
Appeal Decision

Site visit made on 4 July 2017

by R Barrett BSc (Hons) MSc Dip UD Dip Hist Cons MRTPI IHBC

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

Decision date: 14th July 2017

Appeal Ref: APP/Y9507/W/17/3168245

Hill Ash Farm, Hill Ash Lane, West Harting GU31 5NY

- 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 N Hanbury against the decision of South Downs National Park Authority.
 - The application Ref SDNP/16/04896/FUL, dated 26 September 2016, was refused by notice dated 4 January 2017.
 - The development proposed is 'construction of store building for equestrian use'.
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Decision

1. The appeal is allowed and planning permission is granted for construction of store building for equestrian use at Hill Ash Farm, Hill Ash Lane, West Harting GU31 5NY, in accordance with planning application Ref SDNP/16/04896/FUL, dated 26 September 2016, subject to the planning conditions set out in Annex A to my decision.

Procedural Matters

2. The description of development in the banner heading is taken from the appellant's application form. I note that it varies slightly from that in the Council's decision notice. However, as the appellant's description adequately describes the development sought, I have used it in my formal decision.
3. A store building has been erected on site. Whilst it follows closely the plans before me, I cannot be assured that it complies with them in every respect. Further, the description of development does not refer to the building having already been built on site. Therefore, I am determining this appeal on the basis of the plans before me.

Main Issue

4. Whether the proposed store building would conserve the landscape and scenic beauty of the South Downs National Park (SDNP).

Reasons

5. The appeal site includes a small area of land on which the appeal building would be sited. That land sits close to the Hill Ash Farm complex, which includes a number of grade II listed buildings, including the farmhouse, the barn to the north west, the stables and the hop kilns. Some dwellings are nearby which front onto Hill Ash Lane. Undulating, generally open, agricultural land surrounds the group comprised of the farm complex and residential dwellings, along with some woodland.

6. The appeal building would be sited where no development is at present in the rural area. This matter is undisputed. Despite the landscape character of the surrounding land, the land close to the appeal site is contained by existing development and woodland. Although not within existing development, either residential curtilage or within the farm complex, the appeal building would be very close to both. It would be sited very close to the rear of 1 and 2 Hill Ash Cottages and adjacent to a hedge at the rear of those properties and a hard surfaced parking area. It would also be close to a complex of buildings which form part of the farm complex and a hard surfaced access. For these reasons, it would not appear remote and would visually relate to existing development. The proposed building would be small and would have the appearance of a rural agricultural building. It therefore would not materially affect the openness of the land and would blend into its agricultural character. It is agreed between the two main parties that it would not be seen from a public vantage point. For all these reasons, it would not appear out of place. Moreover, it would not materially adversely affect the undulating, generally open, agricultural landscape character of land that surrounds the existing development and that of the SDNP generally.
7. The appeal development would be for an equestrian use; a matter that is undisputed in the evidence before me. Chichester District Local Plan First Review 1999 (LP) Policy R6, supports equestrian facilities, subject to a number of criteria. On the basis of my previous findings, criteria 1 (ii) would be satisfied. I have no evidence before me to suggest that any other criteria would not be met.
8. I have made my decision on the basis of the evidence before me and future planning applications for buildings in the rural area would be judged on their merits to ensure that a proliferation of outbuildings does not result. Therefore, no precedent would be set by this appeal.
9. I conclude that the proposed building would conserve the landscape and scenic beauty of the SDNP. It would therefore generally accord with Policies RE1, R6 and BE11 of LP. Those policies, together, aim for new development that does not detract from its surroundings and restricts development within the rural area, to amongst other things, equestrian facilities. It would also be consistent with sections 7 and 11 of the National Planning Policy Framework (the Framework), which generally aim to conserve and enhance the natural environment and require good design.

Other Matters

10. As the proposed building would be some distance from the listed buildings identified, which form part of the farm complex at Hill Ash Farm, and as it would be small scale, it would not affect the special architectural or historic interest of those buildings. They have a farmyard, agricultural setting with undulating generally open agricultural land beyond, which contributes to their significance as heritage assets. For the same reasons, no harm to their settings would result. I have considered these matters, mindful of my statutory duties¹.
11. I have had regard to the Council's concern regarding the need for the proposed structure, and I agree that it has not been proven that such a use could not be

¹ section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990

accommodated within the existing farm complex. However, as I have found that material harm to the SDNP would not be a consequence and that proposed development would generally accord with LP Policy R6, being for storage for equestrian use, that matter would not affect my decision. I have no reason to consider it further therefore.

Planning Conditions

12. A list of suggested planning conditions is before me. I have agreed with the imposition of these subject to refinement to improve clarity and ensure consistency with national policy and guidance.² A list of planning conditions to be imposed is set out in Annex A to my decision.
13. Standard time and plans conditions are required to ensure clarity and in the interests of proper planning. A condition to control the use of the appeal building is necessary to ensure that development would be in accordance with LP Policy R6.

Conclusion

14. For the above reasons, and taking all other matters raised into consideration, I conclude that the appeal should be allowed, subject to the planning conditions set out in Annex A to my decision.

R Barrett

INSPECTOR

LIST OF PLANNING CONDITIONS

Annex A

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby approved shall be carried out in accordance with approved plans Block Plan/Site Plan dated 8/11/2016; Site Location Plan dated 30/9/2016; Drwg No 598/03.
- 3) The building hereby approved shall not be used for any purpose (including any other purpose within Class B8 of the Town and Country Planning (use Classes) Order 1987 (as amended)) other than the storage of minor equipment and chattels associated with the equestrian use of the land. On cessation of the use of the land on which the building is sited for equestrian purposes the building must be removed from the land and the land must, so far as is practicable, be restored to its condition before the development took place, or to such condition as may have been agreed in writing between the local planning authority and the developer.

----- END OF CONDITIONS-----

² Paragraphs 203 and 206 of the Framework and PPG paragraphs 21a-001-034