



Appeal Decision

Site visit made on 26 February 2024

by J Reid BA(Hons) BArch(Hons) RIBA

an Inspector appointed by the Secretary of State

Decision date: 12th March 2024

Appeal Ref: APP/Y9507/W/23/3331334

The Dean, Poynings Road, Fulking, West Sussex BN5 9NB

- 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 Laurence Plummer against the decision of South Downs National Park Authority.
 - The application Ref SDNP/23/02588/FUL, dated 20 June 2023, was refused by notice dated 25 August 2023.
 - The development proposed is "To change the use of land from agriculture to private equestrian. To construct a single a stable block for private use only comprising 3 Stables, Hay Store, Feed Store and Tack Room with an adjacent Manure Bay".
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Decision

1. The appeal is dismissed.

Main issue

2. The main issue is the effect that the proposed development would have on the character and appearance of the surrounding area, which is within the South Downs National Park.

Reasons

3. The appeal site is situated outside the settlement boundary of any settlement defined in the South Downs Local Plan (LP), so it is, in policy terms, in the countryside. The site is also within the National Park, which has the highest status of protection in relation to landscape and scenic beauty.
4. The site is an irregular-plan area of land on the roughly north side of Poynings Road, which lies roughly east of the village of Fulking. The site includes the roughly 2 acre field that partly adjoins a public right of way (PRoW), and an access strip through a separate piece of land by the roadside. The plot of the dwelling at The Dean, which is under the control of the appellants, adjoins the west side of the roadside land. The plans show that the site is separated from The Dean's plot by a narrow strip of the roadside land, and by the land to roughly north of the far end of its back garden, which is about as deep as the dwelling's plot. The few other dwellings in the modest cluster near the road lie roughly west of The Dean, a cricket ground lies to roughly north of the site, and mostly open countryside lies roughly east and south.
5. The surrounding countryside is mainly characterised by the gently sloping landform by the foot of the partly wooded scarp slope of the South Downs, and irregular shaped fields partly bounded by hedgerows with relatively few trees and woodland blocks. The verdant appearance of many nearby fields, and of

- the nearby trees and hedgerows for part of each year, contribute positively to the local landscape character. So, the cricket ground and the mostly native vegetation that partly bounds it harmonise with their countryside setting.
6. The proposal would enable the appellants to keep their 3 horses and/or ponies (horses) close to their home. The proposal includes the change of use of the land, and 3 stables, a barn, a store, and a tack room in an L-plan building on a hard surfaced area, which would also include a mainly open yard and muck bay (the stable group). The stable group would be sited near the field's south boundary beyond the end of The Dean's back garden and the land beyond it. The route between Poynings Road and the stable group would be unsurfaced.
 7. LP Policy SD24 aims to permit equestrian development where, amongst other things, it is of a scale and/or intensity of equestrian use compatible with the landscape and special qualities of the National Park, adjacent to existing buildings whilst respecting the amenities of surrounding properties and uses, well located in relation to existing transport infrastructure, and demonstrates a conservation based land management approach.
 8. The overgrazing, poaching of the land, and areas of bare ground that occur when horses are kept on insufficient land are damaging to the National Park's landscape and scenic beauty. So, in line with British Horse Society guidance, the South Downs National Park Equestrian Development Technical Advice Note (TAN) seeks a minimum density of 1 to 1.5 acres per horse, and it adds that, if the horse is to receive all or most of its nutrition from grazing, then more land may be needed. The appellants recognise that the field would be insufficient for 3 mainly grass fed horses, so they aim for the horses to be stabled at times, typically, overnight during the winter, and during the day in the summer. Even so, as future occupiers might need to manage 3 different horses in a different way, their management could not reasonably be controlled by condition. So, the proposal would be likely to harm the character and the appearance of the rural field.
 9. There is little evidence to show that storage in the building would be sufficient to avoid deliveries of feed and bedding at times when the land is unsuitable for vehicles, and whilst manure from the muck bay would be used in the appellants' garden, there is insufficient evidence to show that despatches of soiled bedding and/or manure would not be needed from time to time. There would also be vehicular comings and goings related to land maintenance, farriers, vets and so on. As the vehicular movements between the road and the stable group could not reasonably be restricted to times when the land would not be damaged, they would also be likely to diminish the pastoral character and verdant appearance of the site. So, the change of use of the land would be likely to harm the local landscape character.
 10. Due to the scale of its bulky built form and hard surfaces, and its siting away from the development near the road, the stable group would be harmfully discordant in its mainly open surroundings. As the sparse vegetation in the land to roughly south is not within the appellants' control, it could be removed at any time without the need for consent, and as any on-site planting could not reasonably be controlled by condition for more than a few years, the existing and/or suggested planting could not be relied upon to partly screen the development. So, in north westward views from Poynings Road, from the nearby scarp slope of the Downs, and from the adjoining PRow, the proposal

would be incongruous. Thus, the proposal would harmfully erode the important openness and undeveloped character of the mainly agricultural landscape.

11. As the vehicular comings and goings would be more frequent than those at many agricultural field accesses, the skid risks associated with mud and debris arising from the use of the unsurfaced route between the stable group and the road would be likely to endanger highway safety in Poynings Road. So, a hard surfaced access would be necessary in the existing broad grassy highway verge, which is important to the rural character of the historic road. As the hard surfaced access would diminish the verge, it would erode the rural character, verdant appearance, and integrity of the historic rural road, and its present contribution to biodiversity. The pedestrian gate by the far end of the appellants' back garden would not overcome that harm. So, the proposal would be contrary to the National Park's first purpose, which is to conserve and enhance the natural beauty, wildlife and cultural heritage of the National Park.
12. Because the appellants' horses would be likely to need similar goods and services in a nearby commercial facility, the proposal's benefits for the local economy attract little weight. The appellants' twice daily trips to the livery facilities would cease, but they could be partly outweighed by the additional trips for goods and/or services related to the proposal. So, the benefits of the proposal including jobs during construction, and use of the suggested conditions for matters including hard and soft landscaping and biodiversity enhancement would not outweigh the harm that the proposal would cause.
13. Therefore, I consider that the proposed development would harm the character and appearance of the surrounding area, and that it would fail to conserve and enhance the landscape and scenic beauty of the National Park. It would be contrary to LP Policy SD4 which aims to conserve and enhance landscape character, LP Policy SD5 which seeks high quality design and respect for the local character, LP Policy SD6 which aims to protect visual integrity and scenic quality, LP Policy SD21 which aims to protect the biodiversity, landscape and amenity value and character of historic rural roads, LP Policy SD24, LP Policy SD25 which aims, exceptionally, to permit development outside of settlement boundaries where it complies with relevant policies in the LP, and guidance in the TAN. It would also be contrary to the National Planning Policy Framework (Framework) which aims to achieve well-designed and beautiful places, and which seeks sympathy for local character and history, including the landscape setting, and to conserve and enhance the natural environment.

Conclusion

14. I have found that the proposed development would be contrary to the Development Plan when taken as a whole. The other considerations in this case, including the Framework, do not outweigh that conflict.
15. For the reasons given, the appeal should be dismissed.

J Reid

INSPECTOR