



Appeal Decision

Site visit made on 23 October 2024

by A Knight BA PG Dip MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18th November 2024

Appeal Ref: APP/P1425/W/24/3339578

Land North of Old Ship Inn, Uckfield Road, Ringmer, East Sussex BN8 5RP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant permission in principle.
 - The appeal is made by Lynne Burdass against the decision of Lewes District Council.
 - The application Ref is LW/23/0761.
 - The development proposed is permission in principle for development of 0.12H land with single detached dwelling.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have used the site address as set out in the appeal form for clarity.
3. The proposal is for permission in principle. The Planning Practice Guidance (PPG) advises that this is an alternative way of obtaining planning permission for housing-led development. The permission in principle consent route has two stages: the first stage (or permission in principle stage) establishes whether a site is suitable in-principle, and the second 'technical details consent' stage (TDC) is when the detailed development proposals are assessed. This appeal relates to the first of these two stages.
4. The scope of the considerations for permission in principle is limited to location, land use and the amount of development permitted. All other matters are considered as part of a subsequent technical details consent application if permission in principle is granted. I have determined the appeal accordingly.

Main Issue

5. The main issue is whether the site is suitable for residential development, having regard to its location, the proposed land use, and the amount of development.

Reasons

6. No development plan policies are cited in the decision notice, but several have been provided in the evidence. Spatial Policy 2 of the Lewes District Local Plan Part 1 Joint Core Strategy (2016) (the LPP1) sets out a strategic approach to housing delivery, whilst Policy DM1 of the Lewes District Local Plan Part 2 Site Allocations and Development Management Policies (2020) (the LLP2) prohibits development beyond defined planning boundaries save for in circumstances not applicable to the appeal proposal. There is no dispute that the appeal site is outside the planning boundary and that, as such, the proposal does not

have the support of the above policies. Core Policy 13 of the LLP1 directs development to sustainable locations where facilities and services may be accessed by means other than car travel.

7. Paragraph 83 of the National Planning Policy Framework (the Framework) states that rural housing should be located where it will enhance or maintain the vitality of rural communities, and that where there are groups of smaller settlements, development in one village may support services in a village nearby. Paragraph 84 states that isolated homes in the countryside should be avoided save for in circumstances not applicable to the appeal proposal.
8. The appeal site is in a short row of plots that includes a disused public house, a small collection of commercial industrial sites, and some three residential dwellings. The collection of plots does not have a name. The nearest facilities and services are at least a mile away to the north in Isfield, with more available over two miles away to the south in Ringmer. The larger towns of Uckfield and Lewes are some four miles away to the north and south respectively.
9. Isfield Road leads to the village of the same name. It is unlit and has no pavements. Dense foliage encloses long stretches, impeding pedestrians from stepping off the road when cars pass. The route to Ringmer has the same characteristics, as well as fast-moving traffic on the A26. As such, it is highly unlikely that future occupiers of the appeal site would regularly walk to either Isfield or Ringmer, and unlikely they would cycle, particularly in the evening or in poor weather.
10. Buses to Lewes and Uckfield stop near the appeal site. The service is reasonably frequent and runs every day. Even so, neither nearby bus stop offers seating or shelter. Furthermore, the southbound bus stop is on the far side of the unlit and fast-moving A26 and there are no pedestrian crossing facilities. These arrangements would make the bus service unattractive to future occupiers of the appeal site, who would be likely to use private cars for day-to-day activities instead.
11. The short row of plots the appeal site is within lacks the recognisable traits of a settlement or village. As such, even if the appeal proposal resulted in support for services in Isfield or Ringmer, it is not evident that the proposal has the support of paragraph 83. Even if the site is not isolated, it is remote and would result in car dependency. The Framework describes the purpose of the planning system as being "to contribute to the achievement of sustainable development", an aim containing an environmental objective of mitigating and adapting to climate change. This includes moving to a low carbon economy achieved, in part, by the promotion of walking, cycling and public transport. Paragraph 159 requires new development to avoid increased vulnerability to the range of impacts arising from climate change. In all, the proposal conflicts with the provisions of the Framework.
12. The distance of the site from services and facilities, and the difficulties in undertaking travel by means other than the motor car are such that the site is not a suitable location for the proposed land use and the amount of development. The proposal would conflict with Policies DM1 of the LLP2 and Core Policy 13 of the LLP1 where they promote development within defined planning boundaries and sustainable locations, as well as with the similar aims of the Framework.

Other Matters

13. The site neighbours the disused public house which is a Grade II listed building. The PPG indicates that statutory requirements such as those relating to listed buildings may apply at the TDC stage. However, the duty in Section 66(1) of the Listed Buildings and Conservation Areas Act 1990 including the effect on the setting of listed buildings, does apply, as a reference to permission in principle was introduced by the Housing and Planning Act 2016.
14. The Council has not raised any concerns as to the effect of the proposal on the setting of the public house. Given the separation distance and the substantial nature of the site boundary around the frontage and part of the side of the appeal site, I have no evidence that a dwelling on the appeal site would, in principle, harm the setting of the listed building.

Planning Balance

15. The Council has not disputed that it lacks a five-year supply of deliverable housing sites, or the figures provided by the appellant. For the purposes of this appeal I shall presume, therefore, that the provisions of paragraph 11(d) of the Framework are engaged, and that the shortfall is significant.
16. The proposal would yield a net gain of one new house towards the Government's aim of significantly boosting supply and improve the current shortfall in the district's housing land supply, on a site used in the past for parking and which has an existing point of access. The benefits of housing delivery carry significant weight but are tempered by the modest scale of the scheme. There would be temporary economic benefits associated with the construction phase and, thereafter, ongoing local economic benefits relating to the occupation of the site, in which local facilities may benefit from increased demand. Nevertheless, given the relatively modest scale of the proposal and the small number of new residents brought about, these benefits would be minor.
17. Overall, the benefits from the appeal proposal would be outweighed by the harm caused by its unsuitable location having regard to the proposed land use and the amount of development, in that it would create reliance on the private motor car.

Conclusion

18. The proposal would conflict with the development plan as a whole and the material considerations do not indicate that the appeal should be decided other than in accordance with it. Therefore, for the reasons given, the appeal is dismissed.

A Knight

INSPECTOR