
Appeal Decision

Site visit made on 17 September 2019

by James Taylor BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 September 2019

Appeal Ref: APP/Y9507/W/19/3232375

Manor Farm, East Marden, Chichester, West Sussex PO18 9JE

- 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 and Mrs M Ablewhite (Manor Farm East Marden) against the decision of South Downs National Park Authority.
 - The application Ref SDNP/18/06483/FUL, dated 10 December 2018, was refused by notice dated 1 March 2019.
 - The development proposed is the replacement of former agricultural buildings with 3no. dwellings for tourism use.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. During the course of the planning application the development description was altered with agreement between the parties. I have determined the appeal on the basis of the description above, as set out in the planning appeal form.
3. Since the determination of the planning application the emerging plan has been adopted and superseded the Chichester District Local Plan – First Review adopted April 1999. Both parties have agreed within their evidence that the up-to-date plan is the adopted July 2019 South Downs Local Plan (2014-33) (SDLP). It is on that basis that I have determined the appeal.

Main Issues

4. The main issues are:
 - i) The effect on the character and appearance of the area, the significance of the East Marden Conservation Area (EMCA) and the cultural heritage and landscape of the South Downs National Park (SDNP); and
 - ii) Whether sufficient justification has been provided to demonstrate that the proposal is part of a farm diversification scheme.

Reasons

Character and appearance

5. The proposal relates to the demolition of a number of agricultural buildings and their replacement with 3 'holiday lets'. The site is located on the edge of East Marden and largely within its conservation area, which is tightly drawn around

- the built form of the settlement. To the north of the appeal site are a number of buildings including the dwellings of East Marden Farmhouse, a Grade II listed building, and Manor Farm Barn. East Marden is a small settlement, located within the agricultural countryside context of the SDNP. The site has an unkempt appearance and the buildings are in various stages of dilapidation.
6. Despite its condition the site contributes positively to the agricultural heritage and context due to the clear agricultural use of the site, and its location adjacent to the original farmhouse and farmland. I observed that the site includes features that pre-date the steel and concrete structures at the site. Most notably the flint wall that has been used in the construction of building C's east elevation, and building F (ref: drawing no. 003, revision A). These features likely represent the remains of a more historic array of buildings associated with a farmstead. Furthermore, the layout of the existing buildings extends and reinterprets a farmstead at East Marden Farmhouse.
 7. I note a lack of historic analysis within any design and heritage submissions. The appellants evidence refers to a single map of 1896 purporting to show structures at the site, but they do not provide analysis on the significance of these structures or how they might inform development that positively contributes to heritage or landscape interests. Rather, the appellants' assessment simply concludes that the proposal would result in less than substantial harm. Additionally, I consider that the appellants' Landscape and Visual Appraisal and Landscape Design Strategy is undermined by the lack of historic analysis and therefore places insufficient weight on the historic connection of the site and its surrounds to the wider agricultural landscape.
 8. I have had regard to paragraph 189 of the National Planning Policy Framework (the Framework) and the guidance within Historic England's Farmstead Assessment Framework, as referenced within the SDLP policy SD40 on Farm Diversification. I consider that there is likely to have been 'significant change' to the farmstead, but this remains a heritage asset and of significance to the EMCA. It has not been appropriately assessed to inform the design.
 9. I consider the significance of the EMCA at this point to be the connection of the village to the wider agricultural land management. A key facet of this is the agricultural origins of the appeal site and the buildings to the north of it. Furthermore, significance derives from the higher density of development within the core of the conservation area, and at the peripheries the less dense, but more uniform layout. Despite the small number of buildings within the village's conservation area I note variation in design and form.
 10. The proposal is to introduce 3 identical replacement dwellings, which exhibit features to reflect the local domestic vernacular in terms of materials and design. However, I find that the low density and ad-hoc layout of the buildings would conflict with the prevailing character of the denser historic layouts and more uniform twentieth century layouts evident within the conservation area. The site currently has a high degree of enclosure and the proposal would erode this. Furthermore, the arrangement of the buildings and associated access, parking, turning and landscaping would give the appearance of a somewhat suburban form of development that does not respond positively to the rural and agricultural context of the village and farmstead. The use of three identical designs that, for example, lack subtle variation in ridge heights and elevational reveals further contribute to that character.

