



Appeal Decision

Site visit made on 6 October 2025

by J E Jolly BA (Hons) MA MSc MCIH MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 October 2025

Appeal Ref: APP/C1435/W/25/3365307

Land at rear of Roselands, Goldbridge Road, Piltdown, East Sussex, TN22 3XL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission in principle.
 - The appeal is made by Mr William Medlock against the decision of Wealden District Council.
 - The application Ref is WD/2024/2267/PIP.
 - The development proposed is for permission in principle for the erection of a two-bedroom, single-storey dwelling and associated works.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The new National Planning Policy Framework (the Framework) was revised in December 2024. I have made my determination against the updated national policy context and any paragraph references in this appeal are to this version.
3. The proposal is for permission in principle. Planning Practice Guidance (PPG) advises that this is an alternative way of obtaining planning permission for housing-led development.
4. The permission in principle consent route has 2 stages: the first stage (or permission in principle stage) establishes whether a site is suitable in-principle, and the second ('technical details consent') stage is when the detailed development proposals are assessed.
5. This appeal relates to the first of these 2 stages which 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

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

Reasons

a) Location

7. The dwelling of 'Roselands' faces onto Goldbridge Road which has a generous garden space to the rear. The appeal site is accessed via a service road behind the adjacent dwellings known as Hawthorn Cottages, which leads to a gateway that opens onto the garden space of the host dwelling. The garden is shielded from the road by the host dwelling and from other development nearby by trees and hedging. There is open pasture type land to the rear.
8. The proposed development for a two-bedroom dwelling would be located adjacent to the pastureland in the severed rear garden space of 'Roselands'. As such, it would be outside a recognised settlement boundary and therefore, for planning purposes, located in the countryside. Other than in exceptional circumstances, saved Policies GD2 and DC17 of the Wealden Local Plan (1998) (WLP) seeks to resist all development beyond settlement boundaries.
9. Piltdown is approximately 1km away, which is an unclassified settlement recorded in the Wealden Core Strategy (2013) (WCS) that has a small cluster of local services, including a petrol station shop, a public house/restaurant and the Ashdown Trading Estate.
10. However, given the limited pedestrian crossings and lit footways on the well-used A272 highway which serves the residential dwellings in this location, walking and cycling is unlikely to be an attractive option to occupiers of the dwelling at certain times of the day and the colder months of the year, particularly those with mobility issues. Moreover, even if an adequate selection of groceries were to be available in the petrol station shop, it is unlikely to be practical to transport weekly food provisions on foot or by means of a bicycle in comparison to the convenience of a motor vehicle.
11. Nonetheless, the appellant argues that there are bus links from the petrol station in Piltdown to the towns of Uckfield, Maresfield, Newick, Haywards Heath and Cuckfield where a more extensive range of services can be found, such as schools, health centres/pharmacies, supermarkets, community facilities, cafes, leisure and sports facilities, train stations and larger places of employment.
12. However, even if bus journeys to larger settlements from Piltdown are relatively short and frequent enough to be convenient or not, I am in no doubt that on most occasions the occupiers of the new dwelling would be likely to choose to travel by private motor vehicle to reach these day-to-day services.
13. Moreover, while noting the rise of home working, the timely convenience of a motor vehicle would also be likely to be more desirable in respect of commuting to places of work and daily school runs. As a result, I conclude that the occupiers of the new dwelling would be dependent on a private motor vehicle.

