

Appeal Decision

Site visit made on 24 April 2017

by D. M. Young BSc (Hons) MA MRTPI MIHE

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

Decision date: 19 May 2017

Appeal Ref: APP/L3815/W/16/3162863

Land west of Jubilee Wood, Hambrook Hill, Chichester, West Sussex.

- 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 L Sturgess against the decision of Chichester District Council.
 - The application Ref WE/16/00565/FUL, dated 15 February 2016, was refused by notice dated 14 September 2016.
 - The development proposed is an agricultural building, compound and access track.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have taken the site address from the Appeal Form as this is more accurate than the version provided on the Application Form.

Main Issues

3. The main issues are firstly, whether there is sufficient justification for the barn and, secondly, its effect upon the character and appearance of the countryside.

Reasons

Justification

4. Policy 45 of the "*Chichester Local Plan: Key Policies 2014-2029*" (the LP) states that within the countryside, development will only be granted where it requires a countryside location and meets the essential, small scale, and local need which cannot be met within or immediately adjacent to existing settlements. It goes on to say that proposals requiring a countryside setting, for example agricultural buildings, should pay special attention to scale, siting, design and materials to ensure any impact on the landscape and rural character of the area is minimised.
 5. According to the appellant, the building is required to provide secure storage to house essential machinery and livestock in connection with the intended use of the surrounding land. However, at the time of my visit, there was no evidence that any agricultural activity has taken place hitherto. None of the stated items are currently kept on the land and I have doubts whether their storage alone would require a building of the size proposed. Whilst I note the appellant's intention to graze animals on the land, there is considerable doubt as to its suitability for such purposes given that it is a former landfill site.
-

6. I am giving little weight to the cited appeal decision from a neighbouring authority as it is clear that the circumstances of that case are not comparable to the scheme before me. In light of the above and given the lack of information about exactly what the building would be used for, I am not persuaded on the evidence before me that an '*essential*' agricultural need for the building has been demonstrated in this case.

Character and appearance

7. The appeal site comprises part of a larger parcel of open land located to the north of Woodmancote Lane and to the west of The Bridle Lane which is also a public right of way. The site is accessed via an unmade track from The Bridle Lane. Despite some sporadic residential development in the locality, the area is unmistakably rural and the openness of the site makes a significant contribution to the area's bucolic character.
8. The scheme seeks permission for a modular barn measuring approximately 10m (width) x 6.5m (depth) x 5m (ridge height). The front elevation would contain a large opening. The building and associated compound would be served by a new access drive linking it to the existing track which the Council allege is unauthorised.
9. The wider site under the appellant's control is enclosed by a post and wire fence and landscaping. This gives the site a degree of visual containment such that it is not visible in longer distance views. Nonetheless, the barn would be visible in glimpsed views from the Public Footpath to the south, The Bridle Lane and from the new access track to the north.
10. Notwithstanding that the fencing is no longer proposed, I agree with the Council that the scale of the building and compound would be excessive relative to the land it would serve. Collectively they would completely change the open and rural character of the land giving it an industrial appearance. Of particular concern is the siting of the building to the south of the field, the reasons for which are unclear, as this would necessitate the construction of a lengthy access track.
11. No essential need for the building and associated works have been demonstrated and it would have a harmful effect on the character and appearance of the countryside. I therefore conclude that the development would conflict with Policy 45 of the LP. There would also be conflict with Policies 1, 2, and 48 of LP and advice in the "*National Planning Policy Framework*" which amongst other things, seeks to recognise the intrinsic character and beauty of the countryside.

Conclusion

12. For the reasons given above, and taking account of all other matters raised, I conclude that the appeal should be dismissed.

D. M. Young

Inspector