11. The site is prominent on approaches from the south along the public highway and also along right of way no.547. From these locations in particular the site is viewed both in the context of the built form of the village, and also the agricultural land that surrounds it.
12. For the above reasons, I consider that the proposal would be prominent and appear incongruous within the context of both the built form of the village and the surrounding countryside. I consider that it would fail to positively respond to the agricultural heritage and context. Whilst the proposal exhibits some good features, such as the use of a traditional and local materials palette, these do not outweigh my concerns overall. Nor do I find that the detailed scheme of planting would mitigate my concerns, as landscaping should not be used to hide what is otherwise inappropriate development from view. Furthermore, elements of the landscaping scheme contribute to the creation of an overtly residential character and erode agricultural connections.
13. Therefore, I consider that the proposals would not preserve or enhance the character and appearance of the EMCA. Although I consider that the harm to the EMCA would be less than substantial, great weight ought to be attached to any such harm having regard to paragraph 193 of the Framework. I am mindful of some potential public benefits from the scheme including bringing the site back into a viable use and its contribution to the economy of the National Park's communities. However, based on the proposed scheme I do not consider that the public benefits outweigh the harm identified.
14. Furthermore, I have had regard to the conservation of the cultural heritage of the SDNP alongside the other purposes for which the National Park is designated, in accordance with s.11 of the National Parks and Access to the Countryside Act 1949 (as amended). I find that the proposals would be harmful to the agricultural landscape and cultural heritage of the SDNP and therefore, in accordance with paragraph 172 of the Framework, I also place great weight to this harm in my overall assessment.
15. In conclusion, I consider that the proposal would harm the character and appearance of the area, the cultural heritage and landscape of the SDNP and result in less than substantial harm to the significance of the EMCA without public benefit to outweigh it. The proposal would therefore fail to accord with policies SD4, SD5, SD15, SD23 and SD25 of the SDLP which amongst other aims seeks high quality development that responds to landscape character, conserves or enhances the character or appearance of conservation areas and protects the cultural heritage of the National Park. It would also fail to accord with the design, landscape and heritage objectives of the Framework.

Farm diversification scheme justification

16. Since the Council's decision to refuse planning permission additional information has been submitted in order to seek to justify the farm diversification credentials of the proposal. The appellants have set out that the appeal site is located centrally within their agricultural holding, and in close proximity to a number of other assets they hold at East Marden, most significantly the commercial farmyard to the east. I have visited the main farmyard and made observations from the public rights of way through that site, noting a level of farming activity consistent with a commercial operation.

17. Furthermore, the appellants set out that a number of generations of the family have farmed the area. The main farmyard supports the majority of their business income, and the proposal would generate revenue that would supplement but not outweigh that. Additionally, the appellants set the proposals in the context of the evolving nature of farming and need for diversification. I find no substantive evidence to indicate that the proposal is likely to be severed from the agricultural holding and I consider that a means to avoid unreasonable severance of the appeal site could be secured by condition based on the evidence before me.
18. Additionally, the appeal site appears to need significant investment in order to become suitable for modern farming operations and appears to be little utilised at present. Furthermore, the main yard serves the needs of modern farming and has capacity to absorb the limited activity from the appeal site. Therefore, I do not consider that the loss of the farmyard to a holiday let diversification scheme would cause disruption to the farming enterprise.
19. In conclusion on this main issue, sufficient justification has now been provided to demonstrate that the proposal is part of a farm diversification scheme and would not conflict with policy SD40 of the SDLP. Furthermore, in this matter it would also accord with the objectives of the Framework.

Other Matters

20. The proposed farm diversification would generate a notable income stream for the farming enterprise helping to support the future land management of the SDNP. I place great weight on this positive contribution. However, I do not consider it outweighs the other harm I have already identified above and on which I place greater emphasis.
21. The appellants highlight that the proposal would contribute to the local economy through tourism. I consider that three additional holiday lets would provide very modest benefits overall and there are limited services and facilities within the village which would benefit.
22. I also note that the appellants' assertion that the active use of the site for lawful agricultural purposes could impact negatively on the living conditions of occupiers of neighbouring residential property through, for example, noise and odours. However, this is beyond the scope of the proposals before me and a level of disturbance from agricultural operations should be reasonably expected in such rural locations. Furthermore, the appellants state that the proposals would enhance the outlook for immediate neighbours. However, I do not consider that the existing built form unreasonably restricts any such outlook.

Conclusion

23. The appeal scheme would be contrary to the development plan when read as a whole. No material considerations indicate that a decision should be made otherwise than in accordance with the plan. Accordingly, for the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

James Taylor

INSPECTOR