



Appeal Decision

Site visit made on 4 November 2025

by Guy Davies BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25TH November 2025

Appeal Ref: APP/Y9507/W/25/3361555

Land opposite New Barn Farm House, Rake Road, Milland, Liphook, West Sussex GU30 7JU

- 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 White of Griffin Nurseries against the decision of South Downs National Park Authority.
 - The application Ref is SDNP/23/00354/FUL.
 - The development proposed is extension to container plant unit, involving the laying of hardstanding and gated enclosure and siting of water tank and crew room.
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Decision

1. The appeal is allowed and planning permission is granted for extension to container plant unit, involving the laying of hardstanding and gated enclosure and siting of water tank and crew room on land opposite New Barn Farm House, Rake Road, Milland, Liphook, West Sussex GU30 7JU in accordance with the terms of the application Ref SDNP/23/00354/FUL and subject to the conditions in the attached schedule.

Preliminary Matters

2. I have removed the word 'retrospective' from the banner heading above as that is not a description of development. At the time of my visit fencing, gates and a water tank had been installed and a surface of road planings partly laid.
3. Natural England withdrew its position statement on the Sussex North Water Supply Zone on 31 October 2025. Following mitigation measures agreed with Southern Water and the Environment Agency, Natural England considers that water abstraction in this area will no longer have a likely significant effect on the Arun Valley ecological sites. That is now also the position of the Council. Having regard to those views, I am satisfied that reason for refusal 5 is no longer applicable. As there would be no likely significant effect from any additional water demand by the nursery, there is no need for me to carry out an appropriate assessment.

Main Issues

4. The main issues are the effect of the development on:
 - The character and appearance of the landscape
 - The health of trees adjoining the site
 - Surface water drainage and run-off

Reasons

Character and appearance of the landscape

5. The site occupies approximately half of what was previously a small field. It is surrounded to the west and north by woodland, and to the east by a wooded shaw. Its southern boundary lies adjacent to a concrete farm track, also used as a public footpath, and is separated from it by a boundary fence backed by some trees and shrubs. Two detached houses together with farm buildings line the other side of the farm track, with the horticultural nursery behind them.
6. The wider landscape is characterised by a mixture of grazing and arable fields bounded by field hedges and trees interspersed with parcels of woodland. Within this landscape the nursery strikes a somewhat more managed appearance with densely spaced rows of nursery stock contained within a compact site. Its primary role to grow plants is nevertheless apparent, and in that context it forms part and parcel of the agricultural landscape of this part of the South Downs National Park.
7. The same applies to the appeal site. It is used for some of the taller containerised nursery stock, laid out in rows. Road planings have been laid between and in some cases under the rows to aid mechanical handling. The planings used are dark in colour and are already becoming covered in mud and leaves. While the form of surfacing used is not a feature of the wider landscape, I do not find it out of place within the setting of the nursery where moving what in some cases are large and heavy containerised stock necessitates some form of surfacing.
8. The surfacing material is visible from the public right of way that runs along the farm track but given its recessive colour and weathering it is not visually dominant or obtrusive. The appellant has offered to provide additional planting along the southern boundary which would provide further screening. The surrounding woodland and wooded shaw mean that the site has no appreciable impact on the wider landscape.
9. The Council raises no objection to the other elements of the proposal, including fences, gates, water tank and crew room. I also do not consider these elements have any harmful impact on the landscape.
10. I am required to seek to further the purposes of the National Park, which are to conserve and enhance the natural beauty, wildlife and cultural heritage of the land, and promote opportunities for the understanding and enjoyment of the special qualities of the Park by the public. Policies SD1 and SD4 of the South Downs Local Plan support those purposes as does Policy HD.2 of the Milland Neighbourhood Plan. Allied to those purposes is the aim of Policy SD2 of the South Downs Local Plan for ecosystem services to, amongst other objectives, support the sustainable production of food, forestry and raw materials, and increase the ability to store carbon through new planting. The development fulfils these objectives.
11. Having regard to my findings above, I conclude that the development would conserve the character and appearance of the landscape and would not conflict with the purposes of the National Park or the policies set out above.

