



Appeal Decision

Site visit made on 11 June 2019

by M Aqbal BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 August 2019

Appeal Ref: APP/Y9507/W/18/3216274

Land east of Church Lane, Pyecombe

- 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 Britecroft Pyecombe Limited against the decision of South Downs National Park Authority.
 - The application Ref SDNP/18/02071/FUL, dated 18 April 2018, was refused by notice dated 15 October 2018.
 - The development proposed is full application for 5 residential dwellings with garages, access and associated landscaping.
-

Decision

1. The appeal is dismissed.

Procedural Matter

2. On the 2 July 2019 South Downs National Park Authority ('SDNPA') adopted the South Downs Local Plan (the 'LP'). This supersedes the saved policy of the Mid-Sussex District Local Plan (2004) as cited in the SDNPA's decision notice dated 15 October 2018. Nevertheless, policies of the LP, then emerging, were considered in the SDNPA's determination of the application Ref SDNP/18/02071/FUL, and the main parties have had the opportunity to comment on this changing policy context at appeal. I have determined this appeal against the relevant policies of the new LP.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the area including the South Downs National Park (NP).

Reasons

4. The appeal site is a parcel of land at the southern end of Pyecombe. The land slopes from west to east and north to south, it forms the smaller part of a larger allocated housing site. Other than the A273 to the east, the site is largely bounded by housing. Access to the site would be via Church Lane and a spur leading off Forge Close which is a new cul-de-sac that has been created as part of the recently developed larger part of the allocated housing site. The site is located within the NP.

5. Conserving and enhancing natural beauty is a statutory purpose of National Parks.¹ The National Planning Policy Framework ('The Framework') explains that 'great weight' should be given to conserving landscape and scenic beauty in National Parks, which have the highest status of protection in this respect.²
6. There are some variations in housing density across Pyecombe. Nonetheless, in the vicinity of the site, to the east along Church Lane, dwellings are in a linear arrangement, set behind deep frontages with extensive rear gardens which generally benefit from mature landscaping. Similarly, dwellings to the north of the site are located in spacious plots. The recently constructed properties along Forge Close are mainly located side-by-side in generous plots, along with plentiful landscaping to the perimeter of the site and to the frontages of dwellings. Together, these layouts provide for a spacious and verdant character and appearance which positively contributes to the distinct quality of the settlement where the landscaping dominates the built development and contributes to the visual integrity, identity and scenic quality of the NP. Despite its unkempt condition the site is free of any significant development and along with its green nature is part of the landscape and also contributes to the quality of the area and the NP.
7. The proposal is for 4 x two-bed dwellings (Plots 1-4) and a detached three-bed dwelling (Plot 5). The former would be arranged in two blocks, broadly consistent with the layout of the dwellings to the south. Although these would be located on lower ground, they incorporate generous footprints which in combination with their two-storey designs would introduce sizeable blocks of new development. Furthermore, although the dwelling at Plot 5 is intended to create a visual stop to the cul-de-sac, it would be forward and in proximity of the other two blocks. The limited space between these properties would predominantly comprise hardstanding along with retaining structures to the parking areas for plots 4 and 5.
8. Therefore, despite careful consideration to design and materials for the new properties, the proposal would result in the introduction of an intensive urban form within the site. This would be compounded by the extent of existing built development to the north. Although, perimeter landscaping is to be retained and additional planting is proposed, the landscaping between the new properties would be limited.
9. Consequently, the proposed arrangement would appear contrived and of poor design that would not reflect the established pattern of development here, where dwellings have generous space and landscaping about them. The proposed development would therefore appear visually cramped and incongruous, particularly when viewed from within the site, and adjacent land and properties. In particular, this would result in an adverse effect on the appearance of this part of the NP. In light of the above, I am not persuaded that the development demonstrates a landscape-led approach.
10. Although the site is visible from parts of Bridleway 16Py, to the east, based on my observations and the submitted Landscape and Visual Impact Assessment, in such long-range views and in the context of the built environment at Pyecombe, the extent of development proposed would have no discernible

¹ Pursuant to the National Parks and Access to the Countryside Act 1949 and with reference to the English National Parks and Broads: UK Government Vision and Circular 2010.

² Paragraph 172

impact. Nevertheless, for the reasons already given, I conclude that as a consequence of its layout and form, the proposed development would have a significant adverse visual effect on the character and appearance of the area and the NP.

11. I therefore find conflict with the aims of policies SD4 and SD5 of the LP, which amongst other matters require that new development contributes to local distinctiveness and sense of place through its relationship to adjoining buildings, spaces and landscape features. I also find conflict with Policy SD6 of the LP which amongst other things seeks to safeguard the visual integrity, identity and scenic quality of the NP. In light of this, the proposed scheme would fail to accord with the first national park purpose³.

Other Matters

12. The appellant has undertaken various amendments to the scheme originally submitted, including reducing the quantum of development. Furthermore, the number of dwellings proposed along with those already built south of the site fall short of the 20 units envisaged for the allocated site. Nevertheless, I have determined the appeal on the merits of the final scheme, which for the foregoing reasons I have found to be unacceptable.
13. Economic benefits of the proposal would include the creation of construction jobs during the build period, increased spending in the local community by the new households, along with generating other financial receipts. The new dwellings would also contribute to the vitality of the area and the Council's housing supply, in particular for two-bed units for which there is a local need. These would be social benefits of the scheme. Taking into account the range of energy efficiency and sustainability measures to be incorporated in to the development along with the accessible location of the site, it would bring some positive environmental benefits. Nevertheless, and despite the support the Government attaches to delivering new housing on small sites, given the modest scale of the scheme (5 dwellings) such benefits would be limited and do not outweigh the significant harm I have already identified.
14. The LP and Framework support the efficient use of land. In the case of the former, amongst other things this is subject to development being appropriate to the character of the settlement and for the latter, subject to safeguarding and improving the environment. Based on my findings on the main issue, this is not the case here. Moreover, in view of the harm I have found and the conflict with the development plan, the presumption in favour of sustainable development does not apply in this case.

Conclusion

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

M Aqbal

INSPECTOR

³ The Environment Act 1995