



Appeal Decision

Site visit made on 14 October 2025

by Stephen Hawkins MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31 October 2025

Appeal Ref: APP/C3810/C/24/3341692

**Lagnersh Campsite, Lagnersh House, Lower Bognor Road, Chichester,
West Sussex PO20 1LW**

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended).
 - The appeal is made by Mrs Julie Keet against an enforcement notice issued by Arun District Council.
 - The notice was issued on 19 March 2024.
 - The breach of planning control as alleged in the notice is without planning permission, the use of the land for the siting of four mobile homes used for residential occupation.
 - The requirements of the notice are: 1. To cease the use of the land for the siting of four mobile homes for residential occupation. 2. To remove the four mobile homes and all associated equipment and paraphernalia from the land and return the land to its former condition.
 - The period for compliance with the requirements is three months.
 - The appeal is proceeding on the grounds set out in section 174(2)(a) and (g) of the Town and Country Planning Act 1990 (as amended). Since an appeal has been brought on ground (a), an application for planning permission is deemed to have been made under section 177(5) of the Act.
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Decision

1. It is directed that the enforcement notice is corrected by:

- In paragraph 3 substituting 'four' with 'two'.

And varied by:

- In paragraph 5 at 5.1 and 5.2 deleting 'four'.
- In paragraph 6 substituting 'three months' with 'six months' as the period for compliance.

Subject to the correction and variations the appeal is dismissed, the enforcement notice is upheld and planning permission is refused on the application deemed to have been made under section 177(5) of the 1990 Act as amended.

Preliminary Matters

2. The enforcement notice alleges a use for the siting of four mobile homes for residential occupation. Since the notice was issued, a Lawful Development Certificate (LDC) under s191 of the Act has been granted on part of the land to which the notice relates for 'the permanent siting and use of two existing structures on plots 1 and 2 as independent residential units'.¹ The LDC relates to two of the structures described as mobile homes in the allegation. As no more than two mobile homes are stationed on the land for the purposes of residential occupation, the allegation is inaccurate. Therefore, I shall exercise the power in s176(1) of the Act to correct any defect, error or misdescription in the notice, or to vary its terms, to refer to the right number of mobile homes in the allegation. There would be no injustice to the appellant or the Council, who both agreed to this correction.

¹ Council Ref: P/95/24/CLE

3. I shall also exercise the above power to vary the notice requirements, which refer to the number of mobile homes to be removed. As the number of mobile homes is in the allegation, referring to a specific number in the requirements is unnecessary. Additionally, this could lead to uncertainty-for example whether the notice can require the cessation of any future unauthorised use of the land in question for the stationing and residential occupation of a lesser or greater number of mobile homes. There would be no injustice in varying the notice accordingly.
4. My decision takes the revised National Planning Policy Framework (the Framework), which came into force during the course of the appeal, into account.

Ground (a) appeal

Main Issue

5. By correcting the notice, the alleged breach of planning control is narrowed down along with the scope of the deemed planning application arising from the ground (a) appeal. The main issue in this ground of appeal is therefore the effect of the stationing and residential occupation of the two mobile homes on the character and appearance of the surrounding area.

Reasons

Character and appearance

6. The appeal site includes two single unit mobile homes along with hard surfaced, grassed and planted areas including hedges and trees and the two LDC structures. Located to the north of a main road, the site occupies a predominantly rural setting. A close-knit group of traditional buildings including a Grade II listed former farmhouse (Lagnersh House) reflecting scattered farmstead development in the wider rural landscape, are to the south of the site adjacent to the main road, with a caravan and camping site to the north. Land to the east and west as well as beyond the traditional buildings and campsite largely consists of open agricultural fields partly bounded by hedgerows with occasional trees and groups of trees, forming part of an expansive and mainly flat area of open countryside. The site is outside the built-up area boundary of any settlement identified in the Arun Local Plan (LP) and so is in the countryside for planning policy purposes.
7. Since the notice was issued, a planning appeal concerning the stationing of four mobile homes on the site has been dismissed.² In doing so, the Inspector concluded that due to its form, siting and residential character, the development unacceptably harmed the rural character of the locality.
8. The two mobile homes in the current appeal make a significant contribution to the harmful visual consequences identified by the previous Inspector. They have a standardised form, along with a residential character which also encompasses their surroundings due to the associated parked vehicles and domestic paraphernalia. The stationing of the mobile homes, to the north-east and south-west of the pair of LDC structures, further consolidates and extends residential development well beyond the group of traditional farmstead buildings and contributes to a markedly more built-up feel at and in the environs of the site. As a result, the mobile homes are a harmful encroachment into the surrounding countryside.
9. Although trees and hedging on the site and in the vicinity partly screen the mobile homes, their visual qualities nonetheless erode the rural character of the surroundings. The manufactured, residential appearance, angular profiles and shiny metallic external finishes of the mobile homes is in stark contrast to the softer shapes, muted colour tones and naturalistic features typical of the countryside setting, resulting in them being viewed as alien features from the adjacent public right of way and in occasional glimpses through and above vegetation when

² Appeal Ref: APP/C3810/W/23/3330447

travelling on the main road. Moreover, any visual screening provided by existing planting is highly likely to be of limited effectiveness during the winter and early spring months, when leaf cover is largely absent. Nor can undertaking supplementary planting be relied on to assist in screening the mobile homes, particularly as the longer-term retention of such planting is uncertain.

