
Appeal Decision

Site visit made on 20 June 2017

by L Fleming BSc (Hons) MRTPI

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

Decision date: 17 July 2017

Appeal Ref: APP/Y9507/W/17/3171594

Home Farm, Bell Road, Kingsley Green, Fernhurst GU27 3LG

- 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 & Mrs Prisgrove against the decision of South Downs National Park Authority.
 - The application Ref SDNP/16/05877/FUL, dated 2 December 2016, was refused by notice dated 14 February 2017.
 - The development proposed is the formation of a gated field access.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Mr & Mrs Prisgrove against South Downs National Park Authority. This application is the subject of a separate Decision.

Preliminary Matter

3. The Council's decision notice refers to draft Policies of the South Downs Local Plan: Preferred Options - September 2015. In accordance with paragraph 216 of the National Planning Policy Framework (the Framework) weight may be given to emerging policies subject to the extent of unresolved objections. There is no evidence before me which allows me to make this judgement and as these Policies have not yet been examined I have attached limited weight to them.

Main Issue

4. The main issue is the effect of the proposed development on the character and appearance of the area, having particular regard to its location within the South Downs National Park (SDNP) and within the setting of the Kingsley Green Conservation Area.

Reasons

5. The appeal site is a field used for grazing on the west side of Bell Road in the open countryside within the SDNP. To the north of the appeal site is a group of properties which are within the Kingsley Green Conservation Area (CA).
6. Paragraph 115 of the National Planning Policy Framework (the Framework) states great weight should be given to conserving landscape and scenic beauty

in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty.

7. Furthermore, in accordance with the duty imposed by section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 I am required to pay special attention to the desirability of preserving the setting of listed buildings or any features of special architectural or historic interest. Moreover paragraph 132 of the Framework states that when considering the impact of new development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.
8. This part of the SDNP is characterised by open fields and woodland in a gently undulating landscape. This landscape character provides an agricultural and verdant setting to the buildings within the CA, which display traditional architectural features and features of agricultural heritage. Thus, in my view the significance of the CA is derived from the special architectural and historic interest of the buildings set in an agricultural landscape.
9. The appeal site forms part of a wider expanse of fields which gently rise from Bell Road towards woodland to the west. The proposed access would connect the field to Bell Road by a new access track a section of which closest to the road would be finished in black tarmac with remainder of the track surfaced in crushed stone/aggregate. The proposed track would pass over a grass verge, between trees and require the removal of a section of low vegetation.
10. Whilst I acknowledge that there are other accesses nearby which are surfaced in similar materials to those proposed, none portray the same specific characteristics as the appeal proposal which is on rising land and those examples appear to be have been in place sometime.
11. The grass verge on the west side of Bell Road would afford wide ranging views of the proposed development when approaching on Bell Road in both directions. It would take a considerable amount of time for the proposed development to weather and for vegetation to grow to soften its appearance and as such I find it would be a substantial, prominent and stark engineered feature in the verdant rural landscape which would fail to conserve the landscape and scenic beauty of the SDNP.
12. When travelling south along Bell Road, the proposed development would be visible within the setting of the CA. It would contrast with the finishing surface material of Bell Lane and would appear as an engineered urban feature in an otherwise rural landscape. I find that this would harm the agricultural setting and thus the significance of the CA.
13. That said, in the context of the significance of the heritage asset, I would calibrate the harm as less than substantial. In which case the, the Framework requires the degree of harm to be balanced against any public benefits the development may bring. Whilst there would be modest economic benefits associated with construction I am not aware of any other public benefits such that could outweigh the great weight I attach to the harm I have identified to the setting of the designated heritage asset combined with the great weight to be attached to the harm to the SDNP.

14. Thus, for these reasons, I find the proposed development would harm the character and appearance of the area. It would therefore be in conflict with the development plan, specifically Policies RE1 and BE11 of the Chichester Local Plan First Review (1999). It would also be in conflict with General Policy 1 of the South Downs Partnership Management Plan. All these policies, taken together seek to safeguard the character and appearance of an area and its landscape character.

Conclusion

15. For the reasons given above, having had regard to all other matters raised, I therefore conclude that the appeal should be dismissed.

L Fleming

INSPECTOR