
Appeal Decision

Site visit made on 21 November 2016

by P W Clark MA MRTPI MCMI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 15 December 2016

Appeal Ref: APP/Y9507/D/16/3158143

Hoyle Farm, Hoyle Lane, Heyshott, West Sussex GU29 0DY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr James Pitt against the decision of South Downs National Park Authority.
 - The application Ref SDNP/16/00711/HOUS, dated 12 February 2016, was refused by notice dated 20 June 2016.
 - The development is the construction of a Hazel hurdle fence adjacent to the highway.
-

Decision

1. The appeal is dismissed.

Reasons

2. The fence had been erected at the time of my visit. The sole main issue is its effect on the character and appearance of its surroundings.
3. The fence has been erected in pursuit of a Woodland Management Plan submitted to the Forestry Commission for approval. It is intended to protect newly planted trees from grazing by deer but I note that the other boundaries of the newly planted plot are protected by a much less intrusive (though perhaps less refined) post and wire fence, so it is clearly not necessary that the fence be a hurdle fence in order to do the job.
4. Information provided by the applicant (such as the paper on "The Medieval fence" by Dr Peter J Reynolds) confirms that traditionally, "the use of such fences is confined to the environs of the farmstead itself" and "in the countryside at large there are virtually no fences at all".¹ That is confirmed by the quoted extracts from the West Sussex Landscape Land Management Guidelines which refer to hazel hurdles as a typical enclosure under the heading of dwellings. They are, as Dr Reynolds's paper remarks "the typical fence within the immediate environs of the farmstead"² and so are a mark of domesticity.
5. The fence is away from the immediate environs of Hoyle farm which lie to the west, on the opposite side of a stream. Even though it would be a locally appropriate material and so would be consistent with policy SD6 (2)(a) of the emerging South Downs Local Plan, it would be the wrong design for its

¹ Fourth and second paragraphs on page 38 of submitted extract.

² Third paragraph on page 37 of submitted extract.

location, contrary to subsections (b) and (c) of that emerging policy which call for locally appropriate design, suitable for the location and also to policy BE11 of the Chichester District Local Plan First Review, adopted in 1999 which is the extant development plan for the area. This requires development to take into account its setting in the landscape. In contrast to the deeply rural character of Hoyle Lane, the fence introduces an element of domesticity which is otherwise absent from the length of Hoyle Lane where it is situated. It does therefore harm the otherwise deeply rural character of its surroundings and so I dismiss the appeal.

P. W. Clark

Inspector