



Appeal Decision

Site visit made on 13 November 2024

by Stewart Glassar BSc (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20th December 2024

Appeal Ref: APP/C1435/W/24/3344273

Crockstead Farm Hotel, Eastbourne Road, Halland, Lewes BN8 6PT

- 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 Mr James Ascroft (Ridgewood Holdings Ltd) against the decision of Wealden District Council.
 - The application Ref is WD/2024/0204/FR.
 - The development proposed is the part change of use of closed hotel into HMO accommodation.
-

Decision

1. The appeal is allowed and planning permission is granted for part change of use of closed hotel into HMO accommodation at Crockstead Farm Hotel, Eastbourne Road, Halland, Lewes BN8 6PT in accordance with the terms of the application, Ref WD/2024/0204/FR, subject to the conditions below:
 - 1) The development hereby permitted shall be carried out in accordance with drawing numbers:

Location Plan	– 201223/01
Block Plan	– 201223/02P
Elevations/Floorplans	– 201223/03
 - 2) The development hereby permitted shall be limited to a maximum of 12 separate bedrooms.
 - 3) The development hereby permitted shall not be occupied by any more than 12 persons at any one time.
 - 4) The car parking shall be provided in accordance with approved drawing 201223/02P and thereafter retained.
 - 5) The refuse and recycling storage facilities shall be provided in accordance with approved drawing 201223/02P. These facilities shall thereafter be retained.

Preliminary Matter

2. A revised National Planning Policy Framework (the Framework) was published by the Government in December 2024, after the determination of the planning application. I have taken it into account in my decision.

Main Issue

3. The main issue is whether the proposed development is suitable for the site having regard to local and national policies for the location of housing.

Reasons

4. The appeal site comprises part of a former hotel building. The site is located to the southeast of Uckfield and northwest of Halland. In planning policy terms, the appeal site is considered to be within the open countryside.
5. Policies GD2 and DC17 of the Wealden Local Plan 1998 (LP) generally seek to resist new housing within the open countryside unless it conforms with other policies in the Plan. The Council acknowledges that its strategic housing policies and development boundaries are out of date. Nevertheless, local policies are broadly consistent with the Framework's objectives insofar as they seek to ensure that development occurs close to existing services and facilities, which in turn reduces the need to travel and also protects the open countryside from inappropriate sporadic development.
6. Policy DC8 of the LP offers an exception to the objectives of Policies GD2 and DC17 in that it does permit certain residential developments outside of development boundaries. It allows for the conversion of existing rural buildings to residential use, subject to certain criteria. The policy does however place a priority on attempts to secure a business reuse before permitting a conversion to residential use.
7. In this appeal, the absence of any external works means that the key issue is the proximity of future occupants to services and facilities and the use or otherwise of private cars. I have had regard to the location of the appeal site, its distance from the nearest services and facilities as well as the ease of using and accessing sustainable transport options to reach these destinations. I find that there are not meaningful alternatives to the use of a private car to access everyday services and facilities.
8. The Council was particularly concerned that 12 HMO rooms could potentially accommodate up to 24 people, each with their own vehicle, thereby exacerbating the reliance on such modes of transport. Conversely, the Council also contended that the nature of the proposed accommodation would inherently attract lower income occupants who would be less likely to own a car and so be more reliant upon public transport options.
9. However, the Council has not provided any substantive evidence to support its contention regarding car ownership. It is therefore not possible for me to conclude that the accommodation would necessarily attract a high proportion of residents who would be reliant upon other transport options. Separately, the appellant has advised that their lease agreements are only for individuals. The rooms could be restricted to this through a planning condition which would address some of the Council's concerns regarding occupancy levels. This would in turn be an indirect restraint on the number of associated cars/journeys.
10. Whilst the hotel rooms might not have been occupied every day, it is not unusual for hotel guests to return to their rooms during the day and thus each room could have generated multiple journeys per day when occupied. Conversely, a single occupancy HMO room may only generate one return journey a day if the resident is employed. There would no doubt be occasions when occupants might be away for several days, such as being on holiday.
11. The nature of the journeys undertaken by HMO occupants would be different from hotel guests. However, to my mind the likely overall level of car usage to

and from the site may not be significantly different between the previous and proposed uses. As such, the level of conflict with the policy objectives of seeking to minimise car journeys would be modest.

