

South Downs National Park

Planning Committee

Report of the Director Of Planning and Environment Services

Schedule of Planning Appeals, Court and Policy Matters

Date between 19/07/2019 and 16/08/2019

This report updates Planning Committee members on current appeals and other matters. It would be of assistance if specific questions on individual cases could be directed to officers in advance of the meeting.

Note for public viewing via Chichester District Council web site To read each file in detail, including the full appeal decision when it is issued, click on the reference number (NB certain enforcement cases are not open for public inspection, but you will be able to see the key papers via the automatic link to the Planning Inspectorate).

* - Committee level decision.

1. NEW APPEALS (Lodged)

Reference/Procedure	Proposal
SDNP/18/06143/FUL Fittleworth Parish Council Case Officer: Beverley Stubbington Written Representation	Fittleworth House, Bedham Lane, Fittleworth, RH20 1JH - Installation of freestanding solar array.
SDNP/19/01585/HOUS Lynchmere Parish Council Case Officer: Louise Kent Written Representation	Dormer Cottage, Lower Lodge Road, Lynchmere, GU27 3NG - Two storey rear extension with associated roof works and alterations and additions to fenestration. Single storey extension to outbuilding

SDNP/19/01293/LDE Heyshott Parish Council Case Officer: Derek Price Written Representation	Northend House, Polecats, Heyshott, GU29 0DD - Lawful Development Certificate for the retention and continued use of the existing driveway.
SDNP/19/01322/LDE Heyshott Parish Council Case Officer: Derek Price Written Representation	Northend House, Polecats, Heyshott, GU29 0DD - Retention of existing gates and brick piers serving access to Northend House.

2. DECISIONS MADE

Reference/Procedure	Proposal
SDNP/18/04813/FUL Lynchmere Parish Council Case Officer: John Saunders Written Representation	Land Between The Vicarage and Forest Mead Linchmere Common Road West Sussex - Conversion of barn and stables to a single residential dwelling, with stable extension and single storey glazed link extension following removal of 2 storage containers.
Appeal Decision: APPEAL ALLOWED	
<p>LP policy SD25 permits, exceptionally, development outside settlement boundaries, subject to a number of alternative criteria, including where it is an appropriate reuse of a previously developed site, excepting residential gardens, and conserves and enhances the special qualities of the National Park. ... Given that there are houses and gardens on two of the long sides of the site, a dwelling would not, in my view, be inappropriate. The site was previously used for housing horses and storing their feed, and there is no evidence that it does not meet the definition of previously developed land in the National Planning Policy Framework ... Given the houses beside each flank of the site, the development is not isolated. Calmesdale, 1.5km away, is the closest defined settlement. There is no dispute that the future occupiers of the development would rely on the private car to access everyday services, community facilities and employment. However, there is planning permission for a similar conversion, but for use as holiday accommodation rather than as a dwelling. The occupation of the building by holiday-makers may involve car trips to and from the site, for access, and pleasure, as well as for necessity, seeking services or facilities in nearby settlements. While there is no substantive evidence on the number of anticipated visitors or their modes of transport, and while I appreciate that the accommodation may not be occupied throughout the year, during seasonal peaks the number of trips may be substantially greater than those generated by the use of the building as a dwelling. ... The appellant says that the visitor accommodation permission will be implemented should this appeal fail. I saw at my visit that builders had taken possession of the site. In these circumstances, the permission is in my view a realistic fallback, and the number of trips in connection with that use should weigh in the balance against the environmental dimension of sustainable development. ... In these circumstances, the distance of the development from services and facilities is not a factor which leads me away from the clear support for the appropriate reuse of a previously developed site in the development plan, as set out in LP policy SD25, with which the proposal accords. I turn now to the effect of the development on the special qualities of the National Park. ... While the site lies outside any defined settlement boundary, and though Linchmere has a distinctly rural character, given the residential pattern of development to both sides of the site, the limited extent of the curtilage, the low scale of the buildings for conversion and the screening on the road side, I find the proposal would conserve the special qualities of the National Park and its landscape and scenic beauty, which the Framework says has the highest status of protection. There would be no conflict with LP policies SD1, SD4, and SD5 which require development to conserve and enhance landscape character with a landscape-led approach which contributes positively to the overall character and appearance of the area.</p>	

<p>*SDNP/18/05965/FUL Bury Parish Council</p> <p>Case Officer: Beverley Stubbington</p> <p>Written Representation</p>	<p>Land East Of Flint Acre Farm Bignor Park Road Bignor RH20 1EZ - Change use of land from agricultural to equestrian use. Erection of private stable building, associated hard standing, new 5 bar gate and access to the highway including culvert to ditch.</p>
<p align="center">Appeal Decision: APPEAL DISMISSED</p>	
<p>The southern boundary of the site adjacent to the road is formed with a hedgerow, trees and other foliage of mixed density and height. Although the proposed stable building would be positioned behind a relatively dense section of hedgerow and therefore reasonably well screened from the road it would still be seen in local views. The proposal would include an area of hardstanding and the removal of a section of existing hedgerow approximately 6 metres east of the existing access to allow construction of a new access: the existing access would be closed off and hedging would be planted in its place. The proposed new access and hardstanding area would be very readily visible from the road, and in combination with the proposed stable building and existing development along Bignor Park Road, would result in a localised amplification of development which would be at odds with the rural landscape character of the surrounding area. ... The area is characterised by open fields and an irregular pattern of development. The proposed development would result in a contiguous stretch of development along this part of Bignor Park Road thereby disrupting the sporadic pattern of development and detract from the positive contribution the site makes to the undeveloped rural landscape. As such the proposal would be contrary to the aims of the National Planning Policy Framework¹ which places great weight on conserving and enhancing landscape and beauty in National Parks. ... For the reasons outlined above, I conclude that the proposed development would cause significant harm to the character and appearance of the South Downs National Park. Consequently, it would not accord with Policies SD1, SD4 and SD24 of the SDLP which, amongst other things, seek to ensure development proposals conserve and enhance landscape character. The Authority has referred to Policies SD2, SD7 and SD8 of the SDLP in their refusal notice. However, these are not directly relevant to character and appearance issues.</p>	

