



Appeal Decision

Site visit made on 23 January 2024

by Jameson Bridgwater PGDipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 April 2024

Appeal Ref: APP/C1435/W/23/3323845

Knockhatch Farm Cottage, Hempstead Lane, Hailsham BN27 3PR

- 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 Jane Knight against the decision of Wealden District Council.
 - The application Ref is WD/2023/0439/F.
 - The development proposed is described as 'The erection of two detached part single-storey, part two-storey, three/four-bedroomed houses'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Since the submission of the appellant's appeal, the revised National Planning Policy Framework (the Framework) was published and came into force on 20 December 2023. In this instance, the issues most relevant to the appeal remain unaffected by the revisions to the Framework. I am therefore satisfied that there is no requirement to seek further submissions on the revised Framework, and that no party would be disadvantaged by such a course of action.

Main Issues

3. The main issue is whether the location of the development is appropriate, with regard to the development plan and other material considerations.

Reasons

4. The appeal site relates to land adjoining Knockhatch Farm Cottage. It is located outside the settlement boundary, as retained in the Wealden Core Strategy Local Plan 2013. For planning purposes, it is in the countryside where new housing would normally be resisted as being contrary to Policies GD2 and DC17 of the Wealden Local Plan 1998.
5. It is common ground that the site would not be isolated in the context of paragraph 84 of the Framework given its relationship to other dwellings and commercial units nearby. However, rather than being part of a recognisable settlement, the proposal would consolidate the existing ribbon development in the Hempstead Lane.
6. I have therefore carefully considered the ability of future occupiers to access day-to-day services and facilities in Hailsham without being highly reliant on the need to travel by private motor vehicles. The appeal site is not directly served by public transport (bus route); although I accept that it is

approximately 880m from the edge of Hailsham and a little further from the town centre and the Hailsham Retail Park. I have also had regard to the appellant's suggested alternative route via a public footpath which runs from the eastern side of the site into Hailsham.

7. Hempstead Lane provides the shortest and most direct route from the appeal site to the edge of Hailsham. This route relies upon pedestrians walking along a busy unlit road without a footpath that serves both dwellings and commercial activities. Furthermore, whilst I note the crossing point on the A22, there is no pedestrian refuge area nor is it signal controlled. Therefore, it would require pedestrians/cyclists to cross 4 lanes of traffic to get to the very edge of Hailsham. Consequently, based on the evidence before me and my on-site observations I conclude that Hempstead Lane is unlikely to be attractive to pedestrians and to a degree cyclists, particularly so in inclement weather or in the hours of darkness.
8. In relation to the appellants suggested alternative route, this is an unpaved and unlit footpath. Moreover, at the point it meets the A22 it is close to a busy roundabout with no crossing point. As such, I do not consider that this is a route that would be desirable for pedestrians, or attractive for cyclists.
9. Therefore, in the absence of public transport in Hempstead Lane, I find it extremely likely that future occupants of the proposed dwellings would be highly reliant on the need to travel by private motor vehicles in order to access services, employment and facilities.
10. Having come to the conclusions above, the location of the proposed development would not be appropriate, and therefore conflict with Policies GD2, EN1 and DC17 of the Wealden Local Plan 1998, and Spatial Planning Objectives SP01, SP07 and Policy WCS 14 of the Wealden Core Strategy Local Plan 2013. These seek amongst other things to restrict development in the countryside and reduce the need to travel by car by concentrating development where it can most closely relate to public transport opportunities.

Other matters

11. The Council is unable to demonstrate a 5-year supply of deliverable housing sites, so paragraph 11 d) of the Framework is engaged. I acknowledge that there would be social benefits from the provision of 2 dwellings, helping to boost housing supply in the district. There would be limited economic benefits resulting from the construction of the dwellings and through local taxation such as council tax. The occupants of the dwellings are also likely to make a small contribution to the local economy through additional spending in the area. Combined, given that the development is for two dwellings, I would attach moderate weight to these benefits.
12. In support of their appeal the Appellant's have argued that provision of electric vehicle charging points would be likely to encourage future occupiers to use electric vehicles. However, whilst I accept that this may potentially provide an increased choice of travel modes, it would not promote the health benefits that can be gained from walking and cycling.
13. The appellant in support of their appeal have cited the following planning permissions WD/2021/1432/F and WD/2020/0311/O located in the vicinity of Arlington Road West/Robin Post Lane. However, the circumstances are

materially different in that both sites are significantly closer to the edge of Hailsham, and the pedestrian crossing has been upgraded, consequently they do not lead me to a different conclusion in this specific case.

14. In regard to the appeal cited by the appellant (APP/D3830/W/20/3246048); I have limited information about its history, but inevitably its context would differ to that of the scheme before me and so I have therefore considered the appeal on its individual merits against the criteria of the Development Plan and the Framework and any other material considerations.

Planning balance and conclusion

15. In conclusion, a number of benefits would flow from this development. The proposed homes would make a moderate contribution to the overall supply of housing in Wealden. Additionally, the proposal would be likely to result in a limited increase to economic activity in the area. Balanced against this is that the proposed development would be contrary to the development plan by way of introducing residential development into an inappropriate location in the countryside. Therefore, it follows that the appeal site does not amount to a sustainable location and my conclusion is not altered by the social, environmental or economic considerations advanced by the appellant.
16. For the above reasons and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Jameson Bridgwater

INSPECTOR