permission to another post implementation and in essence provides for the offsetting of financial contributions to avoid double payment

⁷⁴ Locally equipped areas of play (LEAP)

⁷⁵ Schedule 6, Section B

⁷⁶ The Bus Stop Clearway Works and Traffic Regulation Contribution Works are subject of slightly different provisions

⁷⁷ Paragraph 57

⁷⁸ Regulation 122

Planning Balance and Overall Conclusions

73. The relevant legislation requires that the appeal be determined in accordance with the statutory development plan unless material considerations indicate otherwise⁷⁹. Where Councils are unable to demonstrate a five year supply of housing, Paragraph 11 of the Framework states that the most important policies for determining the application are out of date, and permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. Alternatively, specific policies in the Framework that protect areas or assets of particular importance may provide a clear reason for refusing the development, and the so-called 'tilted balance' in favour of granting permission does not apply. Policies relating to National Parks fall within that category.
74. Importantly, the Framework at Paragraph 176 requires that great weight should be given to conserving and enhancing the landscape and scenic beauty of National Parks, which have the highest status of protection in relation to these issues. The Paragraph also states that development within the setting of National Parks should be sensitively located to avoid or minimise adverse impacts on the designated areas. Harm to the setting of the SDNP is potentially capable of causing harm to the SDNP itself, a proposition that was accepted by the appellant's witnesses⁸⁰.
75. The appeal proposal would conflict with the development plan's spatial strategy because it would involve development on a greenfield site outside the settlement boundary of Ringmer, contrary to Policy DM1 of the Local Plan. However, as the Council has less than 5 years of deliverable sites to meet its housing needs, this means a policy-led solution to housing needs cannot be achieved, and that the new housing required cannot necessarily all be accommodated within the confines of the settlement boundaries. The conflict with Policy DM1 is therefore a matter of diminished weight. For similar reasons, although both schemes are of a larger scale than envisaged by Policy 6.3 of the RNP, it is likely that larger developments will be needed to address the housing shortfall. Again, this diminishes the weight that can be attached to any conflict with that policy.
76. In respect of Appeal A, the scheme would deliver 200 new homes of which 80 would be affordable units. In Appeal B, some 75 units would be delivered, of which 30 would be affordable. Both schemes would address the immediate shortfall in the five year housing supply, agreed to be 3.02 years. Both would boost the supply of housing in accordance with the Framework⁸¹. The contribution of the schemes to both the market and affordable housing requirements of the district is a matter of substantial importance, carrying significant weight in the planning balance. The site is reasonably accessible, within range of the shops and services of Ringmer. There are also bus services available in the locality, and railway stations at Lewes and Glynde. The schemes would generate economic benefits, both during the construction phase and during the lifetime of the development⁸². They would create investment in

⁷⁹ Section 38(6) of the Planning and Compulsory Purchase Act 2004 & Section 70(2) of the Town and Country Planning Act 1990

⁸⁰ Cross examination of Ms Ede and Mr Mellor

⁸¹ Paragraph 60

⁸² Economic benefits set out at Tables 4.1 & 4.2 of Mr Mellor's Proof

the locality and increase spending in shops and services. The new residents of the proposed developments would bring social and economic benefits including using existing local facilities and contributing to village life. All these factors again attract significant weight.

77. Both schemes have other advantages, including environmental benefits: these include open space provision, more than is required by local policy. I accept that this provision would enable new opportunities for viewing and experiencing the SDNP, albeit in the context of new housing development. This attracts moderate weight. A minimum of 10% biodiversity net gain is proposed (there is no current policy requirement for this), as well as a commitment to delivering an energy efficient and climate resilient development. In particular, it is envisaged air source heat pumps rather than gas boilers would be employed in addition to other sustainability measures⁸³. These factors attract moderate weight. The appellant also draws attention to the fact that both schemes would include a pedestrian and cycle access on to Potato Lane, allowing increased opportunities for residents to access the SDNP by non-motorised means⁸⁴. Whilst this design feature attracts some limited positive weight, it must be considered in the context of any harm to the SDNP and its setting.
78. I have found that certain of the objections raised by the Parish Council and others are not sufficiently well founded to cause the appeals to fail. These include concerns regarding highway safety, the effect on heritage assets, education capacity, locational accessibility, the loss of a village feel and the effects on sewerage and drainage. Consequently, these factors cannot weigh against the proposals.
79. Set against the benefits of both schemes is the serious harm that would arise to the setting of the SDNP. I have found that both schemes would cause significant and adverse effects for the rural landscape. In Appeal A, serious harm would be caused to the character and appearance of the area, and specifically to the setting of the SDNP. There would also be significant harm to the rural character and tranquillity of Potato Lane. Whilst the harm arising from the housing development itself in Appeal B would be reduced compared with Appeal A, the overall proposed layout extending across the larger site with a central void, and with recreational facilities and other features disconnected from the housing, unacceptably impinges on the setting of the SDNP. There would also be harm, albeit somewhat reduced, to the character and tranquillity of Potato Lane. Again, though, significant harm would be caused.
80. In these appeals, I consider the significant harm to the setting of the SDNP would also harm the SDNP itself. In accordance with the Framework, these harms attract great weight. Moreover, I consider the level of harm would not be outweighed by the various benefits identified in each scheme. In both cases, I am satisfied that in the context of Paragraph 11 of the Framework, the application of policies relating to National Parks and their settings provide a clear reason for refusing the development, disapplying the tilted balance.
81. However, in the alternative, even applying the tilted balance, I find that the adverse impacts of granting permission for either scheme, specifically the serious material harm to the rural character of the locality, the incursion of

