
Appeal Decision

Site visit made on 15 July 2019

by Andrew Bremford BSc (Hons) MRICS

an Inspector appointed by the Secretary of State

Decision date: 02 August 2019

Appeal Ref: APP/Y9507/W/19/3228068

Land East of Flint Acre Farm, Bignor Park Road, Bignor RH20 1EZ

- 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 Mrs D Sullivan against the decision of South Downs National Park Authority.
 - The application Ref SDNP/18/05965/FUL, dated 19 November 2018, was refused by notice dated 25 April 2019.
 - The development proposed is erection of private stable building, associated hard standing and new access to the highway including culvert to ditch; change of use of the land from agriculture to use for the keeping of horses.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. Since the application was determined the Authority has now adopted the South Downs Local Plan 2014-33 (SDLP). Given the form and wording of Policies SD1, SD2, SD4, SD7, SD8 and SD24 have not materially changed and they were clearly before the appeal parties from the outset, then the change in status of the SDLP has not caused any injustice.
3. In their refusal notice the Authority has also referred to Policies RE1, BE11 and R6 of the Chichester District Local Plan 1999 (LP) as reasons for refusal. However, as noted above, the Authority has now adopted the SDLP therefore Policies in the SDLP replace those in the LP. Hence, although the Authority's decision notice refers to the LP Policies, they are no longer material considerations and so I have not had regard to them in determining this appeal.

Main Issue

4. The main issue is the effect of the proposed development upon the character and appearance of the South Downs National Park.

Reasons

5. The site is an agricultural field, accessed off the north side of Bignor Park Road between two properties, Flint Acres Farm and Four Acres. Although some fields in the area have been sub-divided into smaller parcels of land for agricultural or equestrian use the character of the area is predominately an undeveloped rural landscape. The site makes a positive contribution to this landscape

especially because it is an undeveloped gap of land between two existing properties.

6. The southern boundary of the site adjacent to the road is formed with a hedgerow, trees and other foliage of mixed density and height. Although the proposed stable building would be positioned behind a relatively dense section of hedgerow and therefore reasonably well screened from the road it would still be seen in local views. The proposal would include an area of hardstanding and the removal of a section of existing hedgerow approximately 6 metres east of the existing access to allow construction of a new access: the existing access would be closed off and hedging would be planted in its place. The proposed new access and hardstanding area would be very readily visible from the road, and in combination with the proposed stable building and existing development along Bignor Park Road, would result in a localised amplification of development which would be at odds with the rural landscape character of the surrounding area.
7. The area is characterised by open fields and an irregular pattern of development. The proposed development would result in a contiguous stretch of development along this part of Bignor Park Road thereby disrupting the sporadic pattern of development and detract from the positive contribution the site makes to the undeveloped rural landscape. As such the proposal would be contrary to the aims of the National Planning Policy Framework¹ which places great weight on conserving and enhancing landscape and beauty in National Parks.
8. For the reasons outlined above, I conclude that the proposed development would cause significant harm to the character and appearance of the South Downs National Park. Consequently, it would not accord with Policies SD1, SD4 and SD24 of the SDLP which, amongst other things, seek to ensure development proposals conserve and enhance landscape character. The Authority has referred to Policies SD2, SD7 and SD8 of the SDLP in their refusal notice. However, these are not directly relevant to character and appearance issues.

Other Matters

9. I note that the appellant has sought to address the Authority's concern in regard to drainage problems through the inclusion of a new culvert incorporated within the repositioned site access. However, whilst this would help alleviate the drainage problems it does not in itself justify allowing harmful development.

Conclusion

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

Andrew Bremford

INSPECTOR

¹ Paragraph 172 of the National Planning Policy Framework