



woolf bond
planning

**TOWN AND COUNTRY PLANNING ACT 1990
SECTION 78 (AS AMENDED)**

**LAND SOUTH OF GREEN ROAD, WIVELSFIELD GREEN, EAST
SUSSEX RH17 7QL**

Appeal against the failure of Lewes District Council to determine an outline planning application (with all matters reserved except for means of access) for the erection of up to 150 dwellings, with associated works, parking, landscaping, publicly accessible open space, land for education or community use, with access from Green Road and Eastern Road.

SUMMARY PLANNING PROOF

**Prepared by:
Brigid Taylor MSc LLb MRTPI MIEnvS PISEP**

**On behalf of:
Taylor Wimpey UK Ltd**

**Taylor
Wimpey**

PINS Ref: 6005671

**LPA Ref: LW/24/0820
WBP Ref: 7779**

June 2026



1. SUMMARY OF PLANNING PROOF OF EVIDENCE

- 1.1. This Appeal is made by Taylor Wimpey UK Ltd (the "Appellant") against the failure of Lewes District Council ("LDC") to determine an outline planning application ("the Application") (LPA Ref: LW/24/0820) for development of land south of Green Road, Wivelsfield Green, East Sussex RH17 7QL ("the Appeal Site").
- 1.2. The Appeal Scheme is in outline and proposes the erection of up to 150 dwellings with associated works, parking, landscaping, publicly accessible open space, land for education or community use, with access from Green Road and Eastern Road ("the Appeal Scheme"). Appearance, landscaping, layout and scale are reserved for subsequent determination.
- 1.3. My planning evidence addresses the s38(6) planning balance, and considers the acceptability of the Appeal Scheme in the context of the overarching planning policy context, drawing upon the evidence from the expert witnesses on the topic-specific considerations. References in my evidence to 'CD' document numbers are to the index of core documents compiled for this public inquiry.
- 1.4. Although the Appeal Site falls beyond the settlement policy boundary for Wivelsfield Green, the settlement boundaries were not drawn to meet current housing needs. It is my position that the development plan is manifestly out of date for a number of reasons, including (i) the failure of the Development Plan to meet identified housing needs, resulting in a need to breach the settlement boundaries in order to meet those needs; (ii) the demonstrable lack of a five year supply of deliverable housing land; and (iii) the fact the current settlement boundaries were devised to address a level of housing need which bears little relationship to needs as they presently stand. The Development Plan is based upon woefully out of date evidence and pre-dates the current nationally-set methodology for assessment of Local Housing Need.
- 1.5. Following receipt of LDC's Statement of Case ("SoC") (**CD4.1**) and as set out in the Inspector's post Case Management Conference ("CMC") note of 30 April 2026 (**CD18.1**), the main issues to be

determined in this appeal were stated as follows:

- i. Whether the appeal site is a sustainable location for development, having regard to local and national policies;
- ii. The effect of the proposed development on the character and appearance of the area; and,
- iii. The planning balance, including local green space, and the weight to be attached to any conflict with development plan policies.

Locational Sustainability

- 1.6. In respect of item i above, the Council has subsequently confirmed that it is now agreed the Appeal Site is a sustainable location for development and that this issue will not be pursued as a putative reason for refusal (see Planning Statement of Common Ground “SoCG” **CD6.1**). Despite this, the Council does still afford moderate harm, in the planning balance, to the Site’s location beyond the settlement boundary. By contrast I afford this conflict only limited weight, given that it is agreed the spatial strategy is out of date and boundaries need to be breached to address housing needs. Furthermore, the parties agree that the Appeal Site is a sustainable location for development and as such, the policy intent is met (as the settlement boundaries were aimed at directing development to sustainable locations).

Character and Appearance

- 1.7. Item ii above remains a live issue between the parties and is the subject of evidence produced by others (Mr James Atkin on behalf of the Appellant – **CD9.2**).
- 1.8. Policy CP10 of the Core Strategy requires all development proposals to “conserve and enhance” the natural environment of the District. Development of the Appeal Site in the manner proposed would conflict with this policy requirement as it would not conserve or enhance the natural environment, which matter is addressed in Mr Atkin’s landscape evidence (CD9.2). The Appeal Scheme results in the development of a greenfield site, and accordingly there will inevitably be

change. As such, the Appeal Scheme would conflict with Policy CP10.

