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## Appeal Decision

Site visit made on 8 February 2017

by **David Walker MA MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 17<sup>th</sup> March 2017

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**Appeal Ref: APP/Y9507/W/16/3153683**

**Land East of Allotments, Grove House, East Gardens, Ditchling,  
East Sussex BN6 8ST**

- 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 Mrs Rowena Cager against the decision of South Downs National Park Authority.
  - The application Ref SDNP/16/00345/FUL, dated 19 January 2016, was refused by notice dated 23 March 2016.
  - The development proposed is a single storey timber outbuilding situated next to a pond to use as a nature lookout.
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### Decision

1. The appeal is dismissed.

### Main Issue

2. The main issue in the appeal is the effect of the proposal on the character and appearance of the South Downs National Park.

### Reasons

3. The appeal site is a parcel of land located at the fringe of Ditchling that has been the subject of recent works for the provision of a pond and new planting. A position close to the appellant's property affords easy access for wildlife appreciation. The presence of garden furniture and play equipment at the time of my site inspection is indicative of some domestic use of the land.
  4. Although the appeal site is largely enclosed with tall hedgerows, gaps remain through which the use of the land is apparent from the extensive public rights of way network that passes close by. Whilst the proposed outbuilding would be a modest development it would be positioned obtusely at the edge of the pond where it would be prominent within the open expanse of the land.
  5. The outbuilding would appear as a recreational addition that would lead to the further domestication of the land. Having regard to the policy of paragraph 115 of National Planning Policy Framework to give great weight to conserving landscape and scenic beauty in National Parks such an effect would be harmful to the rural character of the area.
  6. I acknowledge that the appeal site is close to existing development at Dumbrells Court and that the outbuilding would not lead to coalescence between the outer lying parts of the settlement. However, the appeal site falls
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outside of the planning boundary drawn for Ditchling within the Lewes District Local Plan 2007 (the Local Plan) and is more closely related to the surrounding open countryside and nearby rural land uses than it is to the built up area.

7. I have given consideration to the use of conditions to reinforce hedgerows for additional screening and to restrict the hours of usage. However, these would not achieve a scheme that would be suitably assimilated into the existing characteristics of the area. I also acknowledge the appellant's willingness to share the use of the facility with neighbours, but with no mechanism to secure its community use there is little public benefit to weigh in its favour.
8. The proposal would therefore have a harmful effect on the character and appearance on the South Downs National Park. It would conflict with Policy CT1 of the Local Plan which requires the retention of the open character of the countryside. The policy remains saved following the adoption of the Lewes District and South Downs National Park Joint Core Strategy in 2016.

**Conclusion**

9. For the reasons given above I conclude that the appeal should be dismissed.

*David Walker*

INSPECTOR