



Appeal Decision

Site visit made on 8 July 2025

by **L Francis BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 31st July 2025

Appeal Ref: APP/C1435/W/24/3357551

Land at Oaklands Farm, Newick Lane, Heathfield, East Sussex TN21 8PU

- 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 M Jaques, M Jaques Groundworks Ltd, against the decision of Wealden District Council.
 - The application Ref is WD/2024/0790/F.
 - The development proposed is the change of use of the land for the storage of plant, machinery and materials associated with road construction together with vehicular access, hardstanding and erection of storage building.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. A drainage strategy was submitted with the appeal. What is considered at appeal should be essentially the same scheme that was considered by the local planning authority. I am satisfied that the additional report does not result in a substantially different scheme to that originally considered and that no party has been prejudiced giving rise to any procedural unfairness. I therefore proceed to determine the appeal on the updated documents. The Council accept that the drainage strategy would overcome their reason for refusal in this regard and I have therefore not included this as a main issue.
3. In 2023, designated Areas of Outstanding Natural Beauty in England and Wales became “National Landscapes”. The appeal site falls within the High Weald Area of Outstanding Natural Beauty (the AONB) which has become the High Weald National Landscape (HWNL).
4. Section 245 of the Levelling Up and Regeneration Act 2023 (LURA) amended the duty on relevant authorities in respect of their interactions with statutory purposes of National Landscapes, as set out in Section 85 of the Countryside and Rights of Way Act 2000 (as amended) (CRWA). In so far as it relates to this appeal, the amendment now requires relevant authorities “in exercising or performing any function in relation to or so as to affect land in an AONB... to seek to further the purpose of conserving and enhancing the natural beauty of the AONB”. As such, it is incumbent on me to evidence consideration of ways to further the purpose of conserving and enhancing the natural beauty of the HWNL.

Main Issue

5. The main issue is the effect of the proposal on the character and appearance of the area with particular regard to the landscape, scenic and natural beauty of the High Weald National Landscape (HWNL).

Reasons

6. The HWNL is characterised by mosaics of small fields interspersed with farmsteads and villages, surrounded by hedges and areas of woodland. Its outstanding beauty derives from its essentially rural and human scale character, high proportion of natural surfaces, tranquillity and dark skies. Paragraph 189 of the National Planning Policy Framework (the Framework) sets out that great weight should be given to conserving and enhancing the landscape and scenic beauty of these areas.
7. The appeal site forms a small part of a much larger uncultivated field forming part of Oaklands Farm. It is located on a ridge which falls away to the north, with far reaching views. Despite its location between the Council depots and a caravan site, the existing open agricultural land contributes positively to the character of the HWNL. A historic field boundary separates the appeal site from the commercial yard to the south, and the proposal would not read as a natural extension of this commercial yard given the existing field boundary. The surrounding rural land is formed of small-scale fields separated by hedgerows and there is a largely undeveloped and agricultural character to the north of the site and beyond the adjacent commercial yards.
8. A new access is proposed from Burwash Road, leading onto an area of semi-permeable hardstanding with a storage shed in the north-west corner of the field. The area for vehicle and material storage would be surrounded by a new native hedgerow. The hedgerow, whilst potentially providing some screening once mature, would also have the effect of enclosing the appeal site as a defined area within a larger open field. This would not respect or reflect one of the key landscape characteristics of the HWNL where hedgerows would generally be located along field boundaries, and it would not follow the historic field pattern.
9. Taken together, the urbanising effect of the hardstanding, building and storage would harm the rural character and appearance of the area. Although the visual impacts of the proposal would be localised, nonetheless it would neither conserve nor enhance the landscape, scenic and natural beauty of the HWNL. Hence, it would fail to accord with Section 85 of the CRWA, as amended by LURA; the aims regarding the built and natural environment of the district, particularly to the HWNL, as expressed in the Wealden Local Plan 1998 (Local Plan) Policy EN6; Spatial Planning Objective SPO1 of the Wealden District Core Strategy Local Plan 2013 (Core Strategy) and Framework paragraph 189.
10. The proposal would also conflict with Local Plan Policies EN1 and EN27 and Policies SPO13 and WCS14 of the Core Strategy. Taken together and amongst other things, these policies reflect the presumption in favour of sustainable development, require proposals to respect existing character and promote local distinctiveness, along with aiming to protect landscape character.

Other Matters

11. The Council is satisfied with matters including the proposed access from Burwash Road and the proposal's effect upon drainage and biodiversity. I do not have substantive evidence to contradict the conclusions of the Council in these matters, so I see no reason to disagree. Nevertheless, the absence of harm means these are neutral considerations in my determination of the appeal.
12. The appeal site is close to the Ashdown Forest Special Area of Conservation, which is designated for the presence of European dry heath, North Atlantic wet heath and great crested newts. The Conservation of Habitats and Species Regulations 2017 (as amended) (the Habitats Regulations) requires the decision maker to undertake an Appropriate Assessment where there are likely significant effects from the proposal, either alone or in combination with other plans or projects. As I am dismissing the appeal for other reasons, I shall not pursue this matter further because it would not lead me to a different conclusion.

Planning Balance and Conclusion

13. The appeal scheme would provide the benefits of secure vehicular and material storage for a local groundworks business with close functional links to the Council depot opposite. There would be biodiversity benefits from additional native hedgerow planting. The scheme would also maintain employment locally. I attach moderate weight to these benefits given the relatively small scale of the proposal.
14. Nevertheless, the Framework sets out that great weight should be given to conserving and enhancing the landscape and scenic beauty in National Landscapes. This is supported by Policies EN6 of the Local Plan and SPO1 of the Core Strategy. I therefore attach great weight to the harm I have identified to the landscape, scenic and natural beauty of the HWNL and this outweighs the benefits identified above.
15. The material considerations in this case, including the Framework, do not indicate that the decision should be taken otherwise than in accordance with the development plan. The appeal should therefore be dismissed.

L Francis

INSPECTOR