



Appeal Decision

Site visit made on 16 May 2023

by C Shearing BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 May 2023

Appeal Ref: APP/Y9507/W/22/3301680

North Lane House, North Lane, Charlton, Singleton PO18 0HU

- 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 Taft against the decision of South Downs National Park Authority.
 - The application Ref SDNP/21/03290/FUL, dated 16 June 2021, was refused by notice dated 3 February 2022.
 - The development proposed is replacement of existing domestic outbuilding with a single storey barn to form a self contained holiday let (C3).
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Revised drawings have been provided which show the removal of a decked area and changes to the openings proposed to the north elevation. These were submitted to the Council during the course of the application, albeit they are not those referenced on the decision notice. As these entail a minor change to the overall development, I do not consider that interested parties would be prejudiced by my consideration of those plans.
3. The Council's second reason for refusal relates to the effects of the discharge of nitrogen and phosphorous into the Solent. Following the submission of additional information with the appeal, the Council accept that one of the scenarios put forward, entailing on site mitigation, could be secured by condition. As this matter is not in dispute I have dealt with it under Other Matters, rather than as a main issue.

Main Issue

4. The main issue is the effect of the proposed development on the character and appearance of the area, including the Charlton Conservation Area (the CCA) and the South Downs National Park (SDNP).

Reasons

5. The appeal site lies on the northern edge of Charlton, a small nucleated village, surrounded by countryside. North Lane House sits beyond the other buildings which form the northern edge of the village. It adjoins paddocks of grassland to the north and east, divided by post and rail fencing, and open countryside beyond which is defined by an undulating landscape interspersed by hedgerows and blocks of woodland.

6. The existing stable building and adjacent workshop are low level and timber clad. Despite being used for domestic storage, by reason of their simple character and relationship to the adjacent paddocks, they appear typical of a rural setting, and contribute to the transition of the edge of the village into the countryside beyond. This rural character also contributes positively to the setting of the CCA, which encompasses buildings within the village to the south. As such, the stable and workshop contribute in part to the appreciation of the significance of the CCA.
7. The replacement building would create a more regular shaped form, with an increased footprint and slightly higher ridgeline. It would comprise traditional materials, intended to respect those in the adjacent village, and include windows and doors of a domestic appearance across a substantial portion of its north facing elevation, as well as a flue. In combination, these features would result in the building having a more domestic character and appearance, in stark contrast to the stable building which currently exists.
8. This would result in the perceived edge of the village creeping further to the north along North Lane, further diluting the nucleated form of the existing settlement and causing encroachment of the village edges into the countryside and into the setting of the CCA.
9. Visibility of the existing building from North Lane is limited due to the sunken nature of the lane and the dense hedgerows which line it. During my site visit I observed that it was visible only in glimpses and that the ridgeline was visible at some points. While limited, the effects of the proposal, and the changes to the roof, would be apparent to some degree in those views. The effects would also be apparent from longer views and public footpaths on higher ground to the north of the site, from where the edges of the village can be seen. The north facing glazing could cause harm to the designated Dark Sky Core, particularly given its position north of the village, and there is not substantive evidence to demonstrate that this would not be the case.
10. The proposed planting and increase in the height of the boundary hedgerow would assist in screening the building further in these views. However, in the absence of details relating to the nature of the new planting and its effects, it cannot be established with certainty that it would screen the domestic appearance of the building throughout the year. Similarly, and in any event, there is no mechanism to ensure the boundary hedge could be retained at a given height. Given the importance of this matter and the likelihood that some visibility would still occur in winter months, it would not be reasonable to secure further details by condition.
11. Some additional paraphernalia may appear on the site as a result of the introduction of a holiday let. However, as there is some existing paraphernalia around the building associated with the residential use, its impacts would not be significant. Given the scale of the proposal, and the proximity of North Lane House, additional activity and noise would similarly not cause unacceptable harm to the local character.
12. Overall, for the reasons given relating to the domestic appearance of the building and its effects on the settlement edge, the proposal would cause harm to the character and appearance of the area and the landscape character of the SDNP. This would conflict with policies SD1, SD4, SD5, SD6 and SD23 of the South Downs Local Plan 2019 (the LP) which require, among other things, that

development conserves and enhances the SDNP landscape, respects local quality and preserves visual integrity. There would also be conflict with Policy SD8 which seeks to conserve and enhance the intrinsic quality of dark skies and the Dark Sky Core, and with the first purpose of the SDNP designation. The proposal would conflict with the objectives of the National Planning Policy Framework (the Framework) at paragraph 176, which states that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks.

13. For the same reasons the proposal would cause some harm to the CCA through the loss of the rural character in its setting, to which the site contributes. This would be at the lower end of the scale given the scale of the proposal and would be less than substantial. In line with the requirements of paragraph 202 of the Framework, this should be weighed against the public benefits of the proposal. The proposal would provide a unit of tourist accommodation in a location with good accessibility to tourist facilities and this would have local economic benefits. However, given the scale of the proposal, these public benefits would attract moderate weight and would not outweigh the harm identified, to which I am required to give considerable importance and weight. The harm identified to the setting of the CCA would present conflict with policies SD12 and SD15 of the LP which together seek to conserve or enhance the historic environment, including its setting.
14. Given the site's proximity to tourist attractions, including public footpaths, I do not find conflict with Policy SD19 which requires that development be located to minimise the need to travel. Neither would there be conflict with Policy SD7 relating to relative tranquillity, given the proximity to the village.

Other Matters

15. The site is within the Chichester Harbour Fluvial Catchment. The proposal would accommodate four guests for overnight stays and could contribute to the excess of nutrients in Chichester Harbour and Solent Special Protected Areas (SPAs), which are designated sites under the Habitats Regulations¹. Through increased discharge of waste water from the development, there is a pathway for effect on the integrity of the SPAs. The appellant has considered the extent of likely effects and proposed two means by which mitigation could be achieved, of which the Council have suggested a condition to secure the second.
16. Regulation 63(1) of the Habitat Regulations indicates that the requirement for an Appropriate Assessment is only necessary where the competent authority is minded to give consent for the proposal. As the appeal is dismissed for other substantive reasons, this is not a matter I need to consider further.
17. While the proposal did not attract objections from heritage or landscape officers, nor from local residents, this would not provide reason to alter the above judgement.

Conclusion

18. With the above in mind, there are no material considerations that are worthy of sufficient weight that would indicate a decision other than in accordance with the development plan. The appeal is dismissed.

¹ The Conservation of Habitats and Species Regulations 2017

C Shearing

INSPECTOR