



Appeal Decision

Site visit made on 19 November 2024

by P Terceiro BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31st January 2025

Appeal Ref: APP/Y9507/W/24/3341413

Maverick Farm Blind Lane, Lurgashall, West Sussex

Grid Ref Easting: 494823; Grid Ref Northing: 127890

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Kane Adams against the decision of South Downs National Park Authority.
 - The application Ref is SDNP/23/04912/FUL.
 - The development proposed is the construction and use of a 13 metre by 8 metre agricultural barn, clad with timber under a hipped plain tile roof. To include a 3 metre wide access track and 15 metre by 26 metre apron constructed of local stone.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The National Planning Policy Framework (the Framework) was updated on 12 December 2024. However, the sections pertinent to this appeal have not changed to such an extent as to affect the matters raised by the main parties. It has not therefore been necessary to seek their views and the revised version has been referenced in this decision.
3. The address in the banner heading has been taken from the appeal form, since only the grid reference points were provided in the application form.

Main Issues

4. The main issues are:
 - whether the agricultural need for the building has been justified; and
 - the effect of the proposed development on the character and appearance of the area, having particular regard to the location within the South Downs National Park (SDNP).

Reasons

Agricultural need

5. Policy SD39 of the South Downs Local Plan 2019 (LP) states that proposals for new buildings for the purposes of agricultural will be permitted where there is an agricultural need for the development within the National Park and its scale is commensurate to that need.

6. The site is currently being used for agricultural purposes as pasture land for the grazing of sheep. The proposed building would provide safe and secure storage for machinery, tractor store, medicines, agri-chemicals, small tools, feed store and workshop area. As the flock has grown over the last few years, this would enable the appellant to work the land themselves other than employing local contractors to carry out the work.
7. The building would have a mezzanine that would be accessed through an external staircase and would be used by workers to have lunch and do paperwork. However, this would be a sizeable space and there would be one part time worker in accordance with the application form, so it is unclear why such a large area is needed. In addition, the mezzanine would not be served by any windows or roof lights, so it would receive limited natural light. As such, it is unlikely that this space would be usable. Therefore, I am not satisfied that the mezzanine has been adequately justified.
8. The Agricultural Justification Statement (AJS) provides some justification in terms of the space needed to store the machinery, equipment and consumables that are intended to be kept within the building. However, limited evidence has been provided to explain how the proposed level of such machinery, equipment and consumables would relate to the needs of the enterprise, particularly given the modest size of the holding. Indeed, I have no compelling evidence to demonstrate how often the machinery and equipment would be required on site, or the quantity of feed that would need to be stored to adequately provide for the number of sheep. In addition, the AJS does not appear to account for the storage space that would be provided by the mezzanine, nor does the appellant's response to various queries and public comments provide substantive details regarding this matter, other than advising that the mezzanine would be used to store tags and other ephemera. As such, it is unclear why an agricultural building of this size would be necessary.
9. The AJS provides little information regarding the appellant's planned projects, so it is uncertain when these will start and how the building would support them. Limited financial evidence has been provided, so it is unclear whether the business is operating viably and what the projected figures would be to justify the proposed building. Therefore, on the evidence before me, I am unable to ascertain that a building of this scale is reasonably needed to fulfil the functions required by the appellant.
10. Given the above, the agricultural need for the building has not been satisfactorily justified. Therefore, there would be conflict with Policies SD1 and SD39 of the LP, which seek to deliver sustainable development within the SDNP, and require the scale of agricultural buildings within the National Park to be commensurate to their need.

Character and appearance

11. The location of the appeal site within the SDNP means Section 11A(2) of the National Parks and Access to the Countryside Act 1949 places a duty upon me to have regard to the purposes of national park designation, which in the first instance is to conserve and enhance natural beauty, wildlife, and cultural heritage.

12. The site is a field with an irregular shape located within the countryside which is directly accessed off Blind Lane. The site's boundary treatment along this lane consists of tall, mature vegetation. Public Rights of Way (PRoW) run to the north of the site towards the fields beyond. The surrounding area comprises an attractive open and pastoral landscape, with fields bound by hedgerows and trees, and limited built development. The local topography is undulating. These factors make a positive contribution to the character and appearance of the area and to the distinctiveness and qualities of the wider National Park.
13. While agricultural buildings are not an uncommon sight in the countryside, the design of the building would include a mezzanine and external staircase, which would result in a building with a substantial height and bulk. Further, the proposed elevations show that the construction of the building would necessitate levelling up the site in this location, likely with the use of retaining walls, which would further increase the height of the building and its prominence.
14. The proposed building, taken together with the large area of hardstanding next to it, would introduce a stark, urbanising feature to the site. While the spill of paraphernalia onto the hardstanding would not in itself be uncharacteristic in the context of an agricultural building, due to its overall scale, the proposal would appear highly incongruous set against the prevailing rural character of its receiving environment.
15. The undulating topography and existing hedgerows would offer some screening towards the proposal from some viewpoints. However, the proposal would likely be glimpsed from Blind Lane above the hedge and from the entrance to the site. Moreover, views towards the proposed development would also be obtained from the nearby PRoWs. While native species of trees and shrubs would be provided within the site, any planting would take time to mature and establish itself. In the meantime, the proposal would represent a large and visually intrusive structure in a context where the character is overwhelmingly framed by the open and undeveloped landscape.
16. The proposal would be constructed using appropriate materials. The additional planting would link with the existing hedgerows and small woods of the area, improving the wildlife corridors. Bat boxes would be provided, and new flower meadows would be created. However, these would not overcome the harm that the proposal would have on its immediate surroundings.
17. Thus, the proposal would have a harmful effect on the character and appearance of the area, having particular regard to the location within the SDNP. It would therefore conflict with LP Policies SD1, SD4, SD5, SD7 and SD39, which support development of a design, layout and scale that conserves and enhances the existing landscape, contributes to local distinctiveness, conserves and enhances relative tranquillity, and conserves and enhances the natural beauty, landscape and wildlife of the National Park.

Other Matters

18. The appellant argues that under permitted development rights the size of the holding could support a much larger building than that proposed for the purposes of agriculture. However, no substantive evidence has been provided to demonstrate that the scheme before me could be implemented utilising

permitted development rights. As such, this is a consideration which does not weigh significantly in favour of the proposed development.

19. I understand that the proposal follows previous planning applications which have been refused by the Council. Whereas it may be that the scale of the building has been reduced, for the reasons set out above the proposal has failed to demonstrate that the scale of the building would be commensurate to the needs of the holding and would harm the character of the area.

Conclusion

20. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. For the reasons given above the appeal should be dismissed.

P Terceiro

INSPECTOR