



Appeal Decision

Site visit made on 22 April 2022

by Rachael Pipkin BA (Hons) MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 May 2022

Appeal Ref: APP/Z3825/W/21/3277798

Mannings Heath Golf Club, Hammerpond Road, Mannings Heath RH13 6PG

- 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 Mannings Heath Golf Club & Wine Estate against the decision of Horsham District Council.
 - The application Ref DC/21/0603, dated 12 March 2021, was refused by notice dated 4 June 2021.
 - The development proposed is described as 'Retention of the barn currently under construction, to provide a dual-purpose facility for vineyard staff welfare/vineyard storage, and vineyard tours. Associated hard and soft landscaping works. Resubmission of planning application refused under reference DC/20/2531.'
-

Decision

1. The appeal is dismissed.

Preliminary Matter

2. The barn has been constructed although there is no evidence that it has been brought into use. I have proceeded to consider the appeal on that basis.
3. Since planning permission was refused, Natural England (NE) has issued a Position Statement in respect of planning applications within the Sussex North Water Supply Zone¹ in relation to their effect on protected habitats sites. The appeal site is located within this zone. The parties have been given the opportunity to comment on these matters. In view of the issues raised, I have dealt with this as a main issue in the appeal.

Main Issues

4. The main issues are:
 - whether the location is suitable for the proposed development, having regard to local and national policy;
 - the effect of the proposed development on the character and appearance of the area, including the High Weald Area of Outstanding Natural Beauty (AONB);
 - whether the proposed development would generate a need for an alternative agricultural building therefore leading to a proliferation of buildings in the countryside and AONB; and

¹ Natural England's Position Statement for Applications within the Sussex North Water Supply Zone – September 2021 Interim Approach

- the effect of the proposed development on the integrity of the Arun Valley Special Protection Area, Special Area of Conservation and Ramsar site.

Reasons

Suitable location

5. The appeal site forms part of the Mannings Heath Golf and Wine Estate which is a combined golfing facility and vineyard. The wider estate is around 200 hectares and located outside any defined settlement and within the open countryside. It is also located within the High Weald AONB, a protected landscape.
6. Policy 26 of the Horsham District Planning Framework 2015 sets out that outside built-up area boundaries, the rural character and undeveloped nature of the countryside will be protected against inappropriate development. Any proposal must be essential to the countryside location, and in addition meet one of a number of criteria. Relevant to the appeal scheme, is whether the proposal supports the needs of agriculture or forestry; or whether it enables the sustainable development of rural areas.
7. The appeal scheme seeks amendments to the design of an approved agricultural barn including changes to its internal layout and use to provide a dual-purpose facility for vineyard staff welfare, vineyard storage and vineyard tours. It is proposed to use the building for storage of vineyard equipment, such as picking crates and empty barrels and parking golf buggies used for transport around the vineyard. It would also provide staff facilities including sanitary facilities for up to 100 seasonal workers during the harvesting period as well as for wine tasting and vineyard tours.
8. The use of the barn for storage purposes in association with the vineyard, including for storage of fruit, wine barrels and other tools would support the needs of agriculture. In addition, it seems to me that providing staff facilities for workers on the vineyard is an essential requirement and could also fall within this category.
9. It is not clear how the provision of staff welfare facilities would operate in practise as there is no separate space for staff within the building other than the toilets and a small kitchen area. Moreover, I have been provided with no details of existing arrangements and therefore whether the appeal proposal is in response to a genuine need for these facilities or just a more convenient or preferable arrangement for the vineyard operators. I am therefore unable to conclude that there is an essential need for this.
10. The use of the barn for tourism purposes would not directly support the agricultural activities. There is a large facility on the opposite side of Hammerpond Road which is the main visitor centre for the vineyard and golf course where there is extensive parking. It is intended that visitors to the facility are transported from the existing car park here to the barn via golf buggies for wine tours and tasting.
11. Given that the golf buggies are proposed to be used in connection with the visitors to the site, their storage within the barn would not be in connection with agricultural uses. This would not therefore be storage in connection with the agricultural use of the site.

