
Appeal Decision

Site visit made on 18 August 2016

by Jane Miles BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 14 October 2016

Appeal Ref: APP/C1435/W/16/3147684

Meadowside, Eastbourne Road, Uckfield, East Sussex TN22 5QW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Dr Lorraine Pearce-Altendorff against the decision of Wealden District Council.
- The application ref: WD/2015/1823/F, dated 12 August 2015, was refused by notice dated 15 January 2016.
- The development proposed is described as 'Provision of toilet and shower facilities for Caravan and Camping Club exempted certificated campsite on field adjacent and belonging to Meadowside. To include provision of two toilets, two showers, washing-up sink, chemical disposal point, fresh water supply and cesspool to contain effluent.'

Decision

1. The appeal is allowed and planning permission is granted for 'Provision of toilet and shower facilities for Caravan and Camping Club exempted certificated campsite on field adjacent and belonging to Meadowside. To include provision of two toilets, two showers, washing-up sink, chemical disposal point, fresh water supply and cesspool to contain effluent' on land at Meadowside, Eastbourne Road, Uckfield, East Sussex TN22 5QW, in accordance with the terms of the application, ref: WD/2015/1823/F, dated 12 August 2015, subject to the following conditions:
 - 1) The development hereby permitted shall begin before the expiration of three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 1:1250 annotated site and layout plan; 1:500 layout plan: floor plan and (2) elevation drawings.
 - 3) No development shall take place until details and/or samples of the external materials of the toilet/showers/washing facilities building hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
 - 4) No development shall take place until a landscaping scheme has been submitted to and approved in writing by the local planning authority. The scheme shall include details of new tree and/or hedge planting to the north-west and north-east boundaries of the site and a programme for implementation. The scheme shall be implemented as approved.

Preliminary Matters & Background

2. Some of the facilities described in the development description (the toilets, showers and washing-up sink) would be provided in a modest timber-clad building. All the facilities are proposed in connection with use of the adjoining land in accordance with the Camping and Caravanning Club's 'Exempted Certificated Sites' scheme. That scheme enables small, privately run campsites (for up to 5 caravans or campervans and 10 tents) to operate without the need for planning permission¹. Thus it is important to clarify, at the outset, that the acceptability or otherwise of using other parts of the land owned by the appellant as an 'exempted' campsite is not at issue in this appeal.
3. The appellant's land as a whole is roughly triangular, falling away northwards down to a stream, and the extent of the campsite area is indicated on an aerial photograph submitted with the application. The appeal site, where the proposed facilities would be located, is a separate rectangular area in the south-west corner of the appellant's land. It has well defined boundaries on three sides: fencing to the north-west; well-established hedging separating it from the lane to the south-west; hedging to the appellant's garden, to the south-east. The north-east boundary, as indicated on the submitted plans, is in effect a continuation of the north-east boundary line of the adjacent garden.
4. Access to the campsite from the highway would be via a gateway off Eastbourne Road, to the north of the lane which serves the existing semi-detached pair of dwellings (Meadowside and Wayside) and others further along that lane. The Council's refusal reasons include concerns about the use of the Eastbourne Road access. I shall refer to this matter in the reasons which follow but, again, it is important to clarify that neither use of that access nor any works to create a track across the campsite area are part of the appeal proposals before me.

Reasons

5. The Council's refusal reasons do not include any reference to the proposed chemical disposal point, fresh water supply or cesspool. The **first main issue** in this case is the effect of the proposed building on the character and appearance of the surrounding landscape. The **second main issue** is its effects on living conditions at nearby properties. I deal with various other concerns, including highway safety, under the heading of 'Other matters'.

Character and appearance

6. The appeal site and adjoining land is described as being in the 'Low Weald landscape character area' to which saved Policy EN8 of the Wealden Local Plan (1998) (LP) relates, albeit there is little information before me about the key characteristics of this landscape type. In any event, I saw that the appeal site locality is part of a varied and gently rolling landscape which includes open fields and substantial belts and other areas of woodland. There are open fields to the south (beyond the lane and its hedgerows) and to the west. To the east a belt of woodland provides a good visual screen between the land and Eastbourne Road, with more trees on the eastern side of the road.

¹ Pursuant to provisions in Part 5 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015

7. Within this wider context the form of the land across the width of the appeal site is that of a very shallow V-shape, and the proposed building would sit in a roughly central position towards the lowest point of it. Combined with proximity to the boundary hedge that siting would help to minimise the extent to which the building would be seen in views along the lane and in longer range views from dwellings further along the lane. New trees and/or hedging to provide similar screening along the north-west appeal site boundary and at least part of the north-east boundary could be required by condition, as the appellant has acknowledged. More significantly, given the building's size, form and weatherboard cladding, it would be not dissimilar to the field shelters and other small buildings of relatively low-key appearance that are often found randomly sited in fields in rural areas such as this.
8. There is nothing of substance from the Council to explain why the proposed design, materials and appearance are considered to be 'of an inappropriate low standard'. It might perhaps be that more substantial 'quality' materials would be preferred. However a more substantial and permanent-looking building would seem far more likely to appear incongruous in what is effectively an open field or paddock area.
9. Thus, in this particular site context and circumstances, I find no compelling grounds to conclude the proposed building would appear incongruous, unduly prominent or otherwise harmful to the character and appearance of the surrounding landscape. Rather it would sit comfortably in its rural setting in terms of size, design and materials. Therefore, subject to a landscaping condition, I find no material conflict in any of these respects with the development plan, most notably saved LP Policies EN27(1) and (insofar as it is relevant²) TM8(2) (3) & (4).
10. Policy TM8 is one of several policies relating to caravan and camping sites which, amongst other things, seek to minimise adverse impacts on sensitive and/or high quality landscapes. Although Policy T8(6) is also cited in the Council's refusal reasons, that specifies 'the proposal' should not result in an unacceptable concentration of caravan or camping sites: there is nothing of substance before me to suggest the provision of toilet/shower facilities on the appeal site would have that result. Nor is there any requirement in Policy T8 to demonstrate a need for any new touring caravan and camping facilities. Rather the supporting text to this policy indicates that the gently undulating nature of the Low Weald landscape is more suited to accommodating such facilities than some adjoining areas, which would appear to weigh more in favour of the proposal for ancillary facilities than against it.