3. CURRENT APPEALS

<u>SDNP/18/00149/FUL</u> Fittleworth Parish Council Case Officer: Derek Price Written Representation	Fitzleroi Farm Fitzleroi Lane Fittleworth Pulborough West Sussex RH20 1JN - Proposed new grain and secure fertilizer storage building.
<u>SDNP/18/01138/FUL</u> Milland Parish Council Case Officer: Charlotte Cranmer Informal Hearing	The Black Fox Inn Portsmouth Road Milland GU30 7JJ - Change of use from Class A4 public house to Class D1 children's nursery and pre-school with associated works.
<u>SDNP/18/01956/APNB</u> Fittleworth Parish Council Case Officer: Derek Price Written Representation	Fitzleroi Farm Fitzleroi Lane Fittleworth Pulborough West Sussex RH20 1JN - Proposed grain and straw storage building
<u>SDNP/18/03090/HOUS</u> Kirdford Parish Council Case Officer: Beverley Stubbington Written Representation	Little Bignor Farm A272 Wakestone Lane To Croucham Lane Kirdford RH14 0LJ - Demolition and replacement of existing side extension.

SDNP/18/01575/FUL Sutton & Barlavington Parish Council Case Officer: Beverley Stubbington Informal Hearing	The Croft Bignor Road Sutton RH20 1PL - Change of use from ancillary residential accommodation, domestic storage and stabling to ancillary residential accommodation, guest accommodation, staff accommodation, holiday let, domestic garaging, hobby room.
SDNP/18/03091/LIS Kirdford Parish Council Case Officer: Beverley Stubbington Written Representation	Little Bignor Farm A272 Wakestone Lane To Croucham Lane Kirdford RH14 0LJ - Demolition and replacement of existing side extension.
* SDNP/19/00893/MPO Sutton & Barlavington Parish Council Case Officer: Derek Price Informal Hearing	The Croft Bignor Road Sutton Pulborough West Sussex RH20 1PL - Application to discharge the S.106 Undertaking relating to planning permission SN/11/02662/DOMNP.
SDNP/19/00273/FUL Fittleworth Parish Council Case Officer: Charlotte Cranmer Written Representation	Stables North-West of Hesworth Common Hesworth Common Lane Fittleworth West Sussex - Replacement of existing equestrian buildings with a building to be used for stabling and an associated self-contained unit of holiday accommodation.

SDNP/18/06483/FUL Marden Parish Meeting Case Officer: John Saunders Written Representation	East Marden Farm Wildham Lane East Marden Chichester West Sussex PO18 9JE - Replacement of former agricultural buildings with 3 no. dwellings for tourism use.
SDNP/18/05112/FUL Easebourne Parish Council Case Officer: Charlotte Cranmer Written Representation	Cowdray Cafe Easebourne Lane Easebourne Midhurst West Sussex GU29 0AJ - Proposed extensions and minor internal alterations.
SDNP/18/03666/LIS Sutton & Barlavington Parish Council Case Officer: Claire Coles Written Representation	Farm Cottage Barlavington Lane Sutton RH20 1PN - Single storey side and rear extension with external conservation repairs.
SDNP/18/03665/HOUS Sutton & Barlavington Parish Council Case Officer: Claire Coles Written Representation	Farm Cottage Barlavington Lane Sutton RH20 1PN - Single storey side and rear extension with external conservation repairs.

<p><u>SDNP/15/00492/COU</u> Rogate Parish Council</p> <p>Case Officer: Steven Pattie</p> <p>Public Inquiry</p>	<p>Laundry Cottage Dangstein Dangstein Road Rogate Petersfield West Sussex GU31 5BZ - Appeal against RG/36</p>
<p><u>SDNP/15/00209/COU</u> Compton Parish Council</p> <p>Case Officer: Shona Archer</p> <p>Written Representation</p>	<p>Cowdown Farm Cowdown Lane Compton Chichester West Sussex PO18 9NW - Appeal against CP/9 erection of a dwellinghouse in a barn.</p>
<p><u>SDNP/16/00110/COU</u> Milland Parish Council</p> <p>Case Officer: Steven Pattie</p> <p>Informal Hearing</p>	<p>Land West of Junction With Dangstein Road Borden Lane Borden Milland West Sussex - Appeal against ML/25</p>
<p><u>SDNP/15/00210/COU</u> Compton Parish Council</p> <p>Case Officer: Shona Archer</p> <p>Written Representation</p>	<p>Cowdown Farm Cowdown Lane Compton Chichester West Sussex PO18 9NW - Appeal against CP/7</p>

1. VARIATIONS TO SECTION 106 AGREEMENTS

2. CALLED-IN APPLICATIONS

Reference	Proposal	Stage

3. COURT AND OTHER MATTERS

Injunctions		
Site	Breach	Stage

Court Hearings		
Site	Matter	Stage

Prosecutions		
Site	Breach	Stage

4. POLICY MATTERS