



Appeal Decision

Site visit made on 13 January 2026

by **L Francis BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 20 February 2026

Appeal Ref: APP/P1425/W/25/3373178

Land Off Westdean Avenue, Newhaven, East Sussex.

- 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 M Davids, BN Construction Uk Ltd against the decision of Lewes District Council.
 - The application Ref is LW/25/0204.
 - The development proposed is change of use of former agricultural land to the provision of tourism/camping including regularisation of hard landscaping works with retrospective permission for new access, fencing and hard landscape.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. On 16 December 2025, the Government published a consultation on proposed reforms to the National Planning Policy Framework (the Framework). Whilst broad changes to the structure of the Framework are proposed as part of this consultation, these proposals could be subject to further change and can only be given very limited weight at this stage. It has therefore not been necessary to consult the parties on the changes, and in reaching my decision, I have had regard to the Framework published in December 2024.

Main Issues

3. The main issues are:
 - the effect of the appeal proposal on the character of the countryside; and,
 - whether the appeal proposal would be in an appropriate location having regard to the Council's strategy for the location of development, access to the vehicular route network and public transport.

Reasons

Character of the Countryside

4. The appeal scheme is for a caravan site which would accommodate a touring caravan for seasonal tourist use. There is no indication that the caravan would be permanently stationed, although there is no proposal before me regarding specific seasonal limitations.
5. The appeal site is located within a grassland area to the east side of Westdean Avenue. Westdean Avenue itself is a narrow, unmade road serving residential

properties. A timber post and rail fence has been erected around the site, and an access and some hardstanding is present, although the site is overgrown. There is some sporadic residential development off the nearby streets of Cuckmere Road and Cornelius Avenue. Nevertheless, the immediate surroundings are rural, with open, elevated grassland surrounding the appeal site and nearby dwellings. It is an exposed coastal location with a tranquil character.

6. The open land in which the appeal site is located acts as a green buffer separating the settlements of Newhaven and Peacehaven. There is a clear visual distinction between the regular, reasonably dense pattern of development at the edge of Newhaven to the east, and the open land interspersed with sporadic development in the vicinity of the appeal site.
7. I accept that the size and scale of the proposal would be limited and that temporary or occasional use would reduce the intensity of the proposal. Whilst the appellant indicates that they would accept conditions restricting periods of use, there is nothing before me to indicate when those intended periods would be. The presence of a touring caravan would include additional activity and paraphernalia associated with short term stays including additional comings and goings and the presence of beach and other outdoor activity equipment. The introduction of activity associated with tourism, where there was previously none, would be harmful to the tranquil character of the surroundings.
8. My attention has been drawn to a static caravan park some way to the west of the appeal site. The appeal proposal is by no means comparable to the scale of the static caravan park. However the proposal would be located in an area where the immediate surroundings are currently free from development. Incremental harm can nevertheless be cumulative, and the proposal would contribute to the erosion of the tranquil rural character of the area between Newhaven and Peacehaven.
9. Whilst the physical works associated with the provision of the caravan pitch would be limited, this would be perceived in the context of grassland currently free from development immediately surrounding the site. Given the rural and exposed location, the access, fencing and hardstanding in the form of masonry edged gravel, brick hardstanding and granite chippings would appear jarring in the otherwise undeveloped landscape adjacent. The appellant indicates that they would be willing to use a grassed cellular/mesh system to replace the hardstanding. I acknowledge the use of a mesh system would soften the proposal's effect upon the surrounding landscape.
10. I note the appellant's agreement to conditions regarding natural screening around the site in the form of landscaping or planting. Planted screening may take several years to establish and once mature, any hedging or landscaping would have the effect of enclosing the appeal site as a small area within an exposed coastal grassland. This would not reflect the open character of the surroundings and would potentially make the site appear more visually intrusive in the landscape. Even if I were to accept that the use of appropriate planning conditions could control the appearance of the site, this would not address the effect upon the character of the countryside arising from the tourist use.
11. In conclusion on this main issue therefore, I consider the appeal proposal would harm the character of the countryside due to harm to the tranquillity of the location along with associated visual intrusion. It would conflict with LP Part 2 Policy DM1 which, amongst other things, seeks to protect the distinctive character and quality of the countryside. It

would also conflict with DM12 insofar as it requires new caravan and camping sites to meet criteria including its size, scale, appearance and intensity of use being compatible with its location, and not being visually intrusive in the landscape.