Living conditions at nearby properties

11. There appear to be two main themes to the concerns of the Council and local residents in relation to potential impacts at nearby properties. The first is that use of facilities in the building on the appeal site would result in unacceptable levels of noise and disturbance for existing occupiers. I have borne in mind that the site is in a relatively quiet and tranquil location but the facilities would be small in scale and in an insulated building that would be well separated from other dwellings³. Thus I cannot agree that either use of the facilities or the

² Bearing in mind that use of the adjoining land as an 'exempted' site would be permitted development

³ In relation to Wayside, the attached dwelling at Meadowside would provide screening from the proposed building in terms of noise and disturbance and also in terms of visibility

comings and goings to the building would result, at any time of day or night, in noise or disturbance of such a nature or magnitude that it would harm living conditions at any nearby property.

12. The second theme centres on the potential for the facilities building to increase the campsite's attractiveness and thus the likely intensity of use and activities on it, with consequent potential for greater levels of noise and disturbance. Providing such facilities is not a requirement of the Camping and Caravanning Club's 'Exempted Certificated Sites' scheme, which is intended primarily to provide sites for Club members and not the general public. However, even where they are provided, the limit on the numbers of caravan/campervans and tents (which is an integral part of the scheme) still applies. Moreover, as I understand it, exemption certificates must be renewed periodically, and could therefore be revoked in the event of any such problems materialising.
13. Whilst I understand the concerns raised about changes associated with use of land adjoining the appeal site as a campsite, such use is not at issue in this appeal for the reasons already given. Having had regard to all the other points raised in relation to this matter, I conclude the proposed building on the appeal site would not cause material harm to living conditions at nearby properties. The appeal proposal would not conflict with saved LP Policy EN27(2).

Other matters, conclusions and conditions

14. The potential for the facilities building to increase the campsite's attractiveness also features in the Council's refusal reason regarding the nature of the access to Eastbourne Road and implications for highway safety. That access is not ideally located for slow vehicle manoeuvres, being close to a bend (to the north) and a gentle uphill slope (to the south) with roadside trees restricting longer range visibility and no speed limit other than the default 60mph. Even so, the officers' report to Planning Committee North notes that the Camping and Caravanning Club's assessment did not raise any highway issues (and the Club might reasonably be expected to be familiar with access requirements for caravans etc). An update report to the Committee sets out further comments from the Highway Authority, but they relate to works having been carried out without planning permission or a highway licence, rather than any explicit objection on highway safety grounds.
15. In any event, as clarified at the outset of this decision, the access to the highway is not part of the appeal site or the proposals before me in this appeal. There are some discrepancies relating to access matters in the various documents, but clarification of these and any outstanding matters would need to be addressed separately by the appellant, Council and/or Highway Authority. As I cannot rule out the possibility that planning permission might be required for the access works it would not be appropriate to impose conditions relating to access in any permission for the appeal proposals. However, given also the upper limit on numbers already mentioned and the potential for some improvements to facilitate safe access⁴, nor would it not be reasonable to reject the appeal proposals on highway safety grounds.
16. Other matters raised by local residents include concerns about arrangements for waste water, sewage disposal and emptying of the cesspool. However, the

⁴ Such as setting the access gate further back from the road, for example, or the recommendations in the independent 'Road Safety Review' commissioned by occupiers of other nearby properties

appellant has explained the proposed arrangements⁵ and the Council has not raised any objection to this aspect of the proposals. I find no overriding objection to the proposals on this basis, notwithstanding references to the shared nature of the existing private provision and concerns about contaminating the stream which is said to be a habitat for freshwater mussels⁶. The Council officers' report confirms the appeal site is sufficiently far from Ashdown Forest to preclude the likelihood of significant effects from recreational pressures on that protected site⁷.

17. A recent appeal decision for another caravan site in the area has been cited in support of residents' concerns⁸. However it is readily apparent that various circumstances were different in that appeal because, unlike these appeal proposals, the scheme in that case was for the use of land as a caravan site (together with a site warden's accommodation, toilets and shower facilities) on land classified as Ancient Semi-Natural Woodland. I have had regard to all other matters raised, including the proposals' benefits in terms of providing tourist accommodation and concerns raised by the appellant and by local residents about how the planning application and the process of applying for Certificated Site status were handled. However I have found nothing sufficient to alter or outweigh my conclusions on the two main issues. These indicate the appeal should succeed and planning permission should be granted subject to conditions.
18. A condition specifying the approved plans is necessary for the avoidance of doubt and in the interests of proper planning. Given the basic sketch nature of the elevation drawings, it is reasonable and necessary to require additional details of cladding materials (rather than as detailed elsewhere in the application, as suggested by the Council) in the interests of visual amenity. For the same reason, and as already mentioned, it is reasonable and necessary to require some additional soft landscaping.

Jane Miles

INSPECTOR

⁵ Based on utilising both a cesspool exceeding the capacity recommended in the Camping and Caravanning Club's guidance (sufficient to need emptying just once per season) and existing provision

⁶ But not otherwise substantiated by any evidence

⁷ The Ashdown Forest Special Protection Area and Special Area of Conservation

⁸ Appeal ref: APP/C1435/A/14/2219799