
Appeal Decision

Site visit made on 23 January 2018

by S J Buckingham BA (Hons) DipTP MSc MRTPI FSA

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

Decision date: 20th February 2018

Appeal Ref: APP/C3810/W/17/3181352

Land north of Littlehampton Road, Ferring BN12 6PG

- 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 Hatch Homes Ltd. against the decision of Arun District Council.
 - The application Ref FG/8/17/PL, dated 5 December 2016, was refused by notice dated 27 March 2017.
 - The development proposed is camping facilities comprising 23 'eco' yurts with ancillary building to contain reception and wash amenities with access and parking.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The Council has drawn my attention to the emerging Local Plan. As, however, the Main Modifications have yet to be published for consultation, and its policies may be subject to change, this has reduced the weight I can attach to it. I have therefore determined the appeal in the light of the policies of the Arun District Local Plan 2003.

Main Issues

3. The main issues are:-
 - the effect on the character and appearance of the area;
 - the effect on the significance of the Scheduled Ancient Monument and Registered Park and Garden; and
 - whether, in the light of national and development plan policy, the development would be acceptable in terms of accessibility and environmental considerations.

Reasons

Character and Appearance

4. The appeal site is an open field outside the settlement boundary and within a Strategic Gap between Angmering to the west and Ferring to the south-east. It sits to the north of the busy A259, Littlehampton Road, to the south, with Highdown Hill, which is within the South Downs National Park, rising behind it.
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5. The northern end of the field slopes relatively steeply up to the north, while the southern half has a more gentle gradient. The upper end of the field is fringed by a hedgerow including evergreen holm oaks, while to the south is a line of Lombardy poplars separating the site from the small industrial estate beyond. On its eastern side it adjoins Highdown Gardens.
6. The appeal proposal is for 23 yurts on the lower half of the field, with a building for reception and toilet/washing facilities, and associated parking near the entrance in the south east corner. The yurts would be intended for year-round occupation. They would have wood-burning stoves and be set a decking base. Landscaping is proposed along the northern boundary of the yurt area, although the submitted plans give no details.
7. The development would create a large area of new structures, which would be effectively permanent, and would draw the area of development further up the previously open slope of Highdown Hill and towards the boundary of the National Park. While the appellant suggests that this would not be visible from most angles and is well screened, I noted that the site was clearly visible in long views from the south, including from the railway, and that, as much of the screening is with deciduous trees and hedgerows, it can also be seen from closer at hand, including glimpses from the A259. It would also be visible from the public footpath passing along its eastern boundary. Planting to the north of the yurt area would not mitigate this effect.
8. The proposal would therefore diminish the rural character of the area by introducing a new area of development on a previously open agricultural site, and within a gap between settlements, which would be capable of being seen from a number of vantage points and which would be harmful. It is likely that this harmful effect would be exacerbated by the proliferation of the paraphernalia of a camp site including paths, outdoor lighting, even at low level, taps and electricity points, and outdoor furniture.
9. As a visible intrusion into a largely rural area, on a relatively exposed hillside site, the development would not be particularly well-integrated with its surroundings. It would as a result of this and its appearance in views of Highdown Hill have a harmful effect on the setting of the National Park when viewed from the south. Landscape screening would have the potential to reduce its effects on views down from Highdown Hill, where it would otherwise be seen, albeit peripherally, in views of the sea.
10. The development would as a result of these effects be in conflict with policy GEN7 of the Arun District Local Plan 2003 (LP) which seeks development of high quality design and layout which responds positively to the characteristics of the site and which does not have an unacceptable adverse impact on adjoining land. While involving the extension of an isolated group of buildings in the countryside, the development would provide for some diversification of the rural economy, and would therefore comply with Policy GEN3 of the LP. Notwithstanding this, and due to its conflict with other LP policies, the development would therefore fail to comply with Policy GEN2, which seeks to avoid development outside the built-up area boundaries unless it is consistent with other Local Plan policies.
11. Policy 7 of the Ferring Neighbourhood Plan seeks to ensure that development north of Littlehampton Road minimises visual impacts on the surrounding

countryside, avoiding significant incursions into the countryside, and the development would not be consistent with this.

