

Appeal Decision

Site visit made on 9 March 2022

by S Edwards BA MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 June 2022

Appeal Ref: APP/Y9507/W/21/3283123

Rew Cottage, Hesworth Common Lane, Fittleworth RH20 1EW

- 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 N Moore against the decision of South Downs National Park Authority.
 - The application Ref SDNP/21/01877/FUL, dated 31 March 2021, was refused by notice dated 30 June 2021.
 - The development proposed is realigned access road together with replacement gates.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of development as detailed on the application form and the Authority's decision notice refer to the retention of the realigned access road. As retention is not an act of development, I have amended the description accordingly, and have considered the appeal on the basis that planning permission is being sought retrospectively.

Main Issue

3. The main issue is the effect of the development on the character and appearance of the area.

Reasons

4. The appeal site forms part of a small cluster of buildings located on the southern edge of Hesworth Common, within an area highly susceptible to change in the South Downs National Park. It sits in proximity to the Grade II listed Hesworth Cottage, and Hesworth Farm on the opposite side of the lane, comprising a listed farmhouse and barns dating from the 17th century, which are also listed at Grade II.
5. Insofar as it is relevant to this appeal, the significance of these listed buildings resides primarily in their historic and architectural interest as key components of a relatively isolated farmstead. The strong vernacular which characterises the historic buildings and surrounding landscape give the area an 'unspoilt and tranquil pastoral character', as described in the 2020 South Downs Integrated Landscape Character Assessment.
6. Rew Cottage sits within spacious grounds, part of which constitutes Grade 3 agricultural land, and benefits from a vehicular access over the courtyard

situated to the front of Hesworth Cottage. The appellants have sought to reuse a former track providing access from Hesworth Common Lane to the agricultural land and stable building which is now used for ancillary residential purposes in conjunction with Rew Cottage and Hesworth Cottage. The appellants are therefore seeking planning permission retrospectively for the realignment and widening of the track, with a view to relocate the principal access to Rew Cottage.

7. However, what looked like an informal agricultural track has been replaced with a disproportionately large hardstanding area. This, together with the installation of a set of electronically operated gates, has resulted in the creation of an overtly suburban entrance, which detracts from the character of the locality. Additionally, the proposed planting along the southern side of the track would further emphasise the formalisation of this residential entrance and would appear at odds with the openness which characterises this area.
8. Furthermore, the harm is exacerbated by the realignment of the existing track, which encroaches into the agricultural area. For these reasons, the works have fundamentally eroded the agricultural character of the site, and cause unacceptable harm to the wider area and the landscape character of the South Downs National Park. It follows that the works have also compromised the setting of the historic farmstead, to the detriment of the significance of the listed buildings.
9. The appeal is supported by a Landscape and Visual Impact Assessment, showing that in selected views, the development is screened by the existing vegetation, though the photographs appear to have been taken at a time of the year when trees are in leaf. In the absence of further evidence to the contrary, I cannot be sure that the development is similarly screened during the winter months. Moreover, some of these views may rely on off-site vegetation, over which the appellants may not have a degree of control. Accordingly, there is no guarantee that the screening would remain in place for the lifetime of the development. Even accepting that the appeal scheme is unlikely to stand out in more distant views, this does not address the visual harm caused by the development, which would remain evident within the public harm, notably from Hesworth Common Lane.
10. The appellants appear to have to large extent sought to justify the unauthorised works by the operative requirements of the agricultural land. However, and whilst it is agreed by the main parties that it has for many years provided access from Hesworth Common Lane to the agricultural land and former stable building, very limited evidence has been presented to explain the unauthorised works, and why the former access arrangements were no longer suitable. I understand that the hardstanding area is also used by large vehicles servicing properties on Hesworth Common Lane, but this does not provide justification for the development. In rural areas such as this, drivers would be expected to manoeuvre their vehicles with due care and attention, and being mindful of the constraints of the area.
11. For the foregoing reasons, the appeal scheme fails to preserve the setting of the historic farmstead, to the detriment of the significance of the listed buildings. Furthermore, the development fails to conserve and enhance the landscape and scenic beauty of the South Downs National Park, to which I ascribe great weight, in accordance with paragraph 176 of the National

Planning Policy Framework (the Framework). The development is therefore contrary to Policies SD1, SD4, SD5 and SD7 of the South Downs Local Plan 2019, which require proposals to conserve and enhance the landscape character of the area, notably by adopting a landscape-led approach and respecting the local character through sensitive and high quality design.

12. The appeal scheme is also in conflict with the first purpose of designation of the National Park, and Policy 1 of the South Downs National Park Partnership Management Plan 2020-2025, which is to conserve and enhance the natural beauty and special qualities of the landscape and its setting, in ways that allow it to continue to evolve and become more resilient to the impacts of climate change and other pressures.

Heritage Balance

13. As noted above, the development fails to preserve the setting of the historic farmstead, which contributes to the significance of Hesworth Farmhouse, Hesworth Cottage and the Grade II listed barns. The magnitude of the harm caused by the unauthorised works is considered to be at the lower end of the less than substantial spectrum.
14. Nevertheless, in such circumstances, paragraph 202 of the Framework requires the harm to be weighed against the public benefits of the proposal. The development is largely used by the occupiers and visitors of Rew Cottage and Hesworth Cottage, which can be regarded as a private benefit. The use of the hardstanding area by large vehicles may to some extent be considered as a public benefit. However, overall, I have been presented with no public benefits which outweigh the identified harm.

Conclusion

15. There are no material considerations, which indicate that the appeal should be determined, other than in accordance with the development plan. For the reasons detailed above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

S Edwards

INSPECTOR