
Appeal Decision

Site visit made on 11 November 2025

by A James BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 JANUARY 2026

Appeal Ref: APP/C1435/W/25/3370047

Land adj Hedera Cottage, North Street, Punnetts Town, East Sussex

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant permission in principle.
 - The appeal is made by Mr Barret against the decision of Wealden District Council.
 - The application Ref is WD/2025/0690/PIP.
 - The proposed development is described on the application form as 'permission in principle application for the erection of up to 5 dwellings.'
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The site lies within the High Weald National Landscape (HWNL). The statutory purpose of National Landscapes is to conserve and enhance the natural beauty of the area. Section 85 of the Countryside and Rights of Way Act 2000 (as amended) places a duty on relevant authorities to seek to further this purpose when exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty (now National Landscapes).
3. I have been invited by the appellant to consider an alternative range of proposed development. The appeal process should not be used to evolve a scheme. I must consider the appeal on the same basis as the Council determined its application. The amount of development in the application form is a minimum of 1 dwelling and maximum of 5 dwellings. That is the basis on which I have considered this appeal.
4. 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. 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. This appeal relates to the first of these 2 stages.
5. The scope of the considerations for permission in principle 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. The detailed drawings submitted with this appeal are indicative. I have determined the appeal accordingly.

Main Issues

6. The main issues are whether the location, land use and amount of proposed development would be acceptable with particular regards to:
- the character and appearance of the surrounding area and High Weald area National Landscape; and
 - the spatial strategy and accessibility to services.

Character and Appearance

7. The site is within the HWNL, and National Planning Policy Framework (the Framework) requires great weight be given to conserving and enhancing its landscape and scenic beauty. The PPG refers to the relevance of management plans for National Landscapes for assessing planning applications. Whilst these do not form part of the development plan, they help to set out the strategic context for development and provide evidence of the value and special qualities of these areas. Policy EN6 point 8 of Wealden Local Plan 1998 (WLP) finds that particular regard should be given to the High Weald AONB Management Plan 2024-2029 (Management Plan).
8. The Management Plan finds that core characteristics of the HWNL include small irregularly shaped fields bounded by hedgerows and woodlands. I find the appeal site to be reflective of this core characteristic. The Management Plan also indicates that planning decisions should consider the impact of development on the intrinsic rural character of the landscape and seek to avoid intrusive development.
9. The site is positioned at the edge of Punnetts Town where built form visually and physically transitions into open countryside. It forms an open, irregularly-shaped field which is bounded by mature hedgerows. Due to the local topography, the site is in a relatively elevated and moderately exposed position within the wider landscape. As a result, views of the site can be obtained from several surrounding vantage points, including the adjoining public right of way and from Upper Greenwoods Lane. The area surrounding the appeal site to the north, east and west is formed of generally open land and hedgerows, typical of a countryside location. This all contributes to a rural character here and makes a positive contribution to the HWNL.
10. The introduction of built form at the site would break the linear settlement pattern of North Lane, in which properties are positioned traditionally along the principal highway. The proposed development would lead to an intrusive urban spur into the rural landscape and would detract from and erode the openness of the site. It would result in the loss of an undeveloped irregular shaped field, which makes a positive contribution to the character and appearance of the area and the scenic beauty of the HWNL. The proposed development would therefore harm the intrinsic rural character of the HWNL.
11. I acknowledge the appellant's reference to the retention of existing and proposed new landscaping features as part of the proposed development. However, landscaping cannot be relied on in perpetuity to provide the same level of screening in the future, and there is no certainty that it would be successful.

12. In conclusion, the proposed development would have a harmful impact on the intrinsic rural character of the surrounding area and the landscape and scenic beauty of the HWNL. I give great weight to this harm in accordance with paragraph 189 of the Framework. The proposed development would fail to seek to further the purpose of conserving or enhancing the protected landscape. This is contrary to the relevant provision of Saved Policies EN1, EN6 and EN27 of WLP and SPO1, SPO13 and WCS14 of Wealden District Core Strategy Local Plan adopted February 2013 (CSLP). These policies in summary seek to restrict housing in the open countryside and conserve and enhance the High Weald National Landscape.