- 1.9. However, I attach only moderate weight to this conflict/ the landscape harm (based on the conclusions in the evidence of Mr Atkin at CD9.2) because the Council's landscape policy is not consistent with the National Planning Policy Framework. Paragraph 187 of the NPPF does not afford blanket protection to all landscapes. Paragraph 187 (a) seeks to "protect and enhance" valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan). By contrast, paragraph 187(b) is the relevant policy where those specific sensitivities do not arise. It requires "recognition" of the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services, but falls short of requiring 'protection and enhancement'. The parties are agreed that the Appeal Site is not a 'valued landscape' for the purposes of paragraph 187(a). As such, national policy requires recognition of the character and beauty of the countryside but falls short of Policy CP10's requirement to 'conserve and enhance' the natural environment.
- 1.10. On that basis I afford the landscape harms/ conflict with Policy CP10 moderate weight in the planning balance.

Local Green Space

- 1.11. In respect of issue iii above, it is noted that Policy 7 of the WNP designates the eastern part of the Appeal Site as Local Green Space ("LGS"). The proposal does not conflict with this policy, as it maintains this part of the Appeal Site as an open green space and preserves the visual gap on this stretch of Green Road (which were the primary reasons for designation of the land as LGS.) Furthermore, the proposal introduces public access for recreational use (where there are no such rights presently) and therefore delivers enhancement to the LGS.
- 1.12. The Appeal Scheme proposes no new buildings within the LGS area and so the break from ribbon development will be retained. Views across the LGS will also be retained. The primary school will continue to have views across an undeveloped parcel of land.

- 1.13. It is proposed that the access road to the new housing site pass through the LGS area. NPPF Green Belt policy allows for local transport infrastructure – which is addressed in section 4 of my evidence. The detailed design of that internal access road will follow at reserved matters stage but it is anticipated that the road can be landscaped and screened with hedgerow as detailed in the evidence of Mr Atkin (**CD9.2**). This aspect of the Appeal Scheme falls within the NPPF 154(h) exception, and is not 'inappropriate' development in the Local Green Space/ Green Belt. As such, it can be approved consistent with national Green Belt policy. It has been shown that there is a need for the access road to be located in that part of the Appeal Site and that it would preserve openness. Even if the Inspector concluded that openness is not preserved, the 153 test still supports the conclusion that the Appeal Scheme is consistent with national Green Belt policy.

Planning Balance:

- 1.14. I conclude that the Appeal Scheme should be allowed through this Appeal process, for the following reasons:
- (i) The most important policies for determination of the appeal are out of date, and the decision falls to be undertaken in accordance with paragraph 11(d) of the NPPF;
 - (ii) There are no NPPF footnote 7 considerations that represent any strong reason(s) for refusal for the purposes of paragraph 11(d)(i) NPPF;
 - (iii) The adverse impacts of allowing this proposal would not significantly and demonstrably outweigh the benefits, for the purposes of paragraph 11(d)(ii) NPPF;
 - (iv) It is agreed between the parties that the Appeal Scheme is in a sustainable location and will deliver 40% affordable housing. The Appeal Scheme makes an effective use of land, and can secure a well-designed place at reserved matters stage.
- 1.15. The table below summarises the harms and benefits identified and weightings afforded to the same when undertaking this planning balance exercise.

Harms	Weight
Conflict with the Spatial Strategy (beyond SPB)	Limited
Landscape and visual harm	Moderate
Loss of non BMV Agricultural Land	Very Limited (agreed weighting in Planning SoCG CD6.1)
Harm/suburbanisation of PRow	Very Limited
Benefits	Weight
Provision of up to 90 market homes	Very Substantial
Provision of up to 60 affordable homes	Very Substantial
Delivery of Publicly Accessible Local Green Space	Moderate
Land for education/ community use	Moderate (agreed weighting in Planning SoCG CD6.1)
Economic Benefits (job creation and local expenditure)	Moderate (agreed weighting in Planning SoCG CD6.1)
Biodiversity Net Gain	Moderate (agreed weighting in Planning SoCG CD6.1)
Delivery of sustainably located homes	Moderate (agreed weighting in Planning SoCG CD6.1)