
Appeal Decision

Site visit made on 3 May 2017

by David Troy BSc (Hons) MA MRTPI

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

Decision date: 26 July 2017

Appeal Ref: APP/Y9507/W/16/3165302

Timberley Farm, Bury Common, Bury, Pulborough, West Sussex RH20 1NP

- 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 Bromhead against the decision of South Downs National Park Authority.
 - The application Ref SDNP/16/02175/FUL, dated 21 June 2016, was refused by notice dated 22 July 2016.
 - The development proposed is the construction of a widened entrance to Timberley Farm including replacement of existing hardcore temporary surface with a permanent tarmac surface and replacement of existing radius dropped kerb with a new tapered kerb at the edge of the new bellmouth.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the development on the character and appearance of the area.

Reasons

3. The appeal site comprises a single track access lane on the eastern side of the A29 Bury Road within a rural location between the villages of Bury and Pulborough.
 4. The existing access lane serves Timberley Farm and several residential properties and consists of a bell mounted access with a tarmacadam surface with a 3m wide hardstanding area made up of permeable hardcore material running parallel to the southern edge of the tarmac lane for about 50m. The lane is bordered by the mature hedgerows with residential properties immediately to the north and south. The lane further eastward narrows to a more typical country lane bordered by grass verges, mature hedgerows and trees and has little impact upon the verdant rural character of the surrounding attractive open countryside.
 5. The proposal entails the widening of the existing entrance with a new tapered kerb on the southern side of its junction with the A29 and the replacement of existing hardcore temporary surface along the southern edge of the tarmac lane with a permanent tarmac surface.
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6. A core principle of the National Planning Policy Framework (the Framework) is to take account of the different roles and character of different areas, recognising the intrinsic character and beauty of the countryside. Paragraph 109 of the Framework makes it clear that, among other things, valued landscapes should be protected and enhanced. Paragraph 115 of the Framework states great weight should be given to conserving the landscape and scenic beauty in National Parks, which have the highest status of protection. Saved Policies BE11 and BE14 of the Chichester District Local Plan First Review 1999 (LP), although somewhat dated, are broadly consistent with the Framework and seek to ensure that new development does not impact on the landscape and detract from its surroundings.
7. In visual terms, given the enclosed nature and the relatively level topography of the site and immediate surroundings, the appeal site provides a minimal contribution to the wider surrounding area and the proposal would have limited harm on the character of the wider landscape. Nonetheless, on a more local level, the stark appearance of the existing tarmac lane combined with hardcore hardstanding area are entirely different in scale and form to the existing narrow lanes in the area and very much at odds with the verdant character of the area. These shortcomings would be exacerbated by proposal to lay a permanent tarmac surface on the hardstanding area and the appeal site's prominent position, which would be visible when passing along the busy A29.
8. I have considered the appellant's comments regarding the benefits arising from the entrance and access improvements and that no highway objections have been raised by the Local Highway Authority. However, the appellant has not provided any vehicle tracking diagrams or information to demonstrate that the proposed works are required and would result in significant improvement to highway and pedestrian safety at the junction with the A29. The adverse harm of the appeal scheme as outlined above in this sensitive rural landscape would outweigh the potential benefits and as such would not achieve the standards of design the Framework seeks to promote nor constitute a sustainable form of development.
9. I note the appellant's reference to the forecourt and access points from Turners Garage and the layby further to the north of the appeal site. However, these established developments are of different character and form and do not set a precedent for such an inappropriate development in this location. I also note the dispute between the main parties regarding the access and the hardstanding area and the reinstatement conditions covered by the permission relating to the engineering works at the Thorndell Viaduct by Network Rail. However, this is not a matter for my consideration under this Section 78 Appeal and I can only determine the merits of the proposal before me.
10. I have noted the support from local residents to the proposal, on the basis of the highway benefits and in response to the appellant addressing their safety and drainage concerns about the proposed works. However, the highway matters are addressed above and the drainage issues associated with the proposal can be dealt with by planning conditions if necessary. I have noted the comments of Bury Parish Council regarding the proposal. However, in light of my findings on the main issue of the appeal, my decision does not turn on these matters.

11. As such I consider that the development, by virtue of its siting, design and materials would result in an incongruous addition that would be out-of-keeping with the rural character and appearance of the area and would fail to preserve or enhance the landscape and scenic beauty of the South Downs National Park.
12. Consequently, I conclude that the development would adversely harm the character and appearance of the area and as such would conflict with Saved Policies BE11 and BE14 of the LP, which I consider relevant in this case. These policies seek, amongst other things, to ensure that the design, scale, materials, siting and layout of new development does not impact on the landscape and detract from its surroundings.
13. In addition, it would not accord with the aims of the Framework that development should seek to secure a high quality of design that takes account of the different roles and character of different areas, recognises the intrinsic character and beauty of the countryside (paragraph 17); that good design is a key aspect of sustainable development (paragraph 56); that respects the local character (paragraph 58); protects and enhances valued landscapes (paragraph 109); and conserves the landscape and scenic beauty in National Parks (paragraph 115).

Conclusion

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

David Troy

INSPECTOR