



Appeal Decision

Site visit made on 15 December 2025

by **C Coles MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 21st January 2026

Appeal Ref: APP/C1435/W/25/3374469

4 Framfield Road, Uckfield, East Sussex TN22 5AG

- 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 Gavin Absolom of Absolom & Durrant Independent Financial Advisers against the decision of Wealden District Council.
 - The application Ref is WD/2025/1383/F.
 - The development proposed is change of use of a residential flat (C3) to office (E).
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Decision

1. The appeal is allowed and planning permission is granted for change of use from Use Class C3 (a) (residential flat) to Use Class E (c) (i) (Financial advisors office) at 4 Framfield Road, Uckfield, East Sussex TN22 5AG in accordance with the terms of the application, Ref WD/2025/1383/F subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 18 months from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with drawing nos SP-0544.03, SP-0544.04, SP-0544.05.
 - 3) The premises shall only be used as a financial services office falling within Class E(c) (i) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), and for no other purposes (including any other purpose within Class E of that Order or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order).

Preliminary Matters

2. The description of the development in the banner heading is taken from the application form. The Council has used an amended form of wording on the decision notice which I consider more accurately reflects the development and therefore I have used this in my formal decision.

Main Issue

3. The main issue is the effect of the proposal on the provision of residential accommodation in the district.

Reasons

4. The appeal site comprises the first floor of 4 Framfield Road. The first floor currently comprises an independent residential flat located above commercial premises used as offices. The entire premises are owned by the appellant who also occupies the ground floor commercial premises.

5. The site lies just outside the town centre boundary of Uckfield. Framfield Road comprises a mix of shops, specialist services and commercial premises alongside residential properties.
6. Policy HG8 of the Wealden Local Plan 1998 (WLP) resists the loss of residential accommodation (by change from residential use to another use or by redevelopment) unless specific criteria are met. In relation to this appeal, the specific criteria of relevance would be HG8(3)
'the retention of the building or use for residential purposes would prevent an important development, redevelopment or other change of wider benefit to the community'.
7. It is common ground the proposal would not meet the other exception criteria within policy HG8.
8. The Council do not consider the benefits of the expansion of the existing business currently operating on the ground floor into the first floor would outweigh the loss of residential accommodation as no compelling special circumstances exist. Policy HG8(3) does not require compelling special circumstances to exist, and I note the Council used the terminology to describe the level of justification required to demonstrate compliance with the exception. However, the test the Council have used appears to go above and beyond compliance with the policy wording.
9. The expansion of the existing business would enable the company to continue to meet the demand from the local community and to meet the needs of the growing population of Uckfield without having to relocate, potentially outside Uckfield. Whilst I note these benefits are largely for the private company in terms of convenience and cost saving, they are not restricted to the private benefits as the expansion of the business would also create and safeguard local employment in a sustainable location. I therefore consider the proposal would provide a wider benefit to the community and would fulfil the criteria for policy HG8(3).
10. The weight to be attributed to the benefits of economic growth versus the retention of housing is a matter for the decision maker and the scale of the proposal and site specific circumstances should be taken into the balance. Whilst I have not been provided with specific details of the housing land supply position within Wealden, I note the Council remains subject to special measures in relation to housing delivery and I acknowledge that allowing incremental losses could undermine housing delivery. However, each case is assessed on its individual merits and does not set a precedent for future decisions. In this case, the proposal would allow the expansion of an existing business in a sustainable location which would support the local economy in terms of employment and associated spending from employees. The loss of existing, well established businesses due to their inability to grow would undermine the growth of local businesses which in this specific circumstance, outweighs the benefit of the retention of the flat.
11. In conclusion, the economic benefits of the proposed development would outweigh the loss of residential accommodation and the proposal complies with policy HG8 of the WLP which permits the loss of residential accommodation if special circumstances apply.

Other Matters

12. The site lies within 7km of the Ashdown Forest Special Protection Area (SPA). The qualifying features of the Ashford Forest SPA are its breeding populations of nightjar and Dartford warbler. The conservation objectives of the SPA are to ensure that the integrity of the site is maintained or restored as appropriate and ensure that the site contributes to achieving the aims of the Wild Birds Directive.
13. Through the addition of residential development, this would result in a small increase in population which has the potential to increase recreational pressure on the Ashdown Forest SPA. Recreational use of the SPA can result in damage to habitats through trampling, erosion, and disturbance to ground nesting birds. The Council holds evidence of this through visitor studies. However, in this instance, the proposal is for a non-residential office and therefore does not result in a net increase of residential dwellings, and therefore, will not affect the protected area.

Conditions

14. I have had regard to the various planning conditions that have been suggested by the Council and considered them against the tests in the Framework and the advice in the Planning Practice Guidance. I have made such amendments as necessary to comply with those documents.
15. I have imposed an 18 month time limit condition from the date of the decision within which to start the development in order to ensure the development proceeds without delay.
16. In the interests of certainty I have included a plans condition.
17. In order to protect the character of the area and amenities of neighbouring occupiers, I have imposed a condition restricting the use of the first floor accommodation to Class E(c)(i).

Conclusion

18. For the reasons given above the appeal should be allowed.

C Coles

INSPECTOR