12. The Framework seeks to support a strong, competitive economy, stating amongst other things, that planning decisions should enable sustainable rural tourism and leisure developments which respect the character of the countryside. Given my findings above, I cannot conclude that the appeal proposal would respect the character of the countryside in this location.
13. The Council refer to LP Part 2 Policy DM10 in their reason for refusal. The policy focuses on the conversion or replacement of existing rural buildings for employment purposes, which includes tourist and leisure facilities. Given that the policy specifically relates to existing buildings and their conversion or replacement, I do not consider it is directly relevant to the appeal proposal.
14. The Council also refer to Lewes District Local Plan Part 1, adopted 2016 (LP Part 1) Policy CP5 in their reason for refusal. As this policy contains requirements in relation to the location of tourist development, I refer to it in the second main issue.

Location

15. The appeal site is located outside the settlement of Newhaven. LP Part 2 Policy DM1 states that outside planning boundaries the distinctive character and quality of the countryside will be protected. New development will only be permitted where it is consistent with a specific development plan policy, or where the need for a countryside location can be demonstrated. LP Part 1 Policy CP5 supports a sustainable tourism industry in and around the district, recognising its role in the local economy. It also promotes the use of sustainable transport modes by visitors.
16. I appreciate that tourists may seek a rural or isolated location. Caravan and camping sites are frequently located in rural areas and due to the nature of the use, vehicular access is generally required. In setting out criteria for the location of caravan and camping sites, LP Part 2 Policy DM12 requires that there is reasonable accessibility from the primary or secondary route network.
17. The appeal site is linked to the main road network just over 1km away via a series of narrow unmade roads that surround the appeal site. In my view, travelling over 1km along narrow unmade roads with caravans or campervans to access the site would not constitute 'reasonably accessible', pursuant to Policy DM12. The narrow, poorly surfaced and unlit roads would not provide a safe or convenient walking route which would facilitate walking as a means of access to and from the site. Future users of the proposed caravan site would also likely be reliant on a car for local transport as the surrounding unmade roads would not realistically offer accessible or attractive walking or cycling routes for many. I do not consider that the location would be consistent with the sustainable tourism encouraged by LP Part 1 Policy CP5, even taking into account the guidance of the Framework that opportunities to maximise sustainable transport solutions will vary between urban and rural areas.
18. For the reasons set out above, I conclude that the appeal scheme would not be in a suitable location. The proposal would conflict with LP Part 1 Policy CP5 and LP Part 2 Policies DM1 and DM12. Taken together and amongst other things, these policies seek to achieve sustainable tourism, reduce the need for travel and promote a sustainable system of transport and land use, require reasonable accessibility of caravan/camp

sites from the primary or secondary route network, and, outside the planning boundaries, protect the distinctive character and quality of the countryside, permitting new development in certain circumstances.

19. The Council consider the site to be physically and functionally isolated such that it would conflict with Framework paragraph 84, referenced in the reason for refusal. In this case Framework paragraph 84 is not directly relevant since the scheme does not concern a dwelling.

Other Matters

20. My attention has been drawn to an outline planning application (ref LW/23/0380) on an allocated housing site known as Harbour Heights which would potentially see a significant housing development at the outer edge of Newhaven to the east of the appeal site. Whilst it would bring housing development closer to the appeal site, it would still be set some distance away and it would not alter the function of the surrounding grassland as a 'green gap' between Newhaven and Peacehaven. The potential for development on the allocated site does not alter my conclusions on the effect of the proposal on the rural character of the surrounding area.
21. My attention has been drawn to LP Part 1 Policy CP10, and LP Part 2 Policy DM27 which were not referred to in the reasons for refusal. Given that I have already identified conflict with the development plan read as a whole, I shall not pursue these matters further.

Planning Balance and Conclusion

22. The appeal scheme would provide tourist accommodation and would contribute to the local economy. Given the small scale of the proposal, any associated benefits would be limited in scale. Consequently, I attach limited weight to these benefits.
23. I have been referred to other material considerations which the appellant considers weigh in favour of the scheme. These include matters which are not in dispute such as the effect upon the living conditions of neighbouring residents, the creation of a vehicular access and parking, flood risk and drainage. I do not have substantive evidence to contradict the conclusions of the Council in these matters, so I see no reason to disagree. Nevertheless, the absence of harm means these are neutral considerations in my determination of the appeal.
24. The harm I have identified to the character of the countryside, along with the conflict with the Council's strategy for the location of development, draw the proposal into conflict with the development plan read as a whole. The material considerations in this case, including the Framework, do not indicate that the decision should be taken otherwise than in accordance with the development plan. The appeal should therefore be dismissed.

L Francis

INSPECTOR