
Appeal Decision

Site visit made on 17 June 2025

by Jane Smith MA MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 July 2025

Appeal Ref: APP/D3830/W/25/3358882

Floran Farm, Hophurst Hill, Crawley Down, West Sussex RH10 4LP

- 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 P Batten against the decision of Mid Sussex District Council.
 - The application Ref is DM/24/0831.
 - The development proposed is described as 'Change of use of land to camping site comprising the siting of 4no. proposed yurts, 1 no. shepherds hut, and the retention of mobile home for holiday accommodation, part retrospective'.
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Decision

1. The appeal is allowed and planning permission is granted for change of use of land to camping site comprising the siting of 4no. proposed yurts, 1 no. shepherds hut, and the retention of mobile home for holiday accommodation at Floran Farm, Hophurst Hill, Crawley Down, West Sussex RH10 4LP in accordance with the terms of the application, Ref DM/24/0831, subject to the conditions in the attached schedule.

Preliminary Matters

2. In the banner heading above, I have used the Council's amended description which was agreed with the appellant prior to determination of the application. This clarifies that the proposed development would include use of an existing mobile home for holiday accommodation. However, in the decision I have omitted the words 'part retrospective' as they are not a description of development.
3. The mobile home is in place. Although it appeared to be occupied at the time of my site visit, there was no clear indication whether it was being used as holiday accommodation. Nevertheless, in terms of its siting, the application is in part retrospective. There is also an existing treehouse, which is not mentioned in the description of development, but the plans show that it would be retained to accommodate washing facilities. The Council's Officer Report describes that as being part of the proposed change of use. I have considered the development on the basis of the plans, including retention and reuse of the treehouse.
4. The most recent drawings of the mobile home, yurts and shepherds hut are labelled as indicative and I have treated them as such, noting that the application is for change of use of the land and these movable forms of accommodation may be subject to renewal and replacement over the years.
5. A concurrent appeal regarding change of use of an adjacent parcel of land to storage allowing the siting of boats and caravans (APP/D3830/W/25/3358884) is the subject of a separate decision.

Main Issue

6. The main issue is the effect of the proposed development on the character and appearance of the countryside.

Reasons

7. The appeal site is a roughly triangular parcel of land just beyond the dwelling and other buildings at Floran Farm. Currently it is laid to grass and contiguous with the adjacent open field to the south. There is a very high conifer hedge along the east boundary, separating the site from an adjacent public right of way. In the wider holding, there are a variety of what appear to be former agricultural buildings converted to alternative use.
8. The site is within a larger area subject to a confirmed enforcement notice dating back to 1992, relating to the unauthorised change of use of land from agriculture to a mixed use which included storage and siting of an assortment of non-agricultural items and vehicles as detailed on the notice. More recently, an appeal was dismissed¹ for use of the appeal site as residential garden land.
9. The site is in the countryside, which Policy DP12 of the Mid Sussex District Plan adopted in 2018 (MSDP) states will be protected in recognition of its intrinsic character and beauty. However, some development is permitted, provided it maintains or where possible enhances rural and landscape character and is either necessary for the purposes of agriculture or supported by another policy. Policy DP14 allows for new small-scale economic development, including for tourism, in the countryside, provided it supports sustainable growth and the vitality of the rural economy and, where possible, utilises previously developed sites. Policy DP19 is similarly supportive of tourism related development in the countryside, provided it maintains or where possible enhances the quality of the rural and landscape character of the District.
10. In the National Planning Policy Framework (the Framework), paragraph 88 says that planning decisions should, amongst other things, enable sustainable rural tourism and leisure developments which respect the character of the countryside. Although the Council alludes to the 'intended agricultural use' of the land, neither the development plan nor the Framework require that only agricultural uses are supported in the countryside. Nor does the confirmed enforcement notice, or any previous requirement for the mobile home to be relocated, preclude consideration of this application on its merits.
11. There are other commercial uses on the holding, including vehicle repairs. Evidence from an interested party reports that these can be intrusively noisy. Nevertheless, camping facilities are not uncommonly located within farms or rural holdings where there are other noise-generating activities, not least from agricultural machinery. The site is in an area likely to appeal to those seeking short stays in rural surroundings. While expressing some reservations about the suitability of the location, the Council's Officer Report acknowledges that the proposal would support the rural economy. As such, it gains support in principle from Policies DP14 and DP19 and paragraph 88 of the Framework. That is a key difference from the previous proposal to use the land as a residential garden, which would have made no such economic contribution.

