
Appeal Decision

Site visit made on 13 December 2021

by J Davis BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11th January 2022

Appeal Ref: APP/Y9507/W/21/3273094

Millbrook, Horn Lane, Henfield, BN5 9SA

- 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 Paul Mcnie against the decision of South Downs National Park Authority.
 - The application Ref SDNP/20/05824/FUL, dated 22 December 2020, was refused by notice dated 15 March 2021.
 - The development proposed is described as 'hard stand for storage of 20 caravans'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The hardstanding was in place at the time of my site visit and the land was in use for the storage of caravans. The proposal is therefore retrospective.
3. The Henfield Neighbourhood Plan (2020) (NP) became a 'made' plan on 23 June 2021. I therefore attach full weight to the relevant NP policies in the determination of this appeal.

Main Issues

4. The main issues are:
 - Whether or not the appeal site would be a suitable location for the proposed development, having regard to relevant local and national policy controlling development outside of settlement boundaries within the South Downs National Park (SDNP); and
 - The effect of the proposed development on the character and appearance of the area, having regard to the landscape and scenic beauty of the SDNP.

Location of development

5. The appeal proposal is for the retention of the existing hardstanding and the use of land for the storage of 20 caravans. The appeal site relates to an area of land which, accordingly to the evidence before me, was previously largely open and undeveloped. It lies immediately to the south of 'Millbrook' which comprises of a variety of commercial buildings and uses.

6. The appeal site is located beyond a settlement boundary in the SDNP. Within National Parks there is a statutory duty to have regard to the purposes of its designation. One of these is to conserve and enhance natural beauty. Furthermore, paragraph 176 of the National Planning Policy Framework (the Framework) requires that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks.
7. Policy SD25 of the South Downs Local Plan (2019) (LP) sets out the development strategy for the district. This seeks to direct development to defined settlements, in part, as a means of safeguarding the landscape and scenic beauty of the South Downs National Park. It sets out that exceptionally, development will be permitted outside of settlement boundaries, where it complies with relevant policies in the local plan and meets certain criteria. Most relevant to this appeal is criteria b) which states 'where there is a need for a countryside location'. The supporting text of the policy explains that such uses include for agriculture or countryside recreation or community uses crucial for sustaining thriving communities. It also requires robust evidence to justify such development. The development strategy is echoed by Policy 1 of the NP. Policy 1 also emphasises that development within or affecting the SDNP must conserve and enhance the natural beauty, wildlife and cultural heritage of the area.
8. Policy SD34 of the local plan states that development proposals that foster the economic and social well-being of local communities within the National Park will be permitted provided that they meet one or more listed criteria, including at a) promote and protect businesses linked to the National Park's key sectors of farming, forestry and tourism; at criteria e) provide flexibility for established businesses to secure future resilience and protect local jobs; and criteria f) allows for proposals which 'intensify the commercial use of an employment site and make a more efficient use of brownfield land'.
9. The appellant highlights the lack of suitable open storage land within West Sussex through an internet search of two commercial real estate websites. This search revealed four comparable sites available for rent in West Sussex and the appellant suggests that the limited availability of such sites justifies the intensification of employment sites in order to make the most efficient use of land. There is no information regarding the search parameters or further analysis of the location or suitability of these sites, including whether or not they are within settlements or indeed within the National Park. In any event, supporting paragraph 7.12 of Policy SD25 of the LP states that wider development needs and pressures will not be accepted as a reason to develop any site outside of settlement boundaries.
10. Whilst I acknowledge that 'Millbrook' comprises of several commercial buildings and uses, based on the evidence before me, the appeal proposal would not be in connection with an established business and would appear to be for an unrelated storage use. Furthermore, it would represent a significant expansion of the site into an area that was previously undeveloped and hence not brownfield land. Thus, I conclude that proposal would not comply with the criteria set out in Policy SD34 (e) or (f).
11. I also note the appellant's comments that as the Council consider the proposed use of land falls within Class B8¹ (Storage and Distribution), the site could also

¹ Of the Town and Country Planning (Use Classes) Order 1987 (as amended)

be used by other small and start-up businesses for storage and distribution purposes, including the other key industries within the National Park of agriculture and forestry at a future point in time. This is not however, the proposal before me and in the absence of more substantive evidence, I attach very limited weight to this consideration.