b) Land use

14. Residential gardens in built-up areas are excluded from the definition of Previously Developed Land (PDL) in the Framework, those outside built-up areas are not. As such, I concur with the appellant that the residential garden site comprises PDL. Nonetheless, the proposal would introduce built form and activity adjacent to an open field and a stable where currently there is none.
15. However, the topography of the site and density of the trees and hedging surrounding the host garden means that the development would only be glimpsed from the public footway and highway. Moreover, the built form in this semi-rural location is predominantly characterised by dwellings or outbuildings set along the course of the nearby A272 highway, including the host dwelling. Therefore, the proposed land use would not be at odds with the pattern of development in the immediate surrounding area.
16. Nevertheless, as the development would be in the setting of a number of listed buildings including the Grade II Listed dwellings known as Little Barkham Farmhouse, Moses Farmhouse, and a barn to the south west of Moses Farm House, it has been necessary for me to pay special attention to the desirability of preserving or enhancing the character or appearance of that area, as set out in Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).
17. However, given their relative distance from the appeal site, the fact that the proposal would be relatively concealed from Little Barkham Farmhouse, and that Moses Farmhouse and the barn would be separated from the proposal by the A272 highway, I am satisfied that the proposal would not harm their setting.
18. Therefore, I conclude that the dwelling would accord with the character and appearance of the area and conserve the setting of the nearby listed buildings.

c) Amount of development

19. The proposal would be a single dwelling of a similar design to the host dwelling and its garage. Therefore, as the submitted drawings show that the scope for change or variation to the scheme at the technical stage would be limited, the amount of development would be acceptable.
20. Overall, while the land use and quantum of development would be acceptable, as the dwelling would be located outside a recognised settlement boundary and there are no exceptional circumstances before me in support of the proposal, I conclude that the dwelling would not be in a suitable location.
21. It follows then that the proposal would be contrary to saved Policies GD2, EN1 and DC17 of the WLP; Core Policies SPO7, SPO13, WCS2 and WCS6 of the WCS which say, amongst other things, that outside development boundaries development will be resisted, and Paragraphs 7, 83, 108, 114 and 116 of the Framework.

Other Matters

22. The Council has brought to my attention other refused schemes¹ for nearby sites as they were found to be outside a settlement boundary and therefore, in an unsuitable location for residential development. Nevertheless, the appellant contends that there are permitted schemes in the surrounding area which are more comparable² to the proposal, including the permissions at 'Roselands'³.
23. However, while noting the decisions of other Inspectors, some of the schemes are of some vintage, of a different quantum and/or in a different location to the appeal scheme. Therefore, I have determined the appeal before me on its own planning merits, specific location and circumstances.
24. The appeal site is located within the 7km Zone of Influence of the Ashdown Forest Special Protection Area (SPA and SAC) which is subject to the Habitat Regulations that protect it. If I had come to a different conclusion, at the technical stage it would have been necessary for me as a competent authority to undertake an 'Appropriate Assessment' and the likely effectiveness of any mitigation measures, including the certainty of an agreed S106 agreement being forthcoming. However, as I have found against the appellant on the main issue, and therefore planning permission is to be refused, this matter need not be considered any further in this case.

Planning Balance

25. The Council cannot demonstrate a 5-year Housing Land Supply (HLS). However, the proposal would be in the SPA and SAC. As such, Footnote 7 of the Framework applies. Hence the 'tilted balance' in this case is not engaged.
26. Even if this were to be otherwise, and notwithstanding the Framework's objective to increase the supply of new housing, there would be limited economic benefits associated with the construction of one new dwelling, even if delivered at speed. Indeed, the small contribution of one dwelling to the Council's HLS and the social benefits related to the patronage of local services and community by the new occupiers would be relatively minor. Given the scale of the scheme, any environmental benefits secured at the technical detailed consent stage would be no more than moderate, particularly as mandatory biodiversity net gain cannot be classed as a public benefit⁴.
27. Overall, even in combination, the adverse impacts of the proposal would significantly and demonstrably outweigh any benefits when considered against the Framework when read as a whole.

Conclusion

28. For the reasons given above, the appeal is dismissed.

J E Jolly

INSPECTOR

¹ WD/2021/1956F, WD/2022/0019F, WD/2023/3137/PIP and WD/2024/2267/PIP

² WD/2022/2643/PIP and WD/2020/1546/F

³ WD/2020/1130/F as amended by WD/2023/2514/FA

⁴ *Vistry Homes Ltd v Secretary of State for Levelling Up, Housing and Communities and Others* (2024)