12. Policy 10 of the HDPF supports sustainable rural economic development in order to generate local employment opportunities and economic, social and environmental benefits for local communities. I discuss whether this would maintain the quality and character of the area elsewhere in my decision.
13. The submissions refer to the wine tours and wine tasting as a low-key activity but no details of visitor numbers or the frequency of tours that would operate out of the barn have been provided. Nevertheless, it seems to me that the vineyard tours have the potential to significantly increase activity on the site in a manner that would be at odds with the countryside location and harmful to the AONB, its natural beauty and tranquillity.
14. Tours of the vineyard are already available from the main visitor centre. It has been argued that the use of the building would both contribute to a diverse and sustainable farming enterprise within the district as well as being capable of contributing to the wider rural economy through supporting jobs, generating employment, improving the tourism offer of the district as well as promoting recreation and enjoyment of the countryside. Whilst this is noted, there is no substantive evidence before me that the use of this building for vineyard tours would further diversify activity to support either the wider agricultural use of the site or the sustainable development of rural areas, particularly since these tours already exist.
15. I conclude that the location is not suitable for the proposed use, having regard to local and national policy. The proposal would therefore conflict with Policies 26 and 30 of the Horsham District Planning Framework 2015 (the HDPF) which together seek to protect the countryside from inappropriate development and support development within the High Weald AONB that has no adverse impacts on the natural beauty or public enjoyment of the landscape. It would also not accord with the National Planning Policy Framework (the Framework) which seeks to protect and enhance valued landscapes and to limit the scale and extent of development within AONBs.

Character and appearance

16. The appeal site lies within the High Weald AONB. Within the immediate vicinity of the site there are golf ranges to the west and a bridleway to the east with the vineyards beyond. The bridleway has extensive vegetation along its boundaries providing some screening of the existing building. The site itself is in an elevated position from which there are long distance views to the west across the golf course and to the open countryside beyond.
17. In terms of the scale and form of the proposed building, it would not be uncharacteristic for an agricultural building to be found within a rural landscape. A building of this scale was previously found to be acceptable under the earlier approvals. The building proposes a similar palette of colours to those already approved which would help to make the building less visually prominent.
18. However, the proposed design of the building includes substantial areas of glazing and bi-fold doors to the front elevation which the appellant has suggested assist in the easy access for golf buggies and other equipment. In addition, external to the building there are lights as well as lighting bollards enclosing an area of polished concrete to the front elevation. These are urbanising features and not ones normally associated with an agricultural

building. Even taking into account that the land immediately surrounding the building is a managed golf course, with manicured trees, fairways and greens, the formal and urban appearance of the building nevertheless appears at odds with its surroundings.

19. The front elevation and glazed areas would face towards the golf course and away from the adjacent trees and public right of way / bridleway. This would help to reduce the impact of the development in immediate views of the site. However, due to the openness of the landscape, the barn is visible in longer distance views from the west across the golf course and potentially beyond. With the proposed lighting of this building, it would be more visually intrusive and prominent which would add to its harmful impact in the countryside location and protected AONB landscape. Furthermore, if the bi-fold doors were to be opened up such as might occur in warmer weather or during the lighter summer evenings, this would harm the tranquillity of the area, adding to the overall harmful impacts of the scheme.
20. I therefore find that the urban features of the building, in combination with its more intense use, in particular in relation to wine tours and tasting, would be incongruous within the AONB landscape and this countryside location.
21. As such, the proposal would adversely affect the character and appearance of the area and would fail to either conserve or enhance the landscape and scenic beauty of the AONB. It would therefore conflict with Policies 30, 23 and 33 of the HDPF which together seek to ensure no adverse impacts to the natural beauty and public enjoyment of the AONB, to be a high quality of design that complements locally distinctive character and is sympathetic to landscape and respects the character of the surrounding area. It would also conflict with the Framework which seeks to protect and enhance valued landscapes and to limit the scale and extent of development within AONBs.

Loss of agricultural storage

22. The site had previously been occupied by an agricultural storage building which was demolished and planning permission² granted for a replacement. A subsequent scheme amending the design and orientation of the building was approved³. Both approvals were subject to a condition restricting its use for agricultural purposes only. The Council is concerned that the loss of the building for agricultural purposes will lead to a requirement for an additional agricultural building elsewhere which would be harmful to the rural character of the area and the AONB.
23. I have not been provided with the details and justification for the previous permissions which restricted the use of the building. However, it is noted that the barn had been intended for the storage of equipment and machinery associated with the maintenance of the vineyard. The appeal scheme would significantly reduce the amount of space available for these purposes given that it would be used additionally for vineyard tours, wine tasting and welfare facilities.
24. Internally the building has been finished to a high standard with a polished concrete floor and stained timber cladding to the walls and hanging ceiling lights. The quality of the internal environment makes the building appear less