12. The appeal proposal is for the storage of caravans and the retention of the hardstand and would not therefore be directly for any of the National Park's key sectors of farming, forestry and tourism. The appellant however considers that the site is used for purposes linked to local tourism as it enables local people to own a caravan when they might not otherwise be able to due to storage constraints. Furthermore, the appellant considers that given the size of the National Park it is likely that many trips generated from caravans stored at the appeal site are likely to have direct benefits to the local economy within the National Park itself.
13. Whilst I do not necessarily dispute that some of the owners of the caravans may choose to holiday in the National Park, I have no substantive evidence before me to demonstrate that this would indeed be the case. Whilst there may be some socioeconomic benefits arising from the proposal in relation to tourism, these are likely to be relatively modest. I find the link between the storage of caravans and tourism rather tenuous and in my view, the use of land for the storage of caravans would not fall within the categories of development allowed for by Policies SD25 and SD34 of the LP or Policy 1 of the NP. Furthermore, I am not convinced of any overriding need for the proposed development in this sensitive location.
14. This leads me to conclude that the appeal site would not be a suitable location for the proposed development, having regard to relevant local and national policy controlling development outside of settlement boundaries within the National Park.

Character and appearance

15. Whilst the commercial buildings and activities at 'Millbrook' has a more developed character, the appeal proposal represents a significant incursion into previously undeveloped pasture land to the south.
16. Policy SD4 of the Local Plan indicates that development proposals should be informed by landscape character, reflecting the context and type of landscape, with the design, layout and scale of proposals conserving and enhancing existing landscape features. Policy SD5 indicates that, amongst other things, proposals should adopt a landscape led approach making a positive contribution of overall character.
17. I acknowledge that the appeal site is well screened by existing trees, hedges and other undergrowth. Whilst the hardstanding is not readily visible from outside the site as it is at ground level, on my site visit I observed that glimpses of the caravans are obtainable from the adjacent footpath within the Woods Mill Nature Reserve. Whilst I agree with the Council that the degree of visual / landscape harm is less than substantial, in my view the proposal would nonetheless result in intrinsic harm to the natural beauty of the SDNP and would be an incongruous and urbanising form of development that is detrimental to the character and appearance of its immediate surroundings and local landscape.

18. I note that the appellant has supplemented the existing screening with additional planting which will mature overtime. Whilst additional landscape screening would clearly be beneficial, I do not consider that it would avert the harm caused to the landscape and scenic beauty of the SDNP arising from the inappropriate nature and urbanising effects of the proposed development.
19. I have also had regard to the location of the appeal site next to the hardsurfacing associated with Woods Mills Nature Reserve Car Park. However, the car park is clearly required in association with informal recreation within the National Park and does not justify the further harm caused by the appeal proposal.
20. Overall, whilst relatively well screened, I find that due to the scale of the proposal and the significant expanse away from the more developed frontage of Millbrook, the proposed hardstanding and the use of the land for the storage of 20 caravans would not conserve and enhance existing landscape features or contribute to its overall character.
21. For the reasons outlined above, I conclude that the development would have a harmful effect on the character and appearance of the area, having regard to the landscape and scenic beauty of the South Downs National Park (NP). The proposal would therefore conflict with Policies SD4 and SD5 of the LP which together seek to secure development sensitive to landscape character. The proposal would also be contrary to paragraph 176 of the Framework which requires that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks.

Conclusion

22. For the above reasons, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

J Davis

INSPECTOR