Trees adjoining the site

12. There are a number of mature oak trees in the woodland bordering the western side of the site. Since the Council's decision, and in response to reason for refusal 3, the appellant has removed plantings from the area adjacent to the trees, deposited a layer of woodchips and protected the area from encroachment with tree trunks. Other than for a residual concern about ground compaction, the Council is now satisfied that the neighbouring trees would not be adversely affected. I share that view.
13. It is proposed to site a water tank and crew room in the area close to the western boundary. The appellant says that the water tank and crew room are no longer needed, but I am required to consider what has been submitted as part of the proposal. Both the water tank and crew room are lightweight structures without any foundations and in my view their location as shown on the submitted plans would be unlikely to cause harm to the roots of the neighbouring trees. I therefore consider them to be acceptable as shown.
14. I conclude that, subject to the measures already implemented on the site, the health of the trees in the neighbouring woodland would not be harmed and there would be no conflict with Policies SD4 and SD11 of the South Downs Local Plan, which seek to conserve and enhance landscape character and trees, hedgerows and woodland.

Surface water drainage and runoff

15. The land is drained by field and French drains discharging to a ditch along the eastern boundary, which discharges (via a culvert) to a stream to the south. In its current form, the surfacing appears at least semi permeable such that surface water drains via the existing field and French drains to the ditch at a greenfield rate. However, as noted by the Council's Drainage Engineer, the road plantings contain fines such that, over time, it is likely that the surface will become progressively more impermeable as it is compacted through use. Given the large area involved, that could give rise to an increased rate of runoff during times of heavy rain, with the potential to cause flooding.
16. For that reason, I consider that appropriate drainage should be installed to restrict runoff from the site to a greenfield rate. I consider that such a requirement can be secured by the imposition of a condition.
17. Subject to that condition, and implementation of any drainage works that arise from it, I am satisfied that the development would not cause harm by increasing the risk of flooding on or off site, and would not therefore conflict with Policy SD50 of the South Downs Local Plan which requires, amongst other things, that there is no net increase in surface water run-off, taking account of climate change.

Conditions

18. I have considered the conditions suggested by the Council in light of the tests set out in paragraph 57 of the National Planning Policy Framework.
19. In addition to a time limit condition, a condition listing the approved plans is necessary for certainty. A condition requiring further planting along the southern boundary is necessary to help screen the surfacing material in views from the public footpath. A condition requiring approval and implementation of a surface

water drainage scheme is necessary to prevent the risk of flooding. I have simplified the wording of both these conditions from that suggested by the Council. Because the development is partly retrospective, I have added a condition requiring removal of the development in the event that neither the planting nor drainage conditions are satisfactorily discharged. I have also added a condition requiring retention of the barrier protecting trees adjacent to the western boundary.

20. No external lighting is proposed so there is no need for a condition requiring its approval. The water tank is already on site, and the crew room is a simple portable unit, so there is no need to require details of their external materials. It is not clear what is required by the condition relating to ecosystem services and therefore I have not imposed it as it is imprecise. I also do not see the necessity for a development of this type to provide habitat enhancements as suggested by the Council.

Conclusion

21. I consider that, subject to conditions, the development would accord with the development plan and the purposes of the South Downs National Park. Accordingly, I conclude that the appeal should be allowed.

Guy Davies

INSPECTOR

Schedule of conditions:

1. The development hereby permitted shall begin not later than 3 years from the date of this decision.
2. The development hereby permitted shall be carried out in accordance with the following approved plans:
 - SDNP-CHI-AP-285.1.01E site location plan
 - SDNP-CHI-AP-285.1.02C block plan
 - SDNP-CHI-AP-285.1.03A proposed water tank and crew room
 - SDNP-CHI-AP-285.1.04 fencing and gate to access A
 - SDNP-CHI-AP-285.1.05 fencing and gate to access B
3. Within 3 months of this decision a planting scheme to reinforce the existing vegetation along the southern boundary of the site shall be submitted to and approved in writing by the Authority. The approved planting scheme shall be carried out in the first planting season after approval. Any trees or plants which, within a period of 5 years after planting, are removed, die or become seriously damaged, shall be replaced no later than the following planting season with plants of species, size and number as originally approved.
4. Within 3 months of this decision a surface water drainage scheme shall be submitted to and approved in writing by the Authority. Within 6 months of approval, the drainage system shall be installed and thereafter maintained in working order.

5. If either of the planting and drainage schemes required under conditions 3 and 4 have not been submitted to the Authority within the periods specified in those conditions, all works permitted by this decision including hard surfacing, fencing, gates, water tank and crew room shall be removed and the land returned to its state prior to the works being undertaken within a period of 3 months.
6. The tree protection barrier shown on the tree protection plan appended to Revision 2 of Tree Survey Arboricultural Impact Assessment and Arboricultural Method Statement dated 27 February 2024 shall be retained and no heavy machinery or ground disturbance shall take place in the area between the tree protection barrier and the western boundary of the site.

***** end of conditions *****