



Appeal Decision

Site visit made on 5 February 2024

by Alexander O'Doherty LLB (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 08 February 2024

Appeal Ref: APP/Y9507/W/23/3317149

Compton Farmhouse, Church Lane, Compton, West Sussex PO18 9HB

- 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 James Cooper against the decision of South Downs National Park Authority.
 - The application Ref SDNP/21/03679/FUL, dated 9 July 2021, was refused by notice dated 25 August 2022.
 - The development proposed is described on the application form as, "The installation of a single run of underground drainage piping. The piping is set underground to a depth of 750mm over a length of circa 80 metres as shown on the attached plan. The purpose is to serve temporary WCs and showers for a 28 day [in 2021, now extended to 56 day] glamping enterprise permitted under the GDPO. For us this year is a trial year, operated within the GDPO and if it is successful we would like to have the option to run a similar operation within the GDPO in future years".
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Decision

1. The appeal is allowed and planning permission is granted for a single run of underground drainage piping at Compton Farmhouse, Church Lane, Compton, West Sussex, PO18 9HB in accordance with the terms of the application, Ref SDNP/21/03679/FUL, dated 9 July 2021, and subject to the following condition:
 - 1) Insofar as they relate to the development hereby permitted, the development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan (Drawing No. 201909.PApLPa), As Proposed Block Plan (Drawing No. 201909.SP) (Rev. A).

Preliminary Matters

2. Differing to the description of development in the banner heading above, the Local Planning Authority's (LPA) decision notice accurately describes the development as shown on the supporting plans as, "Retrospective installation of a single run of underground drainage piping". I have used this description in my consideration of the appeal since it best describes the proposed development in precise and concise terms.
3. The proposed development is already in place and I shall deal with the appeal on this basis. However, 'retrospective' is not an act of development, and this has been reflected in the formal decision, above.
4. Reference has been made to application Ref SDNP/22/05586/HRA, relating to an application under the Conservation of Habitats and Species Regulations 2017 (as amended) for the operation of a 28-day glamping enterprise. That application is not before me, and is due to be determined separately by the LPA. It would not be appropriate for this appeal decision to consider the same

matters, as this would prejudice the LPA's consideration of that application, which will no doubt take account of the advice already submitted by Natural England. As such, this appeal decision only relates to the underground drainage piping itself, referred to above, and not to any other structures or engineering operations on site.

5. For the avoidance of doubt, it follows from the above that any proposed change of use of the land within the appeal site is not under consideration in this appeal. Whether any temporary change of use of the land within the site constitutes permitted development under the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) is not a matter that I can assess in the context of a planning appeal.

Main Issue

6. The main issue is the effect of the development on the character and appearance of the area, having particular regard to the appeal site's location within the South Downs National Park.

Reasons

7. The appeal site comprises part of Compton Farm, which is located on the north-eastern edge of Compton village. Compton Farm contains an attractive farmhouse and traditional farm buildings which have previously been converted into holiday accommodation. The underground drainage piping, the subject of this appeal, is located in a field to the north of the site, near to the building known as The Bull Pen. This field encloses the farm, separating it from field parcels to the north and an area of woodland to the east.
8. Whilst the LPA have stated that the installation of the piping involved a significant amount of engineering works, I observed that the grassed area over which the piping has been laid is virtually indistinguishable in visual terms from the remainder of the field present to the north of the buildings at Compton Farm. It is imperceptible from both Public Footpath 546 to the west and north of the site and Public Bridleway 543 to the east of the site. Accordingly, the piping has had a neutral effect on the character and appearance of the area.
9. It follows that no conflict arises with Outcome 1 of the South Downs National Park – Partnership Management Plan 2020–2025 which is to ensure that the landscape character of the South Downs, its special qualities, natural beauty and local distinctiveness have been conserved and enhanced by avoiding or mitigating the negative impacts of development and cumulative change.
10. I therefore find that the development has had an acceptable effect on the character and appearance of the area, having particular regard to the appeal site's location within the South Downs National Park. No conflict arises with Core Policy SD1 of the South Downs Local Plan (2014–33) (adopted 2019) (Local Plan) which provides that, amongst other things, planning permission will be refused where development proposals fail to conserve the landscape, natural beauty, wildlife and cultural heritage of the National Park, or with Strategic Policy SD4 of the Local Plan which provides that, amongst other things, development proposals will only be permitted where they conserve and enhance landscape character.

11. No conflict arises with chapters 2 and 15 of the National Planning Policy Framework (the Framework) which seek to achieve sustainable development and conserve and enhance the natural environment respectively.
12. Strategic Policy SD9 of the Local Plan, referred to by the LPA in their decision notice, relates to biodiversity and geodiversity and therefore is not directly relevant to this main issue. Nevertheless, the above-mentioned policies are more than sufficient for me to come to a view on this main issue.

Other Matters

13. It is not the purpose of this appeal decision to provide a definitive statement as to whether any buildings in or near the site benefit from a curtilage.
14. Reference has been made to alleged breaches of planning control, but this is not a matter that I can assess in the context of a planning appeal. Any future planning applications would be decided on their own merits, meaning that the development under consideration in this appeal would not set a precedent.
15. Interested parties have mentioned impacts from engineering operations on natural plant species and wildlife. However, these concerns have not been substantiated. My findings on the main issue remain unchanged as a result.
16. Due to the underground nature of the drainage piping, it does not affect the setting or significance of the nearby listed buildings, including Compton Farmhouse and the Barn at Compton Farm to the east of the farmhouse (both Grade II listed buildings) and the Parish Church of St Mary (a Grade II* listed building). For the same reasons, it does not affect the setting of the adjacent conservation area.

Conditions

17. I have considered the need for conditions based on the advice on conditions set out in the Framework and the Planning Practice Guidance. As the development has been carried out I have omitted the standard time limit condition, as this is no longer necessary. A condition is necessary specifying the approved plans, to provide certainty with respect to the development applied for (condition 1).

Conclusion

18. For the reasons given above, having considered the development plan as a whole, the approach in the Framework, and all other relevant material considerations, I conclude that the appeal should be allowed.

Alexander O'Doherty

INSPECTOR