² Council Ref: DC/18/0958

³ Council Ref: DC/20/0756

like an agricultural storage barn. Given this and the limited height of the building's entrance, it is unlikely that it would be practical or desirable to use the building for the storage of heavy agricultural machinery, some of which, such as tractors or vine trimmers, would be too tall to be able to enter the building. Furthermore, there is no proposal to use it for the safe storage of chemicals which had been previously proposed. With no segregated space for staff or visitors, it would not be practical or safe for the storage of any significant agricultural machinery or tools.

25. The appellant has indicated that the vineyard equipment is currently stored within a collection of barns and outbuildings at Mill Farm which lies to the west of the golf course and appeal site. The submissions indicate that these are subject to an ongoing planning application but I have no details of this.
26. I observed Mill Farm on my site visit. I saw there were a large number of buildings which could potentially provide storage in association with the vineyard. Mill Farm is physically separated from the vineyard by the golf course which makes the use of buildings here less convenient than the existing barn in relation to the agricultural uses on the site. They are nonetheless in reasonable proximity of the vineyards.
27. Based on the submissions and what I observed, I have no reason to conclude that there is nowhere for machinery in association with the vineyard to be stored. The Council has advised that should a need for additional storage arise in the future, with the loss of this building for these purposes, this would be unlikely to be found acceptable as it would result in unnecessary proliferation of built structures within the AONB. Whilst this point is noted, should such an application be made, it would need to be considered on its own individual merits, in accordance with the relevant policy.
28. I conclude the proposed development and the loss of part of the building for agricultural purposes would not generate a need for an alternative agricultural building therefore leading to a proliferation of buildings in the countryside and AONB. It would therefore accord with the Policies 30, 32 and 33 of the HDPF and the Framework in respect of avoiding harm to the character and appearance of the area, as referred to above.

Protected habitats sites

29. The appeal site falls within the Sussex North Water Supply Zone and so the proposed development would draw its water supply from groundwater abstraction at Hardham. NE is concerned that this is having a detrimental impact on the protected sites and habitats within the Arun Valley. This includes the Special Protection Area, Special Area of Conservation and Ramsar site. NE therefore advises that new development should not add to this impact and should therefore achieve water neutrality.
30. The proposal would increase water demand. This would be likely to have a significant effect on the protected habitats sites either alone or in combination with other plans and projects. The appellant has indicated that it would be willing to comply with the required measures to achieve water neutrality. However, the scheme does not include any specific proposals to mitigate the impact or achieve water neutrality. The appellant has explained this is due to the position statement being issued after the appeal had been submitted. In

addition, I am aware that the Council has not currently issued guidance on how offsetting is to be incorporated within any water neutrality calculations.

31. Nevertheless, the appellant has highlighted possible measures that could be adopted and has suggested a suitably worded planning condition to secure these plus any off-setting if required.
32. I have not been provided with any information about likely water usage associated with the proposal. Furthermore, whilst I note the suggested mitigation, I have insufficient detail to enable me to conclude that the proposal would not adversely affect the integrity of the site. In coming to this view, I am mindful of the advice set out within the Planning Practice Guidance in respect of Appropriate Assessment which states that mitigation measures need to be sufficiently secured and likely to work in practice. Given this uncertainty as to how water neutrality could be achieved, I do not agree that a condition could be imposed that would meet the requirements of the Conservation of Habitats and Species Regulations 2017 (as amended).

Other Matter

33. The proposal seeks to provide clean air through the use of electrically-powered golf buggies for transport and the use of air source heat pumps to provide heating and hot water, thereby reducing any emissions. However, whilst positive aspects of the scheme, these do not justify the proposal.

Conclusion

34. I have found that the location would not be suitable for the proposed development and that it would harm the character and appearance of the area, including the AONB. In addition, the scheme would not achieve water neutrality and there is no certainty that it could. Whilst I have found that the loss of the use of some of the building would not generate a need for another agricultural building, this would not outweigh the harms that I have identified.
35. The proposed development would be contrary to the development plan and there are no material considerations that outweigh this conflict. Consequently, with reference to Section 38(6) of the Planning and Compulsory Purchase Act 2004, the appeal should be dismissed.

Rachael Pipkin

INSPECTOR