



Appeal Decisions

Site visit made on 2 June 2021

by H Miles BA(hons), MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 June 2021

Appeal Ref: APP/Y9507/W/21/3266265

Harmony Vineyard, Steyning Road, Shoreham by Sea, West Sussex

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Schedule 2, Part 6, Class A of the Town and Country Planning (General Permitted Development) (England) Order (2015) (as amended).
 - The appeal is made by Mr Bernard West of B & F West – Harmony Vineyard against the decision of South Downs National Park Authority
 - The application Ref SDNP/20/02583/APNB, dated 26 June 2020, was refused by notice dated 23 July 2020.
 - The development proposed is new agricultural building as per BS5502-22-2013 fabricated in accordance with EN1090 execution class 11.
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Decision

1. This appeal is dismissed.

Preliminary Matters

2. An application form was not submitted with this application. Therefore, the details in the banner heading have been taken from the appeal form.
3. The original application was to determine if prior approval was required for the erection of a building on agricultural land which is reasonably necessary for the purposes of agriculture within that unit, as set out in Schedule 2, Part 6, Class A of the Town and Country Planning (General Permitted Development) (England) Order (2015) (the GDPO). Based on the evidence before me and most recent case law I must also consider and determine whether the development otherwise falls within the definitional scope of the particular class of permitted development.
4. Because this is an application for prior approval the provisions of the 2015 Order require the local planning authority to assess the proposed development solely on the basis of its siting, design and external appearance. This appeal will be determined on the same basis.

Main Issues

5. The main issues are therefore whether the proposed development would be granted planning permission by Schedule 2, Part 6 Class A of the GPDO in terms of if the proposed development is reasonably necessary, and the effect of the siting, design and external appearance on the character and appearance of the area, including the South Downs National Park.

Reasons

Reasonably necessary

6. There is dispute as to whether the size of the building is reasonably necessary. It is put to me that the building is needed to store and protect wine and machinery, for a workshop and parts store, for secure chemicals storage, for toilet and washing for staff and contractors and for personal shelter. I am satisfied that, although there may be several possible courses of action in terms of the size of the building, the proposed development is nevertheless one that a reasonable person would choose. As such the proposed building would be reasonably necessary.
7. Consequently, in this regard, the proposed development would be granted planning permission by Schedule 2, Part 6 Class A of the GPDO.

Design and External Appearance

8. The site is part of the South Downs National Park, designated, in part, to conserve and enhance natural beauty. It is on the periphery of the national park and forms a gateway. It lies within the Adur Valley Sides landscape character area, typified by its open undeveloped nature. The change in the landform between the floodplain of the appeal site and the adjoining steeply sloping valley sides is pronounced in this location and is highly visible from the Mill Hill Local Nature Reserve and Open Access Land. The site's open undeveloped and gently undulating appearance therefore make a positive contribution to the character, appearance and natural beauty of this area.
9. The proposed building would be a sizable, bulky structure. Given the characteristics of the area include that there is very little development, such a large and conspicuous building design would be inappropriate in this location in terms of its appearance. Furthermore, the proposed design would be cut into the landscape. This would harmfully erode the gentle undulation of the site, disrupting the important topography of the floodplain landscape. Consequently, the proposed design and external appearance would be harmful to the positive characteristics of this area.
10. Therefore, the design and external appearance would have a harmful effect on the character and appearance of the area, including the South Downs National Park.

Siting

11. Notwithstanding my concerns regarding the prior approval of design and external appearance, the proposed development is, in principle, permitted development and can therefore proceed somewhere. The entire appeal site lies within the National Park and the Adur Valley Sides landscape character area. The GPDO does not restrict permitted development rights relating to agriculture and forestry for Class A in national parks. Therefore, the type of development that falls in this category does not conflict with the reasons for designating this national park. Nor am I directed to a less sensitive landscape character area within the appeal site. As such I am not persuaded that the proposed siting would be unacceptably harmful.
12. Consequently, the siting of the proposal would not be harmful to the character and appearance of the area, including the South Downs National Park.

Conclusion

13. Whilst I conclude that the proposed development is reasonably necessary for the purposes of agriculture within that unit, and do not find harm with regard to its siting. I do find public and permanent harm to the character and appearance of the area including the natural beauty of the national park which has the highest status of protection in relation to these issues
14. For the reasons above, I conclude that the appeal should be dismissed.

H Miles

INSPECTOR