



Appeal Decision

Site Visit made on 13 October 2021

by H Miles BA(hons), MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 NOVEMBER 2021

Appeal Ref: APP/C1435/W/21/3270466

Passalls Farm, Wilderness Lane, Hadlow Down TN22 4HB

- 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 Mr Stratford and Mrs Stratford-Owen of Hadlow Hideaways Limited against the decision of Wealden District Council.
 - The application Ref WD/2020/1360/FR, dated 7 July 2020, was refused by notice dated 28 January 2021.
 - The development proposed is retention of existing bell tent glamping pitch and the change of use of land for the installation of one further identical pitch for seasonal holiday occupation.
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Decision

1. This appeal is dismissed.

Preliminary Matters

2. It is not in dispute that some development has been carried out. For the avoidance of doubt, this has had no bearing on my decision.

Main Issues

3. The main issues are the effect of the proposed development on the character and appearance of the area including the High Weald Area of Outstanding Natural Beauty (AONB) and the living conditions of nearby occupiers.

Reasons

Character and Appearance

4. The appeal site is an open field in a rural area and is therefore in the countryside in terms of its character and appearance, as well as for the purposes of the development plan. The field is on an elevated part of a valley side and is subject to long views from locations including properties on the opposite side. There is a significant mature tree boundary and the glamping plots would be located close to this on the field edge.
5. The site is in the High Weald AONB which is characterised by features including ridges and valleys with extensive views to and from ridges, a patchwork of small fields, and unspoilt natural landscapes. The site's original open green character on a prominent position on a valley side made a positive contribution to the landscape and scenic beauty in this area.
6. The proposed development would introduce two large tents on two pitches for 7 months of the year. Each pitch would permanently retain a wooden platform,

two modest structures used as a toilet and kitchen and a hot tub. These structures would be constructed in locally sourced wood. Although not typically urban in appearance, the development nevertheless amounts to two substantial semi-permanent structures within developed parcels of land.

7. The introduction of development of this scale and permanence would undermine the enduring unspoilt, natural open character of this site. This would be harmful to the landscape and scenic beauty of the AONB, and the intrinsic character and beauty of this countryside site.
8. Trees have been planted which would provide some concealment particularly to the southernmost plot. However, it is likely that it will take a number of years to provide meaningful screening, and, given its location, at least the northernmost plot would still be perceived from the surrounding area. Therefore, the harm identified above would nevertheless be experienced.
9. The proposed development would therefore be contrary to Policy SPO1 of the Wealden District (incorporating part of the South Downs National Park) Core Strategy Local Plan Adopted February 2013 and Policies GD2, EN6, TM1 and TM8 of the Wealden Local Plan Adopted December 1998 (the Local Plan). Together these policies seek to conserve and enhance the natural beauty and character of the AONB landscape with particular reference to visually exposed locations, and tourist and new camping facilities, as well as seeking to restrict development outside development boundaries.

Living Conditions

10. The nearest houses are some distance away, although I understand that the position in the valley means that noise can travel to these occupiers. The current operators have set out measures such as locking gates to the site at 10pm, providing signage and advice to occupiers about noise, preventing same sex bookings, and a maximum of 4 adults per pitch. However, I am not provided with any mechanism to secure that any future owners would operate in this way.
11. Nevertheless, day to day noise from occupants is unlikely to cause significant disturbance, particularly given its similarity with noise from residential uses which already exist in this area. Furthermore, the proposed development is for two pitches, neither of which have mains electricity. This would limit the likelihood of loud amplified music being played. Furthermore, even if occupiers of both pitches were holidaying together, noise from this limited number of people is unlikely to cause significant disturbance.
12. Consequently, the proposed development would not be unacceptably harmful to the living conditions of nearby occupiers. Therefore, the proposed development would comply with Policy EN27 of the Local Plan which requires that there should not be an unacceptable adverse impact on amenities of adjoining developments.

Other Matters

13. There would be benefits to the rural economy in terms of the diversification of the existing farm business and the support for nearby rural businesses from holidaymakers. The development would also provide access for a limited number of members of the public to this green space.

14. Trees have been planted, albeit this was underway at the time of the Preliminary Ecological Assessment (PEA) and bird boxes installed on the wider land, which is a recommendation of the PEA. The method in which the owners have chosen to invest the income from this business has also contributed to farming practice with a net gain for biodiversity, however this investment is not secured on a permanent basis.
15. The appellants also intend that the proposed glamping operation would enable holidaymakers to learn about the countryside and their conscious way of farming. They have offered stays to the children with cancer fund. These are positive aims. However, I am not provided with any mechanism to secure that this operation would continue in this way in perpetuity.
16. Taking all the above into account, along with the scale of the development, the overall benefits of the proposed development are modest. However, this would not outweigh the public and permanent harm to the intrinsic character and beauty of the countryside and the landscape and scenic beauty of the AONB which has the highest status of protection in relation to these issues. This leads me to conclude that the proposal is unacceptable.
17. My attention is drawn to applications for glamping and camping sites which have been permitted elsewhere, some of which are in the High Weald AONB. However, these are in different local authorities and would therefore be assessed under different development plans. As such, the circumstances of these cases are notably different to that before me now. Consequently, they do not alter my conclusions above.

Ashdown Forest Special Protection Area (SPA) and Special Area of Conservation (SAC)

18. The Ashdown Forest SPA and SAC is a habitats site that has a high level of protection. It is designated because of the concentration of Dartford Warblers, and European Nightjar. The Council has a strategy that seeks to mitigate the impacts on this site arising from recreational disturbance. However, there is no need to consider the implications of the proposal on the protected site because the scheme is unacceptable for other reasons.

Conclusion

19. The proposal would not accord with the development plan and there are no other considerations, including the provisions of the Framework, to indicate that the appeal should be determined otherwise. Therefore, for the reasons given above, I conclude that this appeal should be dismissed.

H Miles

INSPECTOR