10. In relation to the two larger mobile home sites in the wider surroundings providing either seasonal agricultural workers' or established holiday accommodation, there is little sound reason why I should depart from the previous Inspector's findings regarding the different circumstances that applied in those cases. Attention was also drawn to an appeal decision which concerned three mobile homes at a site in the wider area.³ However, as no harm to the character and appearance of the area was identified, that decision provides little support for the appellant's case. Similar views concerning that decision were also expressed by the Inspector in the previous appeal at this site.
11. Therefore, the mobile homes cause unacceptable harm to the rural character and appearance of their surroundings. This is in conflict with LP Policy C SP1, which seeks to recognise the intrinsic character and beauty of the countryside and none of the criteria therein for permitting development are satisfied, also conflicting with LP Policy SD SP2 which aims to focus new development within the built-up area boundaries. Furthermore, the mobile homes conflict with LP Policy D SP1 which aims for new development to reflect the character of the site and local area and LP Policy D DM1, which seeks a high standard of design and respect for context in new development.

Other matters

12. The site is in the 400m to 5km (Zone B) Zone of Influence of the Pagham Harbour Special Protection Area (SPA), an internationally important wetland supporting wildfowl species populations. The mobile homes increase the number of people living near to the SPA and so are likely to have a significant effect on the SPA due to increased recreational disturbance. LP Policy ENV DM2 requires new residential development in Zone B to make a financial contribution towards the provision of accessible new green spaces for recreation, to mitigate current and future pressure from residential development on the SPA. A Planning Obligation to secure a financial contribution to that effect was provided. However, I do not need to undertake an appropriate assessment as the mobile homes are unacceptable for other reasons.
13. The mobile homes preserve the setting of the listed building. There has been no alteration to the visual, functional or historic relationship between the listed building and its setting and the ability to appreciate the listed building in its surroundings is unaffected.
14. As I understand it, at 4.17 years the shortfall in the Council's 5-year supply of housing land is similar to at the time of the previous appeal. The economic and social benefits, including the continuing provision of two welcome homes and the occupiers' likely support for local shops and services, weigh moderately in favour of granting permission. However, even if following undertaking an appropriate assessment I had concluded that the integrity of the SPA would not be adversely affected, the environmental harm identified above significantly and demonstrably outweighs the benefits when assessed against the policies in the Framework taken as a whole.
15. Given my findings set out above, other matters raised by interested parties do not require further consideration.

³ Appeal Ref: APP/C3810/W/18/3197909

Conclusion-Ground (a) appeal

16. The mobile homes cause unacceptable harm to the rural character and appearance of the surrounding area, in conflict with the Development Plan taken as a whole. There are no material considerations, including the Framework, which indicate that the decision should be made other than in accordance with the Development Plan. Therefore, I conclude that the ground (a) appeal should not succeed.

Ground (g) appeal

17. The ground of appeal is that the time for complying with the notice requirements falls short of what should reasonably be allowed.
18. Three months exceeds the minimum notice period required to be given to the tenants prior to eviction. However, that does not necessarily mean they would have sufficient time to search for and secure suitable alternative living accommodation. Given the likely high demand for affordable rented accommodation in the surrounding area, along with the probable pressures on social housing stock, there can be little reasonable assurance that the tenants would be successfully re-housed within that period. This increases the prospect of tenants facing homelessness, along with the adverse consequences that may have for other aspects of their life, including employment opportunities. In addition, the risk of the appellant having to commence eviction proceedings, along with incurring the costs associated with doing so, are increased. Extending the compliance period to two years on the other hand, would perpetuate the breach and the associated planning harm over an extended period and would be tantamount to granting temporary planning permission for the mobile homes.
19. Given the circumstances, a compliance period of six months would in my view be reasonable. This would give the tenants greater time in which to seek out and hopefully secure suitable alternative accommodation, as well as for raising any necessary funds i.e., for a rental deposit, in the process considerably reducing the risk of any tenants being made homeless or the need for the appellant to commence eviction proceedings. There would then be an appropriate balance struck between remedying the breach as soon as practicable whilst also avoiding, so far as is possible, imposing a disproportionate burden on the appellant and their tenants. There would be no injustice to the Council in varying the notice accordingly.
20. Therefore, the ground (g) appeal succeeds to this extent.

Conclusion

21. For the reasons given above, I conclude that the appeal should not succeed. I shall uphold the enforcement notice with a correction and variations and refuse to grant planning permission on the application deemed to have been made under section 177(5) of the 1990 Act (as amended).

Stephen Hawkins

INSPECTOR