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## Appeal Decision

Site visit made on 1 March 2024

**by G Roberts BA (Hons) MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 4 April 2024.**

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**Appeal Ref: APP/L3815/W/23/3323594**

**Grist Farm, Pagham Road Roundabout, Hunston, West Sussex, PO20 1JL**

- 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 Ms E Bell against the decision of Chichester District Council.
  - The application Ref. HN/22/00438/FUL, dated 18 February 2022, was refused by notice dated 22 December 2022.
  - The development proposed is stationing of a mobile home as ancillary accommodation in connection with Grist Farmhouse.
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### Decision

1. The appeal is dismissed.

### Preliminary Matters

2. I have adopted the description of development as it appears on the application form but removed the word 'part retrospective' as this is superfluous and is not an act of development.

### Main Issues

3. The main issues are: (a) whether the proposal would meet an essential need for accommodation within the countryside; and (b) the effect of the proposed development on the character and appearance of the area.

### Reasons

#### *Essential need - countryside*

4. The appeal site is located to the east of the B2166 and to the south of the main farm buildings and yards to Grist Farm. Access to the appeal site is obtained via a tarmacked lane (track) that runs from the B2166 to the south west and also serves the farm buildings to the north. At the point of access to the B2166 a further unmade track runs north parallel with the main road to the farm house.
5. The appeal proposal relates to the stationing of a single storey mobile home in connection with the farm. The mobile home has already been erected on site and planning permission is sought retrospectively to retain it. The mobile home sits on a concrete base with areas of hardstanding some of which is used for parking. The mobile home is occupied by the Appellant, her husband and two children. Following the retirement of the Appellants mother, the mobile home was built to provide additional accommodation for the Appellant and her family, who has now taken over the running of the farm. The Appellants

mother continues to reside in the farm house, which appears to have been constructed in the late 1990's or early 2000's following the grant of planning permission for an agricultural workers dwelling in 1998/1999. Both parties accept that the appeal site lies outside a defined settlement boundary and is therefore in the countryside.

6. Policy 2 of the Chichester Local Plan 2014 – 2019 (CLP) (July 2015) sets out the spatial strategy for the District, which, in relation to the countryside, states that development will be restricted to that requiring a countryside location or meets an essential local rural need or supports diversification by reference to policies 45 and 46. Policy 45 again states that development will be permitted outside the defined settlement boundaries where it requires a countryside location and meets essential small scale and local needs. Policy 37, also referred to by the Council (expanded by Appendix E), requires development proposals, that are necessary to meet the accommodation needs of full time workers in agriculture and which require a countryside location, to be assessed against five criteria, all of which must be met. These policies remain consistent in my view with those of the Framework and I therefore accord them significant weight in determining this appeal.
7. I understand that the number of livestock on the farm has recently increased, allowing the farm business to expand. As such, there is a requirement for an agricultural worker to be present on site 24 hours a day particularly during the lambing and calving periods. The Council's Statement of Case (SOC) appears to accept this need, but contends that the Appellant has not demonstrated that the proposal meets the requirements of part 2 of policy 37 of the CLP that no suitable accommodation exists or could be made available in established buildings on site. When I visited the appeal site, the whole of the farm was badly affected by flooding. Even so, it was still possible to view the mobile home, farm buildings, yards and the main farm house. Based on those observations and the evidence before me, I am not convinced that it has been demonstrated that the proposal complies with part 2 of policy 37.
8. The Appellant contends that they have looked at all options to relocate the mobile home elsewhere or to extend the farm house. Even so, there is no substantive evidence before me to support that statement. As I observed on site and as is shown on the submitted plans, the farm house has a good sized curtilage with space about the building that appears to offer the potential for it to be extended or an annex to be provided. No plans or other details have been provided to demonstrate why such options would not be acceptable or could not be achieved or are not practical. I understand that the farm house includes three bedrooms, but again no further details or plans of this property have been provided to demonstrate why it could not be adapted or extended to provide the additional accommodation required to run the farm. As is implied, the onus is on the Appellant to provide that information and to demonstrate compliance with the requirements of policy 37.
9. I accept that, other than the farm house and its curtilage, there are no other alternative locations on the farm that would be suitable in terms of established buildings or yards, as those that exist are, as I observed on site, an integral part of the working farm. In relation to the Appellant's contention that there are prohibitive costs and legal constraints in extending or altering the farm house, again no substantive evidence to support those statements has been

provided. Without that information and evidence, it is not possible for me to reach a firm finding in relation to part 2 of policy 37 of the CLP.

