
Appeal Decision

Site visit made on 18 November 2025

by **N Bowden BA(Hons) Dip TP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 26th November 2025

Appeal Ref: APP/C1435/W/25/3370925

Five Oaks, Lewes Road, Laughton, East Sussex BN8 6BJ

- 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 Stephen Moulard against the decision of Wealden District Council.
 - The application Ref is WD/2025/0859/FR.
 - The development proposed is removal of sand school and equestrian land use for partial conversion to residential curtilage and retrospective consent for the retention of partially constructed swimming pool and surrounding raised deck area.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

3. The appeal site comprises a detached chalet bungalow which has been recently altered and extended. These works included a swimming pool, raised deck area and enlargement of the garden area. These have been constructed over, and partly displace, a pre-existing sand school and associated stable buildings. The works are partly completed with the general form of the swimming pool and elevated deck being easily discernible.
4. The proposed swimming pool and elevated deck project out into the countryside, well beyond the lawful residential garden to the property. Due to the slope of the land the pool and deck stand proud of the land by approximately 2 metres at the outermost point and this would be finished with a further 1.1 metre high safety balustrade around the perimeter. The new garden area is shown to extend beyond this and displace part of the sand school arena.
5. The site is set amongst a small cluster of homes on the edge of the dispersed village of Laughton. Its setting is in the countryside where it backs onto pleasant rolling fields leading to tree lined field boundaries beyond and a small patch of woodland. The proposal would encroach into this countryside setting by introducing a harsh form of urbanising development with rigid angular lines that do not respect the surrounding natural contours of the land. The swimming pool and elevated deck already appears as a strident addition to the area and the completed proposals would no doubt be more harmful due to the increased height of the surrounding balustrade. This harm is compounded by the proposed

enlargement of the garden area beyond. This would feature further domestic paraphernalia including potting sheds and greenhouse.

6. Accordingly, I find that the proposals would be harmful to the rural character and appearance of the area due to the encroachment into the countryside with a stark, angular and domestic construction. This conflicts with policies GD2, EN8, EN27 & DC19 of the Wealden Local Plan 1998, policy WCS14 of the Wealden Core Strategy 2013, guidance in the Wealden Design Guide Supplementary Planning Document 2008 and provisions of the National Planning Policy Framework. This is insofar as the proposals would be intrusive in the landscape and detrimental to the rural setting.
7. This having been said, I do accept that the proposals would partly displace the existing sand school. I do agree with the appellant in that this area of land is also harmful to the rural character of the area as it features different surfacing materials, post and rail fencing and a distinct flat area amongst the otherwise rolling topography. Nevertheless, it is a rural feature and the harm caused to the landscape by it is far less than that which is proposed here.
8. I recognise that it is proposed to remove the sand school and landscape that area but there are very limited details of this. The details supplied (on plan LDS25-FO-011) are notional and offer little comfort that any restoration of the land would offset the harm created by the swimming pool, decking and enlarged garden. Likewise, the landscaping shown around the extended pool and deck area is very limited in terms of detail with no specification of species, stem spacing or the like. Indeed, as it is shown on the plans, it would not screen the full extent of the structure as the balustrade would sit above it.
9. I do accept that the proposals would have limited public vantage. Views from Shortgate Lane would be curtailed by intervening screening. Views from the nearby footpath to the north west would be oblique and obscured due to the slope of the land. This would mitigate any public perception of harm to the countryside, but it would not overcome it.
10. I have also factored in that there would be no harm to the living conditions of neighbours, but this is a neutral consideration that weighs neither for, nor against, the proposal.

Conclusion

11. The proposed development would be harmful to the rural character and appearance of the area. As such, the proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. The appeal is dismissed.

N Bowden

INSPECTOR