



Appeal Decision

Site visit made on 1 December 2025

by **C Coles MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 7 January 2026

Appeal Ref: APP/U1430/W/25/3372389

Land at Church Farm, Hawkhurst Road, Flimwell, East Sussex TN5 7QP

- 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 N Radcliffe against the decision of Rother District Council.
 - The application Ref is RR/2024/2200/P.
 - The development is construction of a car park.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. At the time of my site visit, the car park had already been constructed but the landscaping proposed in association with the car park had not. I have dealt with the appeal on the basis that planning permission is being sought for the construction of the car park and associated landscaping.

Main Issues

3. The main issues are the effect of the development on:
 - the character and appearance of the High Weald National Landscape (HWNL);
 - the setting of the grade II listed St Augustine of Canterbury Church (the Church); and
 - highway safety.

Reasons

4. The appeal site is a small parcel of land on the south side of Hawkhurst Road and set to the west of Church Farm and to the east of the Church.
5. The site is in an elevated position on the ridge that runs east to west providing long distance views to the south. The land south of the appeal site is laid to grass and falls away towards a woodland. The site is screened from the roadside by hedgerows and trees with an existing access that has not been amended by the development. Once inside the access drive, there is further boundary treatment shielding the site from views from the roadside. The site lies within the HWNL.
6. The development is the extension of an existing car park with hardstanding in the form of MOT Type 1 base. The car park extension is used in association with a

nearby garage for the storage of cars. Native planting around the site would be used to help screen the development.

High Weald National Landscape

7. Paragraph 189 of the National Planning Policy Framework (the Framework) states that great weight should be given to conserving and enhancing landscape and scenic beauty in National Landscapes which have the highest status of protection in relation to these issues. Section 245 of the Levelling Up and Regeneration Act 2023 (LURA) places a duty on relevant authorities to further the statutory purpose of the National Landscape.
8. The natural beauty of the HWNL is derived from its landscape character created by historic and locally distinctive agricultural and forestry practices. However, the HWNL is particularly vulnerable to development which fails to respect its tranquil and rural characteristics.
9. The construction of the car park has fundamentally altered the appearance of the appeal site through the provision of a large, hard surfaced parking area extending out from under the tree canopy of the parking for the Church. The car parking has had an urbanising effect on the rural landscape characteristic of the HWNL and fails to conserve, enhance or further the purposes of the HWNL.
10. The intensity of the use of the site has increased and cars are parked on site more frequently and in greater numbers and not just in association with church services as is the case in the adjoining church car park. I am basing my decision on the effect of the development on the HWNL when the site would be used to its full potential.
11. I note the appellants intention to landscape the site with planting to provide screening, however, on the basis of the evidence before me I am not satisfied that an acceptable landscaping scheme could be provided to mitigate the effects of the development I have identified.
12. In conclusion, the car parking fails to conserve, enhance or further the purposes of the HWNL. The car park is therefore contrary to Policies OSS4, RA1 and EN1 of the Rother Local Plan Core Strategy 2014 (RCS), Policies DEN1 and DEN2 of the Development and Site Allocations Local Plan 2019 (DASA) and policy R1 of the Ticehurst Neighbourhood Plan. These policies seek to maintain and reinforce the landscape character of the area and conserve and enhance the landscape and scenic beauty of the HWNL and further its purposes.

Setting of the grade II listed Church

13. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states in considering whether to grant planning permission which affects a listed building, the decision maker shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
14. The Church is constructed of ashlar under a slate roof with a broad shingled spire. It is within modest grounds which include a graveyard. The nave and tower are attributed to Demicus Burton with the spire and chancel added in 1873 and 1879 respectively.

15. The Church and associated churchyard are bordered along the southern, eastern and western boundaries by varying degrees of trees and shrubs, with only the northern boundary allowing clear views of the Church from the roadside. The Church and graveyard are located within the HWNL and in a rural setting with a road to the north, countryside to the south and sporadic residential development lining the road to the east and west. Insofar as is relevant to this appeal, the significance of the Church is derived from its aesthetic and communal values, its association with Burton and its rural landscape setting.
16. It is noted that the development extends an existing area of car parking associated with the Church, however, the size, scale and character of the hard surfaced car parking and its protrusion into the countryside is notably different to the area serving as parking for the Church which is informal and under tree cover and has not fundamentally changed the rural character of the area.
17. However, the car parking area is visible from the Church and the graveyard through large gaps in the screening. The boundary trees provide high level screening, not ground level and the intensity of the use of the car parking area and its proximity to the Church and graveyard have a harmful impact on the rural and tranquil setting of the Church, thus harming its significance. I find the harm to be less than substantial and towards the lower end of any range, but nevertheless of considerable importance and weight.
18. In reaching this conclusion, I note the appellants intention to enhance the planting on the boundary between the Church, graveyard and the site to mitigate any harm to the setting of the Church. However, the planting cannot be conditioned to be retained in perpetuity and should not be used as mitigation to an otherwise unacceptable scheme. The planting would also take a significant length of time to establish sufficiently to preserve the setting of the Church which is also harmed by the intensity of the use of the development, its urban appearance, size and proximity to the Church. In any event there is no detailed landscaping scheme before me, which would lead me to reach any definitive conclusions.
19. Under such circumstances, paragraph 215 of the Framework advises that this harm should be weighed against the public benefits of the proposal. The appellant has opined the car park would benefit the Church, however, it is a private car park for use by the car dealer and I have not been provided with compelling evidence the Church are in need of additional parking such that the proposal would provide an identified public benefit. There would also be an economic benefit associated with the use of the area of land as a car park for the garage, although I have not been provided with details quantifying this benefit. Thus, any public benefits there may be are insufficient to outweigh the harm I have identified to the designated heritage asset.
20. Given the above I conclude the development fails to preserve the setting of the Church, thus failing to satisfy the requirements of the Act and the heritage protection aims of the Framework. It is also contrary to Policy EN2 of the RCS which requires development that affects the historic built environment to reinforce special character through siting, scale, form and design.

Highway Safety

21. There is an existing access to the site which serves the Church car park and the development from Hawkhurst Road (A286). However, the existing visibility splays

do not currently meet the standard required for a road with a speed limit of 50mph. Although there have been no recorded accidents on this stretch of road, the increase in the intensity of the use of the site requires visibility splays to be improved to meet the required standards. On the basis of the evidence before me it seems that land outside of the appeal site would be needed to achieve the necessary visibility splay. There are no substantive details which set out how this would be secured. Furthermore, the creation of the visibility splays would involve the removal of mature foliage, which without substantive evidence to the contrary I am not satisfied could be achieved without exacerbating the visual harm I have identified above.

22. My attention has been drawn towards concerns regarding the use of transporters delivering vehicles to the site. The appellant has confirmed no cars are delivered to the site by transporter, nor will they be in the future and I have no reason to take a different view. However, the development is in association with a garage to the west of the site and it is likely that the additional car parking has increased traffic movements between the garage and appeal site and the ability to increase car parking capacity would likely have had an associated impact on the number of transporter visits to the dealership. The increased traffic movements to and from the site would likely have had a direct impact on highway safety.
23. In conclusion, it is likely the development has led to increased traffic movements to and from the site utilising an access with a sub-standard visibility splay which increases the risk of vehicle collisions. The development is therefore contrary to Policies TR3 and CO6 of the RCS which seek to ensure development is supported by safe access arrangements.

Conclusion

24. For the reasons given above and having regard to all other matters raised, I conclude the appeal should be dismissed.

C Coles

INSPECTOR