The Planning Inspectorate

Appeal Decision

Site visit made on 5 November 2019

by J E Jolly BA (Hons) MA MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 November 2019

Appeal Ref: APP/Z3825/W/19/3232712
Southover, Springfield Lane, Colgate RH12 4TA

- 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 Bubear against the decision of Horsham District Council.
- The application Ref DC/18/2588, dated 4 December 2018, was refused by notice dated 8 February 2019.
- The development proposed is the erection of a timber cabin and small take-off and landing platforms for a zipwire.

Decision

1. The appeal is dismissed.

Procedural Matters

2. At the site inspection I saw that the proposal on the submitted drawings appears to have been implemented. I have based my decision on the plans before me.

3. Since refusal of the application the appellant has provided a 'Woodland Management Plan' to the Council related to woodland management associated with the development. I have considered the plan as part of the appeal case alongside other evidence provided to me by the main parties.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the area with particular reference to the High Weald Area of Outstanding Natural Beauty.

Reasons

5. The appeal site is located in woodland that forms part of the High Wield Area of Outstanding Natural Beauty (HWAONB). The woodland is accessed to the rear of 'Southover', a dwelling found towards the end of a single-track lane which sits in open countryside and near to ancient woodland. 'Southover' has a substantial garden that slopes steeply to a less formal area before becoming woodland that includes a lake and fresh-water springs. The appeal site, which is sited at some distance from the host dwelling, forms part of a natural dip in which a zip wire platform and a glazed timber cabin have been constructed. The upper ridge of the appeal site gives way to a track/path from which there are glimpses of the development below.

6. Externally the shingle tiled cabin has two large windows to the front elevation, smaller windows to the side and rear elevations, and is completed with a two-sided veranda that provides stepped access to the interior. The cabin under-croft contains items and equipment that appear to be related to woodland management such as, but not limited to, felled logs, timber stakes and fencing materials. The interior is furnished with sofas and includes a kitchenette as well as a mezzanine observation area with seat. The cabin also holds a range of forestry-type equipment and a display of woodland maps associated with the retrospectively provided Woodland Management Plan.

7. As such, the development appears to have dual uses; as a shelter associated with woodland management, and a cabin that is being used for domestic recreational type activities. Indeed, from the evidence 'on the ground' the recreational use is reinforced by the presence of the domestic style veranda, soft-furnishings, seated observation post, and the zip-wire platform nearby.

8. However, whilst I acknowledge that the Appellant has provided and initiated a Woodland Management Plan, I have no substantive evidence that the development is necessary in this location to enable the management of the woodland. Furthermore, while the zip wire platform is visually inoffensive, it does nonetheless form part of the overall development which has a scale and mass that is incongruous with this quiet woodland location. The unusual siting of a domestic-style building with its associated paraphernalia, despite its' sympathetic materials, does not serve to conserve or enhance the special quality of the HWAONB. Indeed, the unexpected domestic appearance, height and bulk of the structure serves to erode the landscape character and appearance of the immediate woodland area.

9. Therefore, the development is contrary to Policies 25, 26, 30, 32 and 33 of the HDCPF which state that development must be of a scale appropriate to its countryside character and location, conserve and enhance the natural beauty of the High Weald Area of Outstanding Natural Beauty and complement locally distinctive character. For similar reasons, the proposal does not align with Paragraph 170(b) of the National Planning Policy Framework, which identifies that countryside should be recognised for its intrinsic character and beauty, including trees and woodland.

Conclusion

10. I conclude that the appeal should be dismissed.

J E JOLLY

INSPECTOR