¹ Appeal Ref: APP/D3830/W/23/3325574

12. The site is not previously developed land, but it is adjacent to a cluster of other buildings, and the conifer hedge provides a high level of visual enclosure. As mentioned by the Council, the land is not currently visible from the footpath just to the east, although there may be some glimpsed views when the gate is open or filtered through the hedgerow further to the north. In any case, even if the landscape screening was eroded through natural losses, the modest number of units would be in a reasonably spacious layout and would provide a variety of accommodation not untypically found on a small rural campsite. While the site would be more intensively used than at present, it would not have an urbanised appearance. Nor would it be an inherently alien feature in the countryside, with the accommodation being aimed at those seeking a short stay in a rural setting.
13. There may be some paraphernalia around the units when in use, but the proposal includes toilets, showers and washing up facilities in the treehouse, so there is no clear need for any additional structures. Most campers are likely to arrive by car, even if a shuttle bus is provided and the site is promoted to walkers and cyclists. Therefore, the level of parking may well exceed the two spaces shown, but the number of vehicles is unlikely to be significant, given the small number of units proposed. There is enough space within the site for campers to park near the units although a condition requiring approval of a parking layout catering for all six units would be prudent, so that the visibility of parked vehicles can be managed.
14. For the above reasons, I conclude that the proposed development would not be harmful to the character and appearance of the countryside. There would be no conflict with relevant requirements in Policies DP12, DP14 and DP19, as detailed above. There would be some conflict with Policy EG2 of the East Grinstead Neighbourhood Plan (NP), which does not support tourism-related development in the countryside unless it involves extension or conversion of existing buildings. However, there would be no conflict with relevant requirements in Policy EG3 of the NP, which include that development should respect the character of the site and protect important landscape features.
15. Taking all relevant policies into consideration, I conclude that the proposal would accord with the development plan when read as a whole. It would also be consistent with relevant paragraphs in the Framework, as outlined above.

Other Matters

16. Enforcement of any existing restrictions on vehicle breaking outside buildings is outside the scope of this appeal. The Council's Environmental Protection team raised no objection on grounds of noise, disturbance or other forms of pollution. Given the proposed scale of the development, it is not likely to result in an unreasonable level of noise or disturbance beyond the holding. Other regulatory regimes existing to safeguard nearby residents against excessive noise from amplified music or similar, should that arise, and the extent of any additional lighting would be regulated by the conditions imposed.
17. Subject to a condition to secure implementation of suitable drainage, there is no substantive evidence that the proposal would compound any existing issues with surface water discharge or pollution. The Officer Report details arrangements already in situ to enable emergency access and a source of water in the event of fire. The camping units would be within a well-defined area, separate from the

other commercial activities, and the mix of uses could realistically be managed with the health and safety of campers and other occupiers in mind.

18. The Council screened out any likely significant effects on the Ashdown Forest Special Protection Area and Special Area of Conservation, on the basis that the proposal would not result in any additional dwellings or resident population causing increased recreational disturbance and there would be no adverse effect on air quality, drawing on modelling undertaken at a strategic level. Based on the evidence before me, I have no reason to conclude that there would be any likely significant effects on these or any other Habitats Sites as a result of the development, either alone or in combination with other development.
19. I acknowledge the Council's view that the other appeal decisions cited by the appellant differ from the circumstances of this case in a number of respects. However, I have not relied on any of those decisions when reaching the conclusions set out above.