10. Reference has been made to the quality of the unmade track that leads to the farm house, but there is no evidence before me to suggest that this track is not suitable or could not be improved to serve additional accommodation, whilst at the same time retaining the existing hedging that runs along its western side with the B2116. Alternatively, as to why a new track could not be constructed. The Appellant also contends that the existing house is remote from the farm buildings. I do not agree. The farm house lies immediately to the west of the farm buildings and yards, and I assume it was constructed in this location due, in part, to the fact that its proximity and accessibility to these farm buildings was acceptable.
11. The Appellant has also referred to the issue of security, but again it is simply a statement that is not backed up by any meaningful justification or assessment of the options that have been considered. Moreover, my attention has not been drawn to any evidence of security issues that arose when the farm was run from the farm house or whether the Appellant has considered more extensive forms of security for the site in the form of entrance restrictions or other forms of security surveillance to address those concerns.
12. Accordingly, I find, on this issue, that the Appellant has failed to demonstrate that no suitable accommodation exists or could be made available, either by adaptation or extension, and that the retention of the mobile home conflicts with part 2 of policy 37 of the CLP and as such with the aims and objectives of policies 2 and 45 of the CLP, as well as the relevant policies of the Framework.

#### *Character and appearance*

13. Part 5 of policy 37 of the CLP requires the siting and landscaping of a new dwelling, required to meet the needs of a full time agricultural worker, to minimise its impact on the character and appearance of the countryside. The policy must be read in conjunction with policies 2 and 45, referred to earlier and also policy 33. The latter provides a criteria based approach for assessing the acceptability of new residential development, where all the criteria must be met. Those of particular relevance are criterion 1, which requires proposals to meet the highest standards of design. Also, criterion 6 requiring proposals to respect and where possible enhance the character of the surrounding area by having regard to, amongst others, layout, form, siting and detailed design.
14. These policies remain consistent in my view with the policies of the Framework, including paragraph 135 a), b) and c), which require decisions to ensure that new development adds to the overall quality of the area, is visually attractive as a result of good architecture and sympathetic to local character. Also, paragraph 180 b), which requires decisions to contribute to and enhance the natural and local environment by recognising the intrinsic character and beauty of the countryside
15. The mobile home is located to the south of the main farm buildings. The latter are concentrated to the north and extend from east to west, forming a tight knit collection of buildings and open yards, as well as the farm house itself. The land to the east, west and south of the mobile home is all open agricultural land. As such and as I observed on site, the mobile home effectively sits on its own. To the north is another single storey building that does not appear to be

shown on the submitted plans and has a temporary appearance, with wooden sides and a covering of green plastic sheeting. The mobile home is, as a consequence, poorly related to and does not form part of the established pattern of farm buildings. It results in an unacceptable encroachment of built development into the countryside. Also, a building that appears incongruous within its open setting and out of keeping with the character of this part of the rural area.

16. The harmful impact of the mobile home on the character of the area is accentuated by its poor design. The proposal is not of the highest quality design required by the policies of the development plan or those of the Framework. It neither respects nor where possible enhances the character of the area or the site, and its poor design detracts for the rural nature of the site and surrounding area.
17. I accept that public views of the mobile home are limited due to boundary hedging and trees, but, as I observed on site, views of the mobile home are possible from the B2166. Even if there were no public views, I am not convinced that their absence would provide justification for a proposal of such a poor quality design that fails to contribute to or to recognise the intrinsic character and beauty of the countryside.
18. Although I note the Appellant's offer to re-clad or paint the mobile home and introduce more landscaping, for the reasons given above I am not convinced that any of these changes would mitigate for or overcome the harm that the mobile home causes to the character and appearance of this rural location.
19. Accordingly, I conclude that the mobile home results in harm to the character and appearance of this countryside area contrary to policies 2, 33, 37 and 45 of the CLP, and the corresponding policies of the Framework.

### **Other Matters**

20. The Appellant has submitted a Unilateral Undertaking dated 5 January 2024 to secure recreational disturbance and highway contributions. Having reviewed this Undertaking and the justification for these contributions set out in the Council's SOC, I am satisfied that the obligations are reasonable and effective, and would meet the requirements of the relevant policies of the CLP. The obligations are: necessary so as to make the appeal proposal acceptable in planning terms; they are directly related to the proposed development; and fairly and reasonably related in scale and kind to the development. As such, all three tests in paragraph 57 of the Framework are met, and all three statutory tests in Regulation 122 of the Community Infrastructure Levy (CIL) Regulations 2010 are also met. Even so, these obligations do not affect my findings on the main issues raised by this appeal.

### **Conclusions**

21. For the reasons given above and having taken all the matters raised into account I conclude that the appeal should be dismissed.

*G Roberts*

INSPECTOR