



Appeal Decision

Site visit made on 11 June 2025

by **R J Redford MTCP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 7th July 2025

Appeal Ref: APP/Y9507/W/25/3359432

Thatchers Farm, Warren Corner, Froxfield, Petersfield, Hampshire GU32 1BJ

- 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 D Mitchell against the decision of South Downs National Park Authority.
 - The application Ref is SDNP/24/03968/FUL.
 - The development proposed is described as the construction of a replacement dwelling with associated landscaping together with the consolidation of the existing scrap yard business with associated landscaping.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development on the character and appearance of the surrounding landscape with regard to the South Down National Park, and whether it would comply with the development plan's strategic policies.

Reasons

Character and appearance

3. The appeal site consists to 2 separate sections of the land attributed to Thatcher's Farm. A property within a small hamlet on Warren Lane, surrounded by large agricultural fields within the South Downs National Park (SDNP). This landscape is characterised by small clusters of development interspersed with fields, trees, and hedgerows, accessible by narrow rural roads, and this is characteristic of the hamlet Thatcher' Farm is part of. Hamlets such as this are generally tight nodes of development defined by field boundaries and lane edges, with the space around emphasising their incidental occurrence within the wider countryside.
4. The appeal site specifically includes a residential dwelling within the middle of the hamlet (Area 1); a strip of land used for commercial purposes to the rear of the hamlet (Area 2); and a section of agricultural field to one side of the hamlet and adjacent to Warren Lane (Area 3). There is a Public Right of Way (PROW) which runs up the side of the hamlet and Area 2. All parts of the appeal site are in the countryside within the.
5. The proposal seeks to replace the existing dwelling within Area 1 with a new dwelling in Area 3. The new dwelling would be adjacent to the road and although screened to some degree by the existing hedgerow would introduce a domestic development beyond the existing hamlet. This would have an elongating effect on the hamlet creating a ribbon of development along Warren Lane. This would be

further emphasised by the loss of the gap Area 3 creates between the hamlet and the agricultural sheds beyond, thus visually incorporating them as well. The proposal would reduce the hamlet's open setting and have an urbanising effect along Warren Lane, thus harming the character and appearance of the immediate landscape.

6. The proposal would seek to reduce the commercial element within Area 2, and the size of land to be reverted back to agricultural would be larger than Area 3. Although this would be a positive it does not negate the encroachment of development along Warren Lane.
7. Should the commercial element of the appeal site be intensified, it may become more prominent in views from the PROW and wider area. However, it is closely related to the hamlet and would not extend beyond it. Therefore, when viewed from a distance it would be seen in conjunction with that hamlet rather than as an elongating extension of it, and so spatially not impact on the surrounding openness which is indicative of the area's landscape character.
8. It is appreciated the size and design of the proposed new dwelling is relatively in keeping with the surrounding properties. Nonetheless, this does not overcome the harm identified with the proposed location in Area 3. Nor would additional hedging and landscaping, as it would take time to mature whilst further emphasise the elongation of the hamlet along Warren Lane.
9. It is recognised Area 2 of the appeal site is somewhat constrained by the existing barn, access, and neighbouring properties. However, this area of the appeal site is not so small that it could not accommodate a reasonably sized replacement dwelling, albeit likely a different design to that proposed. Redevelopment of Area 2 would not extend beyond the edges of the existing hamlet and so would not impact its setting. Therefore, this would be less harmful in landscape terms than the proposed development of Area 3.
10. Accordingly, the proposal would cause harm to the character and appearance of the surrounding landscape and the SDNP. It would fail to comply with LP Policies SD1 and SD4, insofar as they seek to conserve and enhance landscape character and uphold the purposes of a National Park. As Paragraph 182 of the Framework requires that great weight should be given to conserving and enhancing the landscape and scenic beauty of a National Park, this harm would be significant.

Strategic policies

11. LP Policy SD25 sets out the development strategy for the SDNP. It provides exceptions when development outside the settlement boundary is acceptable. The proposed location for the dwelling is not allocated or safeguarded for development, nor is it a previously developed site. It has not been identified as within a rural estate or large farm, and it is not for community infrastructure. An essential need for a countryside location has not been proposed beyond it being a replacement dwelling. Therefore, the proposal would fail to comply with LP Policy SD25.
12. LP Policy SD30 deals specifically with replacement dwellings. For the replacement of 1 dwelling, it sets out 2 criteria. One related to the size of the replacement and one related to the living conditions of nearby neighbours. The main purpose of this policy is to prevent the loss of small homes in the SDNP.

13. Although the proposed new dwelling would constitute an increase in size of around 250%, the Authority has conceded it would constitute a small or medium dwelling in the SDNP¹. With nothing before me to contradict this and noting the existing dwelling would not meet current national space standards, in this instance the significant increase in gross internal area simply insures a better proportioned small to medium property. It would not therefore constitute a loss of a small home in the SDNP.
14. No harm has been identified in terms of the living conditions of neighbouring occupants, and there is nothing before me to conclude otherwise. As there is nothing within LP Policy SD30 which specifically limits the location of the replacement dwelling, in this instance, the proposal would accord with the LP Policy SD30.
15. Nevertheless, the development plan should be read as a whole, therefore, it is necessary to take account of the overarching aim of LP Policy SD25, which is to focus development on the settlements. This is to not only ensure the functionality of new development but to prevent unchecked development within the SDNP.
16. As such, although the proposal would comply with LP Policy SD30, as identified in the first main issue it would harm the character and appearance of the landscape and the SDNP. It would, consequently, fail to comply with LP Policy SD25 and the strategic aims of the development plan.

Other Matters

17. The proposal would reduce the commercial element within Area 2 and interested parties have indicated this has caused a nuisance in the past. This along with the small net increase in agricultural land would be public benefits of the scheme so would attract modest weight.
18. The existing house is reaching the end of its practicable life as a dwelling and the appellant's personal circumstances mean it is no longer fit for purpose. Whereas the proposal would provide a new home on land the appellant owns, which would be fit for their future requirements whilst ensuring they can remain in their rural community. However, as a private benefit this would carry only limited weight.
19. That the appellant considers the proposal to have less impact than a larger more prominent house set away from the road is noted. There is nothing submitted which shows such a development has or would gain permission in this area and so carries very limited weight.
20. No harm has been identified in relation to the living conditions of neighbouring occupants, highway safety, ecology, and contamination. With appropriate conditions this would also be the case for dark skies, drainage, and construction methods. However, a lack of harm, by definition, cannot weigh for or against the proposal.
21. The planning application associated to this appeal was submitted post 2 April 2024 therefore the Biodiversity Net Gain Regulations must be applied. The appellant has confirmed that the proposal should be considered a self-build / custom build development. In order to qualify for this exemption, it would be necessary to secure the self-build / custom build nature of the development by obligation. Nevertheless,

¹ As identified in the associated Technical Advice Note

even if such an obligation were secured, it would exempt the proposal from providing any biodiversity net gain, so could not be considered a benefit of the proposal.

22. Finally, it is acknowledged that the appellant considers that the Authority have failed to work with them throughout the pre-application and application process. This is unfortunate but does not alter the planning merits of the case.

Planning Balance and Conclusion

23. Whilst the proposal would comply with LP Policy SD30 and some benefits of the scheme have been identified above, when taken as a whole they do not overcome the significant harm identified in the first main issue and the lack of compliance LP Policy SD25.
24. Consequently, the appeal scheme would conflict with the development plan when read as a whole and there are no sufficiently weighted material considerations, including the Framework, which would indicate a decision otherwise. The appeal is, therefore, dismissed.

RJ Redford

INSPECTOR