Conditions

20. The Council has suggested a number of conditions which I have considered against advice in the Framework and Planning Practice Guidance. I have amended some for precision and clarity and I have imposed one additional condition, having first invited comments from the parties, who raised no objection.
21. For the avoidance of ambiguity, I have included the standard condition giving a deadline for commencement of the development, since although the mobile home is in situ, it is not clear whether it is already being used for holiday accommodation. I have also imposed a condition requiring compliance with the approved plans in the interests of clarity. However, notwithstanding the details on the plans, I have imposed an additional condition requiring that a suitable parking layout for six vehicles is agreed and implemented, so that parking can be visually contained. A condition requiring cycle storage is also a reasonable and necessary requirement, to support some level of travel without full reliance on the private car.
22. The proposed surface water and foul drainage measures have not been fully detailed, and concerns have been raised by an interested party about the adequacy of existing arrangements. I have therefore imposed a condition to secure approval and implementation of suitable drainage measures. However, there is no specific justification for a pre-commencement condition and a requirement that the drainage arrangements are approved and implemented prior to occupation would be sufficient.
23. In the interests of the character and appearance of the countryside, conditions are imposed requiring implementation of a landscaping scheme before the accommodation comes into use and ongoing controls over external lighting.
24. Since the economic benefits of visitor accommodation are a key factor in favour of the development, and the site is in an area where additional housing is restricted, a condition restricting use of the site to holiday accommodation is justified. The requirement for a register to be maintained and made available would assist the Council in enforcement of that restriction.
25. The elevation drawings are indicative, and external materials are not specified on those drawings or the application form, so the Council's recommended condition

requiring compliance with such details would lack precision and not be enforceable. Nor would a condition requiring approval of external materials meet the relevant tests, bearing in mind the nature of the accommodation which may vary in detailed respects as the movable structures are renewed and replaced.

Conclusion

26. The proposed development would accord with the development plan when read as a whole and no material considerations indicate that a decision should be made otherwise than in accordance with the development plan. Therefore, the appeal should be allowed.

Jane Smith

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
- 2) The development hereby permitted shall be carried out in accordance with the following drawings:
 - Site Location Plan J004854-DD-01
 - As Existing Site Plan J004854-DD-02 A
 - As Proposed Site Plan J004854-DD-03 A
 - Indicative Shepherds Hut Plans and Elevations J004854-DD-04
 - Indicative Yurt Plans and Elevations J004854-DD-05
 - As Existing Treehouse Elevations J004854-DD-06
 - Indicative Plan and Elevations (treehouse) J004854-DD-06
 - Indicative Mobile Home Elevations J004854-DD-07
 - Indicative Mobile Home Plan and Roof Plan J004854-DD-08
- 3) Notwithstanding the details shown on drawing number J004854-DD-03 A, prior to the first occupation of the site as holiday accommodation, parking for six vehicles shall be provided within the site, in accordance with a plan which shall first be submitted to and approved by the Local Planning Authority in writing. Thereafter, those spaces shall be kept available at all times for the parking of vehicles by the occupants of the holiday accommodation hereby permitted.
- 4) No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with plans and details submitted to and approved by the Local Planning Authority.
- 5) The development hereby permitted shall not be occupied or brought into use unless and until details of the proposed foul and surface water drainage and means of disposal have been submitted to and approved in writing by the local planning authority and all the approved drainage works have been carried out in accordance with the agreed details.

- 6) Prior to the occupation of the site for camping purposes full details of a hard and soft landscaping scheme shall be submitted to, and approved in writing by, the Local Planning Authority. The approved landscaping scheme shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed by the Local Planning Authority. Any trees or plants which, within a period of five years from the completion of development, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species.
- 7) No external lighting or floodlighting shall be installed without the prior written approval of the Local Planning Authority.
- 8) The occupation of the yurts, shepherds hut and mobile home hereby permitted (referred to below as 'the accommodation') shall at all times comply with the following:
 - a) The accommodation shall be occupied for holiday purposes only.
 - b) No part of the accommodation shall be occupied as a person's sole or main place of residence.
 - c) An up to date register shall be maintained of the names of all guests using the accommodation, including names, home addresses, dates and durations of each stay and the register shall be made available at all reasonable times to the Local Planning Authority.

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