⁸³ Energy, Waste and Sustainability Statement for Appeal A [CD2/16] and Appeal B [CD3/28]

⁸⁴ A design feature welcomed in principle by the South Downs National Park Authority [CD10/14 & 10/15]

development into the countryside harming the setting of the SDNP, and the SDNP itself, as well as the effect on Potato Lane, would significantly and demonstrably outweigh the benefits of the schemes, when assessed against the policies in this Framework taken as a whole.

82. In reaching this view, I have carefully weighed the shortage of housing supply in the balance as well as the various other benefits that would arise from the schemes. I have considered the contribution of the proposals towards addressing the undersupply of housing, both market and affordable. I have also considered the planning conditions that could be imposed and the provisions within the planning obligation. However, none of the conditions or provisions could satisfactorily overcome the adverse impact or make the development acceptable.
83. I am aware that an appeal for 100 dwellings and community facilities was recently allowed nearby at Broyle Gate Farm⁸⁵. However, unlike these appeals, that proposal was at some distance from the SDNP boundary, with the toe of the scarp some 1km away⁸⁶. The Inspector noted in that case that the site's character was eroded by the presence of adjacent development. The scheme also differed from these appeal proposals in that it included sports facilities such as an artificial football pitch, tennis courts, cricket nets, outdoor gym, and a skate park. Consequently, the proposal itself and site circumstances in that appeal were quite different to the appeals before me and do not set a precedent.
84. Overall, I find both schemes would conflict with Policy CP10 of the Core Strategy and Policy DM25 of the Local Plan. I also find that, applying Policy 4.1 of the RNP, there would be an adverse effect on the countryside and the rural landscape, and benefits of the development do not clearly outweigh the adverse impacts. There would also be a conflict with the Interim Policy for Housing Delivery. For the reasons given above, I consider that both appeals should be dismissed.

Matthew Nunn

INSPECTOR

⁸⁵ APP/P1425/W/22/3298993 [CD5/1]

⁸⁶ Paragraph 15

APPEARANCES

FOR THE APPELLANT

John Litton of King's Counsel, Landmark Chambers

He called

Joanna Ede	Landscape
Joshua Mellor	Planning
Richard Wells	Highways and Transport
Martin Roberts	Drainage and Flood Risk
Dominick Veasey	Education

FOR THE COUNCIL

Rowan Clapp of Counsel, Cornerstone Barristers

He called

Michelle Bolger	Landscape
Martin Carpenter	Planning

FOR RINGMER PARISH COUNCIL

John Kay

Linda Grange

INTERESTED PARTIES

Maria Caulfield MP
Councillor Emily O'Brien - Ward Councillor for Ouse Valley & Ringmer
Anna Crompton – Head Teacher of Ringmer Primary and Nursery School
Geoff Harwood
Meriel Vincent
Susan Batty
Eleanor Robins
John Robins
Rita Akehurst
Nigel Baker
Christopher Cowen
Matthew Craig
Anne Duke
Lara Hamilton
Robert Wilkins

Nick Chaloner
Garry Clark
Gordon Sims
Paul Mouland
Mike Brotherton
Richard Saunders

INQUIRY DOCUMENTS

1. Appellant's Opening Statement
2. Council's Opening Statement
3. Ringmer Parish Council's Opening Statement
4. Statement of Maria Caulfield MP
5. Statement of Richard Saunders
6. South Downs National Park Representative Viewpoints
7. Comments of John Kay relating to field patterns
8. Statement of Geoff Harwood
9. Statement of Meriel Vincent
10. Statement of Susan Batty
11. Statement of Eleanor Robins
12. Statement of John Robins
13. Statement of Rita Akehurst
14. Statement of Nigel Baker
15. Statement of Christopher and Susan Cowan
16. Statement of Anne Duke
17. Statement of Linda Grange
18. Statement of Robert Wilkins
19. Statement of Nick Chaloner
20. Statement of Garry Clark
21. Statement of Gordon Sims
22. Statement of Mike Brotherton
23. Statement of Matthew Craig
24. Ringmer Parish Council's note regarding buses and trains
25. Suggested amendment to Condition 7 from Linda Grange
26. Draft schedule of suggested conditions
27. Closing submissions of the Council
28. Closing submissions of Ringmer Parish Council
29. Appellant's closing submissions, including: *R(Akester) v Secretary of State* [2010] EWHC 232 (Admin); and *R(Wyatt) v Fareham Borough Council* [2022] EWCA Civ 983
30. Certified Copy of Planning Obligation dated 11 July 2023