



Appeal Decision

Site visit made on 19 January 2023

by **D Cramond** BSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 February 2023

Appeal Ref: APP/Y9507/W/22/3303197

Kingsbrook Farm, The Street, Kingston, East Sussex, BN7 3NT

- 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 and Ms R and H O'Brien and Weller against the decision of the South Downs National Park Authority.
 - The application Ref SDNP/22/01857/FUL, dated 11 April 2022, was refused by notice dated 1 June 2022.
 - The development proposed is a temporary permission to extend the time limit for the siting of a temporary caravan for a further three years.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are whether the proposal would represent development which would be acceptable in terms of a) principle and b) character and appearance.

Reasons

3. The appeal site is a plot of land within Kingsbrook Farm set beyond the main buildings which are closer to The Street. The farm is on the southern side of Kingston Village; the main farm buildings are in a Conservation Area; the mobile home site is not. The farm extends to about 13 hectares. The existing temporary residence is variously described as a caravan or a mobile home but it has more of a small poor-condition chalet or bungalow appearance given cladding, window form, pitched tiled roof and overall form. The proposal is as described above. The 'caravan' has been the subject of two previous three year temporary period planning permissions (most recently ref SDNP/18/04599/FUL) for previous owners and operations. Planning permission expired in February 2022, the home remains in situ.

Principle

4. The residence site is beyond any development plan defined settlement and would thus be subject to a range of well-rehearsed national and local planning policies which take a generally restrictive approach to development in the countryside. Looking more specifically to the case in hand, in terms of local planning policy, the main one to draw upon would be Policy SD32 of the South Downs Local Plan (LP). This is concerned with 'New Agricultural and Forestry Workers Dwellings' and is part of the Authority's LP's aim 'Towards a Sustainable Future'. Amongst other matters the policy allows for temporary dwellings for agricultural workers where they are essential to support the agricultural enterprise. This part of the policy has a number of additional requirements including the home being a clear functional need to support the
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enterprise, the enterprise having been planned on a sound financial basis, and the location of the temporary dwelling being suited to a permanent agricultural worker's dwelling.

5. At the time of my visit the farm land and buildings had an air of 'under-use' but the new regime Appellants do have various plans in the pipeline intended for implementation. I do not doubt the good intentions of the Appellants and a number of the ideas for the site do appear commendable. However, from all I have seen and carefully read I am simply not persuaded that the current farming arrangements or those set out for the future which include the multifaceted ecological project, demonstrate any sort of *essential need* for the Appellants (or anyone else) to live on this small non-intensive farm. This would mean that the appeal scheme would run contrary to LP Policy SD32 in its first test. Additionally, that would be further compounded by the lack of any clear *financial* basis being offered and the fact that this site, which 'projects' into the countryside scene, would be highly unlikely to be a suitable site for a permanent agricultural worker's dwelling.
6. To my mind a further extension of the time limit for this temporary home, whether or not one tied it personally to the Appellants, would simply perpetuate unsustainable development that has seen its time passed. I note that supporting text to LP Policy SD32 does set out that successive extensions will not normally be granted unless material considerations indicate otherwise. I have not seen evidence of any sustainability-lead arguments relating to the continuation of the temporary home that might outweigh the objection in principle stemming from my conclusion that the appeal proposal would unacceptably conflict with LP Policy SD32.

Character and appearance

7. I note above that the siting of the in situ mobile home is one which is beyond the main farm buildings and projects into more open countryside. The area is one of wider downland landscape, open in character, and the not insignificant structure is readily visible in the larger scene. I appreciate that there is something of a back drop of buildings beyond but nevertheless the site is conspicuous by its incursion. It appears out of place, not conforming with local development patterns or character, and visually harmful. Landscape qualities would be harmed by the retention of this structure.
8. LP Policies SD4 and SD32 are relevant. Taken together and amongst other matters they call for development to have suitable siting relative to rural landscape, be informed by landscape context, and generally conserve and enhance landscape character. I conclude that the appeal scheme would run contrary to these policies.

Other matters

9. I have carefully considered all the points raised by the Appellants but these matters do not outweigh the concerns which I have in relation to the main issues identified above.
10. I confirm that all relevant policies in the National Planning Policy Framework have been considered and the development plan policies which I cite mirror relevant objectives within that document.

Overall conclusion

11. For the reasons given above I conclude that the proposal would not represent development which would be acceptable in terms of principle and it would also unduly impact upon the character and appearance of the locality. Accordingly, the appeal is dismissed.

D Cramond

INSPECTOR