12. From my site visit it was apparent that the former hotel building has been subdivided into various new units, some of which are residential and some of which are commercial. From my inspection and the information before me, it appears very unlikely that the hotel operations would be resurrected, even if the appeal were to be dismissed.
13. There is no indication as to whether there have been any attempts to use the appeal rooms for business uses. However, the property owners in renting out the accommodation in the manner proposed would be reusing the rooms on a commercial basis in a way that is similar to how they were previously used. Thus, there would, in reality, be limited practical difference between the appeal rooms being used by hotel guests or HMO residents.
14. The majority of the bedrooms are on the first floor and all have en-suite facilities. Whilst neither this nor their size and layout would necessarily prevent them from being used as small offices or workshops, the layout and nature of the building does not readily lend itself to such reuse.
15. Other parts of the hotel on the lower levels have been reused for business uses. I also observed that other parts of the building are unused and so could be utilised for business purposes if there were demand. It does not appear therefore that the HMO accommodation would prejudice existing business uses at the site or is being actively prioritised over demand from prospective business occupiers wishing to use the appeal accommodation.
16. Therefore, whilst the practical effects of the changes would be limited, the proposal does not fully meet the terms of Policy DC8. Given that the site is outside any development boundary there is an overall conflict with the policies governing the location of housing. In particular, the proposal is contrary to Policies EN1, GD2, DC8 and DC17 of the LP and Strategic Planning Objectives SPO7, SPO13, SPO14 and Policy WCS6 of the Wealden Core Strategy Local Plan 2013 which, amongst other things, seek to encourage sustainable development and so limit development in the open countryside.

Other Matters

17. Parts of the former hotel have previously been converted to new dwelling units. Those rooms had been formerly used for staff accommodation. It seems unlikely that they would have constituted a separate Class C3 use in their own right, given the need to apply for planning permission. Instead, they would probably have been accommodation ancillary to the principal use as a hotel. There are therefore some broad similarities between the current proposal and the conversion of the existing staff accommodation to new dwelling units.
18. The housing land supply situation was a consideration in those previous decisions to grant planning permission at the site for residential uses. The Council indicates that it could only demonstrate 3.28 years supply in 2020 which improved to 3.66 years by 2021. This weighed in favour of a positive outcome for those previous applications.
19. It was suggested that the more recent requirement to assess supply over 4 years changed the context for the current proposal. However, the Framework

has now reverted back to an assessment based on 5 years supply. The stated supply of 4.45 years together with the latest Housing Delivery Test figures indicate that whilst the position has improved further since 2021, the Council's spatial strategy is nonetheless failing to deliver the number of homes required by national policy.

Planning Balance

20. The proposal would conflict with the development plan but for the reasons given above, the weight attributable to that conflict is modest.
21. The Council's appeal statement acknowledged that the policies relating to their spatial strategy were out of date and so regardless of the latest housing supply and delivery figures, Paragraph 11 of the Framework would be engaged.
22. The proposal would help deliver 12 units of residential accommodation, making an effective use of land and the existing buildings. There would also be some limited economic and social benefits arising from the proposal. To this extent the proposal complies with policies in the Framework, and collectively considerable weight should be placed on this in the overall planning balance.
23. Conversely, it would be highly likely that future occupants would rely on the use of a private motor vehicle as the most convenient means of carrying out the majority, if not all, of their day-to-day activities. Whilst the Framework acknowledges that rural locations will be more heavily reliant on the use of a car, the general thrust is to minimise such journeys where possible. However, in this case, given that the number of occupants would be limited to 12 people and the overall journeys to and from the site is unlikely to be significantly different from the hotel use, the harm arising would be restricted. There is nothing to suggest that the HMO rooms would prejudice either the provision of accommodation for rural businesses or the local rural economy.
24. Overall, in this particular case, the adverse impacts associated with the site's location do not significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. The proposal therefore benefits from the presumption in favour of sustainable development, and this indicates that permission should be granted.

Conditions

25. As the development has already commenced, a time limit is unnecessary but a condition specifying the approved plans is appropriate in the interests of certainty. To ensure the scheme functions as intended, conditions controlling the provision of car parking, refuse and recycling storage areas are necessary. Limiting the accommodation to 12 units and 12 individuals is reasonable and necessary given my conclusions on the nature and scale of the use.

Conclusion

26. The proposal would not accord with the development plan but material considerations, especially the presumption in the Framework, outweigh this conflict. Therefore, for the reasons given, the appeal is allowed.

Stewart Glassar
INSPECTOR