Location for housing

13. Saved Policies GD2 and DC17 of WLP seek to resist residential development outside the defined development boundaries unless exception policies in the WLP are applicable. Policy EN1 of WLP promote sustainable and accessible development.
14. Policy WCS2 of CSLP relates to the distribution of housing growth. Policy WCS6 of CSLP sets out the Council's rural area strategy. This policy indicates that housing development will be directed to service centres, local centres and neighbourhood centres. Policy WCS14 seeks to apply a presumption in favour of sustainable development which is reflective of that which is set out in the Framework. Policy SPO7 of CSLP aims to reduce the need to travel by car, by concentrating development where it most closely relates to public transport opportunities. Policy SPO13 of CSLP seeks to create well designed places which are sustainable and contribute to addressing climate change issues.
15. The appeal site lies on the edge of Punnetts Town. From that perspective it could not reasonably be described as isolated. However, it undisputedly falls outside of any settlement boundary and therefore within the open countryside.
16. Punnetts Town has some limited services, including a doctors surgery and primary school. Additional services are available at Heathfield, approximately 4km away. To access these services, future occupiers of the site would have to proceed by foot or cycle along North Street and then the B2096 Battle Road. North Street is narrow, unlit and has no footway. This would be particularly undesirable in winter months, after dusk or during inclement weather conditions. There is a limited bus service on the B2096. However, this would be accessed along those same unsatisfactory routes. I accept that the distance between the appeal site and services would be similar to that of established properties along North Street. I also note that the Framework recognises that opportunities to maximise sustainable transport solutions will vary between urban and rural area. Nevertheless, the site is not in a location that is reasonably accessible by foot, cycle or public transport to services and facilities required for day-to-day living, and future residents would likely be highly reliant on private cars for most journeys, irrespective of the precise distance.
17. I conclude that the proposed development would form an inappropriate location for the proposed development, in conflict with the spatial strategy for the location of new residential development, contrary to the aims Policies SPO7, SPO13, WCS2, WCS6 and WCS14 and Local Plan Policies GD2, DC17 and EN1. These policies, in summary, seek to restrict housing in the open countryside and direct housing to settlements with higher levels of services and where opportunities to use

sustainable transport methods can be utilised. This is in a similar vein to the provisions of the Wealden Design Guide.

Other Matters

18. It is indicated in the appellant's evidence that some (5%) of the proposed dwellings would be self-build. I have given due regard to the duties set out in Self build and Custom Housing Act 2015 (as amended). I acknowledge that a unilateral undertaking or section 106 could be undertaken at the technical details stage. However, there is no mechanism at permission in principle stage to secure self-build housing. Moreover, by reason of the scale of the development and the amount of custom build housing proposed by the appellant, the contribution to the supply of custom build housing in the district would inevitably be limited. Therefore, I give the contribution to self-build housing supply limited weight in this decision.
19. The appellant has drawn my attention to a number of appeal decisions and applications. I note two of them relate to developments on the edge of Crowborough which is a district centre. It seems that those Crowborough sites were positioned closer to a greater range of services and public transport connections. Moreover, the Hadlow Down Road and Five Ash Down Road schemes related to major development, subject to their own individual planning balance based on substantial social and economic benefits. From the limited information available to me, it would appear that the Cadence scheme has a different locational context, positioned off Battle Road. This differs markedly from the appeal scheme, which is positioned at the edge of the settlement. Thus, these appeals are not directly comparable to the appeal scheme before me. With regards to the other appeals and applications, I do not have the full details of each case before me so I cannot be certain of the circumstances or planning balance undertaken in those instances. I have determined the appeal on its own individual circumstances.
20. I acknowledge the appellant's reference to a lack of harm in respect of protected trees, Scheduled Monuments or listed building, conservation areas, living conditions, flood risk, parking, and ecology. However, these are not matters which would not fall within the scope of this first stage of the Permission in Principle process, or where there is a lack of harm, are effectively neutral in the determination of this appeal.
21. I recognise that paragraph 82 of the Framework requires that decisions should be responsive to local circumstances and support housing developments that reflect local needs, including proposals for community-led development for housing. The proposed development could supply up to 5 dwellings which would help to address the council's acknowledged short fall in housing and address a local need for housing. I give this matter moderate weight in the determination of this appeal.
22. I acknowledge that the development would result in positive social, economic and environmental benefits, including in respect of employment during construction. I also note that the proposed development has the potential to incorporate sustainability features and provide increased choice. However, given the limited scale of the proposed development, and the short-term nature of construction, these benefits would inevitably be limited.

23. I appreciate the appellant's frustration that they feel that the council did not negotiate positively and proactively with them in the application process. However, this is not a determinative factor in this appeal.

Planning Balance

24. The submitted evidence indicates that the Council cannot demonstrate a five-year housing land supply, equating to a supply of 3.68 years. As such, mindful of the appellant's reference to caselaw and noting the Government's objective of significantly boosting the supply of homes, the provisions of Framework paragraph 11.d are engaged.
25. However, bullet (i) of paragraph 11.d clarifies that permission should not be granted if the application of policies in the Framework that protect areas or assets of particular importance, including National Landscapes, provides a strong reason for refusing the development proposed. As I have found harm in respect of the HWNL, and this provides a strong reason for refusing the appeal proposal, the presumption in favour of sustainable development would not apply in this particular case.
26. I have found the proposed development would conflict with the spatial strategy for the location of new residential development. The appeal site has poor accessibility to services and by sustainable transport which means future occupiers would have a reliance on private cars. I have also found that the proposed development would be harmful to the character and appearance of the area and the HWNL. Accordingly, the proposal would be contrary to the Development Plan as a whole.

Conclusion

27. For the above reasons, having had regard to the development plan as a whole and all other relevant material considerations, I conclude that the appeal is dismissed.

A James

INSPECTOR