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## Appeal Decision

Site visit made on 17 April 2025

**by R Lawrence BSc (Hons), PGDip (TP), MRTPI**

an Inspector appointed by the Secretary of State

**Decision date: 09 MAY 2025**

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**Appeal Ref: APP/L3815/W/24/3356014**

**1 Thornhouse Cottages, Scratching Lane, Kirdford, West Sussex RH14 0JN**

- 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 Marcus Graves against the decision of Chichester District Council.
  - The application Ref is KD/24/00403/FUL.
  - The development proposed is the erection of an agricultural shed.
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### Decision

1. The appeal is dismissed.

### Preliminary Matters

2. The Council's emerging local plan, the Chichester Local Plan 2021-2039: Proposed Submission (ELP) has reached an advanced stage. Nonetheless, the weight to be afforded to individual policies is dependent on the extent and significance of any unresolved objections. I have not been provided with any findings from the examining Inspector in respect of those policies relevant to this appeal. Accordingly, those relevant emerging policies could be subject to change, and considering this, I attribute them moderate weight for the purposes of this appeal.

### Main Issues

3. The main issues are whether the proposal represents an unjustified form of development in the countryside and the effect of the proposal on the character and appearance of the area.

### Reasons

#### *Justification for location*

4. The appeal site lies adjacent to a small cluster of dwellings, outside of any defined settlement boundary, adjacent to a rural country lane, and is primarily surrounded by fields and woods. It is appropriate therefore to consider the site as falling within the countryside.
5. Policies 2 and 45 of the Chichester Local Plan (LP), read together, restrict development in the countryside to proposals which require a countryside location, and which meet an essential, small scale, and local need which cannot be met within or immediately adjacent to existing settlements.

6. The proposed barn would be positioned at the edge of an undulating field, which lies adjacent to 1 Thornhouse Cottages (No 1), a residential dwelling. Access to the field is via No 1.
7. The proposal is intended to be used for an animal shelter and storage, machinery storage, and a hay store. The information before me refers to use of the land as a fruit orchard and livestock grazing. However, at the time of my site visit, no livestock appeared to be present on site and the fruit orchard was extremely limited in scale.
8. My attention has been drawn to a 2007 permission for a single storey tractor shed<sup>1</sup> within the residential curtilage of No 1. I do not have the full details of this permission, however, at the time of my visit, a shed was in place containing a small tractor, a car and various domestic items. There are no proposals before me to remove the shed and this already provides for some agricultural machinery. There were further outbuildings within the curtilage of No 1, together with hard standing for the parking of vehicles.
9. The field is modest in scale, and by comparison, the proposed shed would be of a significant scale. There are no details before me as to the type or number of livestock intended to be kept on site, or in turn, why the shed is required. Although maintenance of the land is likely to be necessary, there is an existing building which provides for this. Hay production does not necessarily require machinery to be located permanently on site, although again there are some existing outbuildings within the curtilage of No 1 which accommodate machinery.
10. Overall, there is no substantive evidence that the proposal is essential, would meet a local need, nor that it would support any viable agricultural operations. As such, the countryside location is unjustified, and the proposal would conflict with Policies 2 and 45 of the LP.

### *Character and appearance*

11. Policies 45 and 48 of the LP, taken together, require that proposals, with regard to their scale, siting, design, and materials result in a minimal impact on the landscape and the tranquil, rural character of the area. These requirements are also reflected in emerging policy NE10 of the ELP which refers to, amongst other matters, the need to conserve and enhance the key features and qualities of the rural and landscape character of the countryside setting. However, as an emerging policy which is subject to change, this attracts moderate weight.
12. Although the footprint of the building would only occupy a small percentage of the field, it would be a large building which would appear particularly large in relation to the existing built form at No 1, as well as other neighbouring dwellings. The formation of an access track would add to the visual impact of the building, which would be visible in views from Scratchings Lane. The building has a utilitarian appearance, which combined with its significant size, would result in an adverse visual impact. The presence of such a building, on the field would detract from its undeveloped and rural tranquil character. The building would be visible in views both from Scratchings Lane as well as the footpath to the top of the field.

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<sup>1</sup> 07/00466/REN

13. The proposed shed would be located against the site boundary, close to existing built form within the curtilage of No 1 and adjacent to a tree line. Whilst these factors would minimise the visual impact of the proposal, I am not satisfied they would overcome or avoid the harm identified above. It is also relevant that the trees are not protected and include deciduous species, meaning the coverage they provide would vary across the year.
14. In light of the above, the proposal would result in an adverse impact upon the rural, tranquil character of the area, and its appearance would have a detrimental visual impact. The proposal therefore conflicts with Policies 45 and 48 of the LP, the aims of which are outlined above.

### **Other Matters**

15. The appellant has expressed concerns regarding the Council's handling of the application, and the lack of proactive communication. This is a matter between the main parties and has had no bearing on my determination of the proposal, which has been assessed on its own merits.

### **Conclusion**

16. For the reasons given above, the proposal conflicts with the development plan and the material considerations do not indicate that a decision should be made other than in accordance with it. Therefore, the appeal is dismissed.

*R. Lawrence*

INSPECTOR