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## Appeal Decision

Site visit made on 9 November 2020

**by Andrew Bremford BSc (Hons) MRICS**

**an Inspector appointed by the Secretary of State**

**Decision date: 26 November 2020**

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**Appeal Ref: APP/Y9507/W/20/3257416**

**Church Farm, Stoughton Dairy, Wildham Lane, Stoughton PO18 9JQ**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Article 3(1) and Schedule 2, Part 16, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
  - The appeal is made by EE Ltd against the decision of South Downs National Park Authority.
  - The application Ref SDNP/20/00335/PA16, dated 22 January 2020, was refused by notice dated 26 March 2020.
  - The development proposed is erection of a 12.97m high mast with 3 antennas within a shroud, one 0.3m dish, to be painted Bitter Chocolate, together with equipment cabinets, satellite dish and ancillary apparatus.
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### Decision

1. The appeal is dismissed.

### Procedural Matters

2. I have also dealt with another appeal<sup>1</sup> for a proposed mast together with associated equipment on a separate site at Church Farm. That appeal is the subject of a separate decision.
3. The description of the development as given on the application form is different from that provided on both the appeal form and the Authority's decision notice in so far as the application form did not include the word 'mast'; accordingly, I have used the latter description as it is more precise. Moreover, both main parties have provided written confirmation that the revised description of development, to include the word 'mast', has been agreed.
4. The provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (GPDO 2015), under Article 3(1) and Schedule 2, Part 16, Class A, Paragraph A.3(4) require the local planning authority to assess the proposed development solely on the basis of its siting and appearance, taking into account any representations received. My determination of this appeal has been made on the same basis.

### Planning Policy

5. The principle of development is established by the GPDO 2015 and the provisions of Schedule 2, Part 16, Class A of the GPDO 2015 do not require

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<sup>1</sup> Appeal reference: APP/Y9507/W/20/3257417

regard to be had to the development plan. I have had regard to the policies of the development plan and the National Planning Policy Framework (the Framework) only in so far as they are a material consideration relevant to matters of siting and appearance.

### **Main Issue**

6. The main issue is the effect of the siting and appearance of the proposed development on the character and appearance of the South Downs National Park (the National Park).

### **Reasons**

7. The appeal site is located on land at Church Farm, approximately 300 metres east of the village of Stoughton. The site lies within the National Park which in this area is characterised by an agricultural landscape with large open fields defined by remnant hedgerow boundaries within the valley floor, giving way to wooded margins on the upper slopes of the valley sides.
8. There is a group of farm buildings in proximity to a public right of way (Monarch's Way). The development would be sited within the broad valley floor on an area of rough grass to the north of the westernmost barn that forms part of the group of buildings and close to the public right of way. The proposed mast would be a 12.97 metre high slim pole that would host 3 antennas within a shroud and one 300 mm diameter dish. The proposal would also include equipment cabinets and a 1.2 metre diameter satellite dish mounted on a 2.4 metre high support pole within a compound formed by a 1.8 metre high close boarded fence.
9. The development would introduce a tall man-made feature and other artificial structures into the National Park. This would have an adverse effect on the character of the agricultural landscape in the context of the open fields and wooded areas on the upper slopes of the valley sides. The effect would though be minor given the established functional character of the complex of agricultural buildings within the wider setting of the site.
10. However, notwithstanding the existence of the large modern agricultural buildings and the existing tall transformer pole, which provides a visually strong vertical element, owing to the siting of the development, which would be detached from the physical built form of the farm buildings, the tall 'bitter chocolate' painted mast would be clearly noticeable in localised views from Monarch's Way. Furthermore, the satellite dish, which would appear as a somewhat alien feature within the context of the agricultural setting of the site, would protrude above the top of the fencing and so draw the eye of people passing the site along Monarch's Way. In combination, the mast and the satellite dish, by virtue of their scale and siting would readily attract the attention of users of the public right of way, appearing as prominent and jarring features within the agricultural landscape.
11. The proposed 1.0 metre high earth bund would help to screen the equipment cabinets in views looking east along Monarch's Way. Furthermore, the cabinets would be obscured by farm buildings in views looking west. However, in closer views from Monarch's Way the equipment cabinets, although painted 'fir green', would be very readily visible owing to the openness of the site. Consequently, in combination with the mast and the satellite dish, they would

- serve to highlight the prominence of the development as an unsympathetic feature not in keeping with the agricultural characteristics of the National Park.
12. It is acknowledged that in longer distance views from Monarch's Way and in views from the bridleway to the north of the site and from Wildham Lane the mast would be perceptible only as a minor element within the context of the composition of the farm complex. Moreover, it would likely be missed by the casual observer considering that the focus would be on the distinct topography viewed from the valley floor shallower slopes towards the distant skyline with dense woodland on the upper steeper slopes.
13. However, the development would represent an intrusive and incongruous feature readily visible in localised views from Monarch's Way. It would also be at odds with the agricultural landscape character of the National Park. Paragraph 172 of the Framework states that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, which have the highest status of protection in relation to these issues. In this regard, the proposal would fail to conserve the landscape and scenic beauty of the National Park.
14. For the reasons outlined above, I conclude that the siting and appearance of the development would cause harm to the character and appearance of the National Park. In so far as they are a relevant material consideration, I also conclude that the proposal would conflict with Policies SD5 and SD44 of the South Downs Local Plan (2014-33) which collectively, amongst other things, seek to ensure development integrates with, respects and sympathetically complements the landscape character and proposals for new telecommunications infrastructure are of an appropriate design that would not have an adverse impact on the special qualities of the National Park.
15. The Authority's reason for refusal includes concern that opportunities for mast sharing or alternative sites in less prominent locations have not been satisfactorily explored by the appellant. It will be seen from my decision in regard to another appeal for a proposed mast that I have dealt with on a separate site at Church Farm, that there is at least one alternative means of providing coverage that would be materially less harmful to the character and appearance of the National Park.

## **Conclusion**

16. For the reasons given above, I conclude that the appeal should be dismissed.

*Andrew Bremford*

INSPECTOR