
Appeal Decision

Site visit made on 22 September 2016

by AJ Steen BA (Hons) DipTP MRTPI

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

Decision date: 2 November 2016

Appeal Ref: APP/U1430/W/16/3153804

**Hope Farm Nursery, Tillingham Lane, Peasmarch, Rye, East Sussex
TN31 6XG**

- 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 Hope Farm (Peasmarch) Ltd against the decision of Rother District Council.
 - The application Ref RR/2016/737/P, dated 15 March 2016, was refused by notice dated 26 May 2016.
 - The development proposed is erection of nursery glasshouse, production area and teaching classroom building together with the extension of wind shelter boundary walls around the nursery growing area.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issue is whether the proposal would constitute sustainable development, with particular reference to (a) the effect of the proposed building and boundary walls on the landscape and scenic beauty of the surrounding countryside within the High Weald Area of Outstanding Natural Beauty; and (b) the location of the proposed educational and demonstration uses.

Reasons

3. The National Planning Policy Framework (the Framework) sets out a presumption in favour of sustainable development, defined as development in accordance with the Framework as a whole. This includes approving development proposals that accord with the development plan, including the Rother Local Plan Core Strategy (CS), without delay. Sustainable development has three dimensions that must be considered together, being economic, social and environmental.

Landscape and scenic beauty

4. Hope Farm Nursery is located at the end of Tillingham Lane, a long road that provides access to a number of properties, some distance from the nearest settlement. It is on the side of a wide and shallow valley within the High Weald Area of Outstanding Natural Beauty (AONB), where great weight should be given to conserving the landscape and scenic beauty. The surrounding
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landscape comprises fields interspersed with woodland and occasional buildings that form an attractive rural landscape with limited built development.

5. The proposal would provide a large walled enclosure, with the existing buildings to one corner and additional and larger buildings proposed on the opposite side and linked by the enclosing wall. The proposed buildings would provide more sheltered growing conditions for the nursery plants and would reduce contamination from wind-blown commercial spraying of surrounding farmland. The relationship of the production buildings to either side of the site would result in the proposed buildings appearing somewhat divided from each other and, combined with the enclosing wall, would appear as a very substantial structure within this open rural landscape.
6. I accept that the design and materials of the proposed building would be attractive, but this in itself would not offset the impact the substantial structures cause to the open landscape. In addition, the other buildings within this landscape tend to be more utilitarian and less prominent such that the proposed development would appear as an alien and discordant feature within the landscape. The buildings would be seen within the context of surrounding development, but would increase that and be more prominent in the foreground in some views, particularly up and across this wide valley. The lack of mature landscaping around the buildings would mean that they would not be screened from view, increasing their prominence, although that could be mitigated to some extent by new landscaping, but that is likely to take a considerable time.
7. I understand that the appearance of the enclosure and buildings seeks to reflect that of a walled garden within the grounds of a large country house. However, the main dwelling is not of a size and scale comparable to the type of country house that such walled gardens are more commonly associated with.
8. Although there are limited footpaths and other publicly accessible vantage points in the vicinity of the site, given the size and prominent location of the proposed buildings and boundary walls on the side of the valley, the development would appear prominent and incongruous within this agricultural landscape.
9. I note that a lower wall could be constructed under the Town and Country Planning (General Permitted Development) (England) Order 2015 and there may be alternative means to protect the growing areas, such as using polytunnels. However, it has not been demonstrated that these alternatives would have more effect on the landscape and scenic beauty of the AONB than the proposed building and boundary walls. As a result, I am able to afford these alternatives little weight in support of the proposed development.
10. For these reasons, I conclude that the proposed building and boundary walls would harm the landscape and scenic beauty of the surrounding countryside within the High Weald AONB. As such, the proposed development would be contrary to Policies EN1, RA2 and OSS4 of the CS and the Framework that seek to secure sustainable development, in particular conserving the landscape and scenic beauty of the High Weald AONB and respecting the character and appearance of the locality.

Location

11. The proposal would extend and diversify the existing horticultural business that has recently achieved organic status and is now a registered charity. It would provide additional production and educational facilities that would enable cooking demonstrations and educational visits by the public, such as local school children, single and elderly people. The intention is to enable social interaction and foster interest in the process of food production whilst promoting the benefits and importance of a healthy diet, through seminars and demonstrations both at the nursery and elsewhere.
12. This part of the business is intended to be low key and occasional and it would not be promoted as a commercial enterprise or an attraction, with a limited number of visits. The Council accept that a thorough business plan has been submitted and this seeks to demonstrate that the business would be economically successful and there is space within the site for such development. Whilst I accept that horticultural enterprises require a rural location, which can be remote, the additional educational and demonstration facilities need not be provided in such a location and would result in a need to travel by motor vehicle to this isolated location by groups invited to access the facility. As a result, the location of the proposed development would not be easily accessible for potential users of the facility.
13. For these reasons, I conclude that this isolated location would not be easily accessible by the users of the proposed educational and demonstration facilities, except by motor vehicle. As such, the proposed development would be contrary to the Framework that seeks to secure sustainable development, including that local services should be accessible and that pollution should be minimised, mitigating and adapting to climate change including moving to a low carbon economy. Policies EN1 and RA2 of the CS had been drawn to my attention in relation to this matter, but these policies relate to the effects of development on landscape character such that they do not appear to be directly relevant to this issue.

Other matters

14. The location of the proposed buildings would be away from the residential neighbours at The Oast, such that they would not have a harmful effect on the living conditions of occupiers of that property.
15. Whilst there would be an increase in travel in relation to the development, the cumulative impacts of the number of additional vehicles using the surrounding road network would not be severe in terms of the effect of the development on transport.

Conclusion

16. The proposed building and boundary walls that would be used as a mixed horticultural and educational facility would have social benefits from the social inclusion and educational aims of the charity and it would provide economic benefits in generating rural income and providing employment. However, it would not conserve the landscape and scenic beauty of the High Weald AONB contrary to development plan policies and is in a remote location not easily accessible for the educational and demonstration uses, such that these social and environmental factors would outweigh the identified benefits. As such, the

development would not comprise sustainable development and, as a result, I conclude that the appeal should be dismissed.

AJ Steen

INSPECTOR