



Appeal Decision

Site Visit made on 20 August 2019

by P Wookey BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25th September 2019

Appeal Ref: APP/Z3825/W/19/3231395

Grouselands, Woodland Lane, Colgate, RH13 6HU

- 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 Rourke against the decision of Horsham District Council.
 - The application Ref DC/18/2294, dated 26 October 2018, was refused by notice dated 21 December 2018.
 - The development proposed is described as formation of private drive along field margins to serve main house.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - the effect of the development on the High Weald Area of Outstanding Natural Beauty (AONB); and,
 - whether there is an essential need for the development proposed.

Reasons

Effect on the AONB

3. The National Planning Policy Framework (2019) (the Framework) attaches great weight to conserving and enhancing the landscape and scenic beauty of AONB's and Policy 25 of the Horsham District Planning Framework (2015) (HDPF) states that the natural environment and landscape character of the District, including protected landscapes should be protected against inappropriate development.
4. Policy 30 of the HDPF further states that natural beauty and public enjoyment of the AONB will be conserved and enhanced and development proposals will be supported where it can be demonstrated that there are no adverse impacts on the natural beauty of the landscape. Development proposals should also have regard to the High Weald AONB Management Plan to demonstrate how key landscape features of natural beauty will be conserved and enhanced.
5. Grouselands is a substantial dwelling set in approximately 184 acres within the AONB set atop a ridgeline, with land falling away from the dwelling and then rising towards Grouse Road. It is surrounded by undulating open countryside,

- fields used for grazing and areas of dense woodland. It is accessed via a private road, Woodland Lane, along which there are other residential and commercial uses and a second access, from Grouse Road which can only be used by farm or four-wheel drive vehicles.
6. The development proposed would construct a new driveway of approximately 925 metres from Grouse Road to the main dwelling, skirting the field and woodland boundaries, from the existing entrance. The proposed new driveway would be accessed directly from Grouse Road and would have a resin bonded surface over its full length, black metal railings and low-level LED lighting to the balustrades.
 7. The appellant has submitted a detailed Landscape Impact Assessment¹ which states that the design, materials proposed, route taken by the proposed new driveway would not impact, but conserve and enhance the intrinsic natural landscape beauty of the appeal site. It is acknowledged that the proposed route would keep close to the field boundaries and due to the topography, it would not be wholly visible along its entire length.
 8. Nevertheless, the introduction of the proposed driveway would significantly alter the intrinsic beauty of the open countryside in this locality. It would introduce an urban form of development over a relatively long stretch of open countryside, which would erode and detract from its open, undulating landscape characteristics.
 9. The proposed driveway would be partially visible from the Grouse Road access, as it would take some time for the landscaping undertaken close to the Grouse Road access to establish itself. The steep section of the proposed driveway which would keep close to the field and woodland boundary as it approaches the dwelling, is highly visible from Grouse Road and even though it is proposed to use dark surface treatment materials, this would not be sufficient to ensure there is not adverse effect on the surrounding landscape. Though the proposed low-level LED lights on corner areas would have passive infrared sensors, when activated, these would appear incongruous and would detract from the intrinsic beauty of the locality and its surrounding landscape.
 10. Overall, the addition of the proposed driveway in the open countryside would have an urbanising and eroding effect on the landscape. It would significantly impact on the intrinsic beauty and natural landscape setting of the countryside in this location and fail to acknowledge the importance of the AONB designation. I conclude that the development proposed would have a detrimental impact on the AONB and as a result would be contrary to policies 25, 26 and 30 of the HDPF and the Framework, which when read together seek to ensure new development conserves and enhances the landscape character and intrinsic natural beauty of the AONB.

Essential Need

11. The appellant states that the existing Woodland Lane access to Grouselands which is approximately one mile in length is narrow, poorly maintained with deep potholes and is extremely difficult to use in inclement weather. Further it does not provide the type of access to the main dwelling and its ancillary buildings which is required to support the needs of visiting clients and forms

¹ Landscape Impact Assessment TWIG

part of the phased strategy for carrying extensive improvements to the appeal site.

12. During my site visit, Woodlands Lane displayed many of the characteristics of a private country road, with dispersed dwellings and other uses having access off a narrow road. It was not busy with traffic and there were ample opportunities for vehicles travelling in opposite directions to pass. I note that part of the road had recently been re-surfaced with a contribution from the appellant, but I also note that it is acknowledged that the condition of Woodland Lane, may have in part been due to the number of heavy goods vehicles travelling to the dwelling as part of the renovation works that are currently underway. Given that it provided views of the surrounding countryside and mature trees and hedgerows lined the route, with limited development along its length, it did not give me the impression of being an unsuitable means of access to Grouselands.
13. The appellant states that the requirement for the proposed new driveway is predicated on the lack of suitable access provided by Woodland Lane and the existing access from Grouse Road can only be used by agricultural or four-wheel drive vehicles. Also, the proposed new route would allow the family to enjoy the diverse habitat along the driveway and would give clients visiting Grouselands the right impression.
14. However, whilst the proposed driveway would be desirable for the appellants, the stated requirements do not meet the criteria set out in Policy 26 of the HDPF which would support development outside of the built-up boundaries. It would not support forestry or agricultural use; enable extraction of minerals or the disposal of waste; provide for quiet recreational use or enable sustainable development of the rural areas and therefore the proposal would not be considered to be essential to its countryside location.
15. I have had regard to the appellants reference to Policy 30 of the HDPF with reference to the protected landscapes adapting to the new pressures to meet the needs of residents. However, on the basis of the evidence submitted, I have no indication as to the extent to which the appellant would use Grouselands for business purposes and for meeting clients. Further, as I do not consider Woodlands Lane to be an unsuitable means of access and given that there would be adverse effects on the AONB, on the basis of the evidence submitted, Policy 30 on its own would not provide sufficient justification for allowing the development proposed. This is particularly the case given the great weight I must give the harm identified to the AONB.
16. The appellant states that the proposed new driveway would significantly reduce the traffic flow along Woodlands Lane by segregating agricultural traffic serving the estate which would use the Grouse Road access, but this is not quantified in any way. It is also suggested that it would have a positive ecological impact and would provide for informal recreational use but given the limited amount of detail submitted as evidence, it is unclear how this would be achieved.
17. I conclude that an essential requirement for the proposed driveway has not been demonstrated and that it would be contrary to Policy 25 of the HDPF which seeks to protect, conserve and enhance the landscape character and the natural beauty of the AONB.

Other Matters

18. The appellant referred to other developments in the area which I have had regard to, but as the circumstances relating to each case is different and based on the evidence before me, this has not altered my decision.

Conclusion

19. For the reasons set out above, the appeal is dismissed.

Paul Wookey

INSPECTOR