

Appeal Decision

Site visit made on 24 November 2022

by Martin Andrews MA(Planning) BSc(Econ) DipTP & DipTP(Dist) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 December 2022

Appeal Ref: APP/Y9507/W/22/3292185

Field South East of Beggars Corner, Halfway Bridge, Lodsworth, West Sussex GU28 BP

- 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 M Giles against the decision of the South Downs National Park Authority.
 - The application, Ref. SDNP/21/03527/FUL, dated 6 June 2021 was refused by notice dated 7 October 2021.
 - The development proposed is the erection of a timber stable building and the change of use of land for the keeping of horses for private use.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed stable building and change of use of land for the keeping of horses on the character and appearance of the area and the local landscape of the National Park.

Reasons

3. The NPA's concern is that a combination of the proposed stable building and a change of use of the land for the keeping of horses would cause harm to the character and appearance of the area and the local landscape.
 4. In addition to the more general policies (Policies SD1, SD4 & SD5) of the South Downs Local Plan 2017 ('the Local Plan') which seek to safeguard the National Park landscape, Policy SD24 sets out seven specific requirements for equestrian development accompanied by explanatory paragraphs. A further material consideration in this appeal is the Enforcement Notice Appeal Decision ref. APP/Y9507/C/20/3247211. This included an appraisal of the proposal in the same field as in this appeal but with the stable building in a different position.
 5. The Inspector in that appeal concluded, amongst other matters, that '*The timber structure is visible from the adjacent lane, although it is partially screened by vegetation, but with leaves off bushes would be more open in winter. It intrudes on the open rural character of the area. It has an unacceptable impact and does not conserve landscape character*'.
-

6. In this appeal it is proposed to re-locate the stable building from the north east corner of the field to its western boundary where the appellant argues that it would be less visible. I acknowledge that this would be an improvement compared to the present position, due to a combination of the slope of the land and the backdrop of mature trees.
7. Nonetheless, as a whole I do not regard the amendment to the proposal to be a significant change to that previously rejected by the Inspector in August 2020. It remains the case that a building would be introduced into an open and undeveloped landscape, which because of its location in a National Park warrants the highest level of protection in local and national planning policy. The change of use of the field for equine use would alter its appearance and would be likely to result in equine paraphernalia of various amounts on a permanent basis. And as the NPA points out, because of the land slope it seems likely that initially some earth works and levelling of the site would appear necessary.
8. I acknowledge that the grounds of appeal seek to indicate that the scheme would comply with some of the policies. However, as regards the specifics of Local Plan Policy SD24 I consider that the appeal application would have benefitted from evidence that efforts had first been made to comply with criterion c) and d) and that this would not be feasible (re-using existing buildings and location adjacent to existing buildings respectively). As regards re-use in criterion c), this cannot include the existing building on the site as the enforcement action has confirmed it is unauthorised.
9. Overall, although I acknowledge that the proposal is not of a significant scale, I conclude that the proposal would harm the character and appearance of the area and thereby adversely affect the landscape of this part of the National Park. This would conflict with Local Plan Policies SD1, SD4, SD5 & SD24 and Government policy in Section 12: 'Achieving Well-Designed Places' & Section 15: 'Conserving and Enhancing the Natural Environment' of Government Policy in the National Planning Policy Framework 2021.
10. For these reasons the appeal is dismissed.

Martin Andrews

INSPECTOR