



Appeal Decision

Site visit made on 26 April 2024

by R J Redford MTCP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 May 2024

Appeal Ref: APP/L3815/W/23/333387

Jubilee Wood, Hambrook Hill North, Hambrook, Westbourne, West Sussex PO18 8UG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Leonard Sturgess against the decision of Chichester District Council.
 - The application Ref is WE/22/02390/FUL.
 - The development proposed is the change of use of land from agricultural to Class B8 for the storage of caravans and motor homes.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. It is noted that although the description of development does not specify a quantity of caravans and motorhomes (CaMs), the main parties have considered a maximum of 10 storage spaces as described within the appellant's Planning Statement. This has been taken into consideration in this decision.

Main Issues

3. The main parties agree that the appeal site is within the countryside. Therefore, the main issues are whether the appeal site is a suitable location for the proposed development regarding the relevant local countryside policies; and the effect of the proposal on the character and appearance on the local area including trees.

Reasons

Location

4. The appeal site forms part of a larger field which is licensed for 5 all year CaMs pitches at any one time. The site is accessible from Common Road down a track which is also a designated bridlepath.
5. Policies 2 and 45 of the Chichester Local Plan: Key Policies (LP) state amongst other things that development in the countryside is restricted to that which requires a countryside location or meets an essential, small scale and local rural need. This position, amongst other things, is supported by Policy OA1 of the Westbourne Neighbourhood Plan (NP).
6. The appellant states that other CaMs storage sites in the area have been approved for housing; that it is common for those using camping sites to also

store their CaMs at that location; that frequent visitors have expressed an interest for such a service to be provided at the appeal site; and that modern housing estates do not provide space for residents to store their CaMs at home. Although there is nothing before me contradicting these assertions, without any evidential support they are anecdotal only. Therefore, they do not meet the demonstrable test that a countryside location is required, or that the proposal meets an essential and local need which cannot be met within or immediately adjacent to an existing settlement.

7. It is appreciated that a maximum of 10 storage spaces could be considered small scale in relation to the overall size of the appeal site and field it is part of. However, this does not overcome the lack of evidence relating to the justification for this specific location or an essential and local need for that proposed.
8. Therefore, without the necessary evidence before me, it can only be concluded that the proposal fails to comply with LP Policies 2 and 45, and NP Policy OA1, so would not be appropriate in this location.

Character and appearance

9. The appeal site includes a modern barn and an area of hardstanding on it. It is surrounded by trees and is within an area of woodland where there are numerous pockets of development scattered throughout. These areas of development include a now closed quarry, boarding kennels, vehicle services company, storage facilities and a 2 storey commercial building. Therefore, although a very verdant and wooded setting it is far from a pristine environment and the appeal site forms part of the patchwork of developed, semi-developed, and none developed spaces within the woodland which informs the overall character of the area.
10. Through observation during the site visit it was noted that only glimpsed views of the site were available through the wooded boundaries specifically from the public footpath which navigates the closed quarry to one side of the appeal site. From the bridle path the intervening land uses and woodland prevents any meaningful view of the site. Therefore, I am satisfied the installation of 10 storage spaces on the site, when fully occupied, is unlikely to harm the overall character and appearance of the area.
11. It is also noted that the specific location of the 10 storage spaces has not been defined in the proposal and a condition would be required to limit the number of spaces as well as secure their positioning. This would allow the Council to control their final location. With that in mind I am further satisfied that the storage of 10 CaMs on the appeal site could be restricted to the area around the existing barn and site entrance and so would be some distance from the treed boundaries between the site and the PROW, further reducing any visual impact from them.
12. With consideration of the wider area, due to the small scale of that proposed I do not consider it to be so urbanising as to be out of character with the semi-developed nature of the area. It is appreciated that there would be vehicle movements attributed to the proposal but due to the limited number of spaces and the longevity of storage in comparison to camping, this would be minimal in comparison to the movements for the existing CaMs pitches.

13. As the proposal would only require hardstanding to enable the storage, I am satisfied its finish, form, and construction could be conditioned to ensure it is appropriate to the location and its overall impact kept to a minimum.
14. Although the whole site is covered by a tree preservation order, it is evident the trees are limited to the boundaries of the site. Therefore, I am satisfied, in this instance, that as development is limited to the laying of an appropriate surface, the protection of trees could be dealt with by condition.
15. For the reasons given above, and with appropriate conditions, the proposal would not cause harm to the character and appearance of the local area or any protected trees. It would therefore comply with LP Policies 45, 48 and 49 as far as they require development to have a minimal impact on the landscape and rural character of the area, the natural environment, and any biodiversity features; and LP Policy 2 insofar as it requires compliance with LP Policy 45.

Balance and Conclusion

16. The Council's Statement of Case introduced concerns relating to ecological matters. It is understood this came to the Council's attention within a later application on the site, reference 23/02004/FUL. However, as I am dismissing the appeal, I have not pursued these matters further, though it is acknowledged that the use of conditions may be appropriate to mitigate any potential harm to ecology as outlined in the Council's original officer report.
17. It is further appreciated that no objections were raised concerning highway safety, water management, and the living conditions of neighbours. Also, that conditions could be used to ensure no harm would occur in relation to contamination.
18. Nevertheless, these all would constitute a lack of harm and thus, by definition, are neutral in the planning balance.
19. Whilst I have found for the appellant in relation to the second main issue. This too would be a lack of harm and thus is also incapable of weighing against the harm that I have found regarding the first main issue.
20. Consequently, the appeal scheme would conflict with the development plan. There are no material considerations, including the National Planning Policy Framework, worthy of sufficient weight, which would indicate a decision otherwise. The appeal should, therefore, be dismissed.

RJ Redford

INSPECTOR