



Appeal Decision

Site visit made on 25 October 2021

by J E Jolly BA (Hons) MA MSc CIH MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 November 2021

Appeal Ref: APP/Y9507/W/21/3272035

Holly Trees, Underhill Lane, Westmeston BN6 8XE

- 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 Ms Bowtell against the decision of South Downs National Park Authority.
 - The application Ref SDNP/20/04931/FUL, dated 4 November 2020, was refused by notice dated 12 February 2021.
 - The development proposed is for the construction of an equestrian sand school and associated access track.
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. The *National Planning Policy Framework* (the Framework) represents the Government's up-to-date planning policies for England and how they should be applied. The Government published a revised Framework on 20 July 2021 and is a material consideration for development proposals. I note however, in this case, that the main parties have made no further comments in respect of these changes.
3. I note that the appellant has been frustrated by the administrative process associated with the application and the responses provided by the South Downs National Park Authority. However, this is a matter for the main parties and not for my consideration as part of this case.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the area, with particular regard to the rural landscape.

Reasons

5. The appeal site is located beyond a settlement boundary in the South Downs National Park (SDNP) that is typified by rolling arable fields and sparse rural type development. The fields slope up to the wooded areas of the chalk grassland foothills and ridges of the Adur to Ouse scarp which include 'Ditchling Beacon', the 'South Downs Way' and other footways which sit above the appeal site and the countryside surrounding it.

6. The tree and hedge-lined site forms part of a number of post and rail enclosed paddock areas adjacent to Underhill Lane which runs westwards from the village of Westmeston towards the dwelling of 'Holly Trees' that has a stable block to one side. The site is accessed from the highway via a double gated asphalted parking area that leads onto the paddocks, pastures and foothills beyond.
7. The proposal is to construct a 58 x 38 metre equestrian sand-school on the appeal site to British Horse Society 'Gold Standard' to enable year round use of the facility. There would be a new access track and the parking area would be retained. The development would have a silica-sand and recycled fibre mix surface and the track would be topped with shingle to match other farm type tracks nearby.
8. The appellant has brought to my attention the nearby 'The Gote' sand-school in support of her case. However, I have limited details of that scheme before me and cannot be certain if it was permitted under the same development plan as the proposal before me or not. Therefore, I have considered the proposal on its own planning merits.
9. Paragraph 176 of the Framework requires developments to conserve, and enhance the landscape and scenic beauty of national parks, to which I give great weight.
10. I acknowledge the appellants submitted Landscape and Visual Appraisal (LVA) carried out by Firle Landscape Planning which found that 13 of the 22 chosen viewpoints within the appraisal had either limited or no view to the appeal site. However, even if views to the site were only possible from the remaining chosen sites, the fact remains that the main parties agree that the appeal site is situated in an area of high landscape value. Moreover, the proposal would not only be seen from the panoramic and well appreciated 'View 22' from 'Ditchling Beacon', but also from the nearby connecting footways and byways and also when travelling along Underhill Lane.
11. As such, notwithstanding its close proximity to an existing stables and the neighbouring dwelling of 'Holly Trees', if the proposal were to be allowed there is significant scope for a range of additional equestrian type activity and paraphernalia that would be on view throughout the year. For example, but not limited to, jumps and other equestrian type equipment, as well as the coming and goings associated with the use of the facility such as motor vehicles and horse trailers.
12. Indeed, after examination of the submitted evidence and a site visit, while I note that the appellant has sought to reduce the number of fences associated with the established paddock, limited earthworks and engineering to the unlit facility and proposed development of the flattest area of the paddocks, in my view, the impact of the proposal could not be mitigated by new double-planted hedgerows or other landscaping to provide a satisfactory transition between the proposed development and the countryside. Consequently, the proposal, whether well designed to a high standard or not, would harm the landscape receptor in this specific national park location.

13. Furthermore, I noticed at my site visit that walkers traversing the ridge above could be readily seen from the appeal site. Therefore, given the regular and numerous visitors to this elevated location within the SDNP they are likely to be sensitive visual receptors of the expansive and unfettered views of the appeal site and its rural surroundings. As such, irrespective of surface colour or texture applied, and whether conditioned or not, the alien type appearance of the extensive sand school would be a stark and jarring addition to the countryside for visual receptors of the verdant and 'breath-taking' landscape beauty of the South Downs National Park.
14. As a result, while the appellant contends that as a consequence of the development the magnitude of the change to the landscape would be 'small', I find to the contrary, that the incongruous proposal would significantly erode the beauty of the visual landscape. Accordingly, I cannot concur with the appellant that the impact on the landscape and visual receptors would be moderate, rather the impacts would be substantial, and likely to be so for an unspecified period of time given the proposal is for a permanent permission.
15. I conclude therefore, that the location, scale, components and form of the proposed development would harm the character and appearance of the rural landscape. It follows then, that the proposal is contrary to Policies SD4, SD5, SD6 and SD24 of the South Downs Local Plan 2019, as supported by Policies CONS2 and CONS6 of the Ditchling, Streat and Westmeston Neighbourhood Plan 2018 which say, amongst other things, that developments will only be permitted where they conserve and enhance landscape character.
16. For similar reasons, the proposal does not meet the requirements of Paragraph 174 of the Framework which requires that planning policies and decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes.

Planning Balance

17. I note that the appellant contends that there would be enhancements to grazing, biodiversity and equestrian care and security as a consequence of the proposal. However, as the appellant points out, the facility would be for private use. As such, the very limited weight I attribute to the public benefits of the proposal does not outweigh the substantial and demonstrable harm to the character and appearance of the rural landscape I have found above.

Conclusions

18. The proposal would have a significantly harmful effect on the rural landscape and the character and appearance of the area. For the reasons given, and having regard to all other matters raised, the appeal is therefore dismissed.

J E JOLLY

INSPECTOR