12. Paragraph 115 of the National Planning Policy Framework (Framework) is clear that great weight should be given to conserving the landscape and scenic beauty of the National Parks, and I conclude that the development would be in conflict with this.

Setting of the Scheduled Ancient Monument and Registered Park and Garden

13. Paragraph 132 of the Framework states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be, and, it also states, significance can be harmed or lost through development within its setting.
14. The appeal site is located to the south east of Highdown Hill Camp, a Bronze Age hilltop enclosure, and Scheduled Ancient Monument (SAM). The enclosure, which has been categorised as a rare "Ram's Hill" type by Historic England, is marked by earthwork ramparts and shows continuity of re-use over a number of periods, including through the presence of an Anglo-Saxon cemetery. Key aspects of its special interest relate to its position in the landscape and particularly its high, hilltop location and rural setting.
15. Due to the proximity of the SAM there is the potential for archaeological remains on the appeal site, but this is an issue that could be addressed by means of conditions, were I minded to allow the appeal. However, as the development would have the effect of diminishing the rural setting of the SAM by introducing built development into the countryside close to it, and as it would intrude into long views of it, I consider that it would harm the setting of this heritage asset, and thereby, its significance.
16. Highdown Gardens are on the Register of Parks and Gardens at Grade II* and therefore a designated heritage asset. The requirements of Paragraph 132 of the Framework mean that I should also assess the effect of the development on them. The gardens are very well enclosed with thick tree belts on the western boundary adjacent to the appeal site, and there is thus no visual permeability between the two sites at that point. However, they originated in association with a house in a countryside setting, and were the site of experimental gardening around a former chalk pit. As such, their rural location and relationship with the chalk ridge of Highdown Hill form some part of their significance. The harm to the rural setting I have set out above in relation to the SAM would therefore also have some harmful effect on the Gardens.
17. Notwithstanding the high importance of the SAM and the high grade of the Registered Garden, however, as the development would be on the margins of their settings, I consider that for the purposes of Paragraph 132 the harm would be less than substantial.
18. The development would also conflict with policy AREA17 of the LP, which seeks to resist development that would be harmful to the significant archaeological interest of a site.

Planning Balance and Conclusion

19. Paragraph 134 of the Framework states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal. While the appellant has stated that the provision of tourist facilities would be a public benefit which would outweigh this harm, it has not been demonstrated that this could not occur in an alternative, less harmful, location.
20. Furthermore, the evidence before me indicates that this would not be a location which would be particularly convenient for those seeking to camp within the National Park. Although, it is stated by the appellant, the location of the site is outside the National Park to avoid any effect on it, I have found that this would not be the case.
21. The site would not be particularly easy to reach by public transport, as the railway station is some distance away and there is no controlled crossing over the A259. While the submitted information hints at the use of a shuttle, no evidence has been put before me of the operation of such a service, and I cannot therefore be sure that it would be a sustainable one which would effectively offset the use of private cars to access the site. There would therefore be no benefits in encouraging sustainable patterns of travel.
22. While there would be some temporary economic benefits during construction and a small number of new jobs created by the development, there are very few local facilities within the vicinity of the site in which visitors might spend money. Any economic benefits would therefore be minor.
23. I conclude therefore that I can attach little weight to any benefits which would arise from the proposal, and that these would not outweigh the harm that I have identified to the significance of the designated heritage assets. The development would therefore fail to meet the requirements of paragraph 132 of the Framework.
24. Although the countryside is in general terms an appropriate location for camping sites, this does not overcome the specific and harmful circumstances of this case. The appellant has put a number of appeal decisions before me where the Inspector has concluded that camping facilities should be allowed, and I have had regard to these. However, every case should be determined on its own merits, and the circumstances of these cases are different. They do not therefore cause me to alter my conclusions on this case.
25. Consequently, as no benefits have been put before me which I find would outweigh the harm I have identified to the area and to adjacent designated heritage assets, that there would be no material consideration which would outweigh the conflict with the development plan. For these reasons therefore, I conclude that the appeal should be dismissed.

S J Buckingham

INSPECTOR