

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 19/11/2020 and 15/12/2020

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

Reference/Procedure	Proposal
<u>SDNP/20/02351/HOUS</u> Graffham Parish Council Parish Case Officer: Jenna Shore Householder Appeal	The Laurels The Street Graffham GU28 0QA - Erection of replacement outbuilding

2. DECIDED

Reference/Procedure	Proposal
<p><u>SDNP/20/00335/PA16</u> Stoughton Parish Council Parish</p> <p>Case Officer: Derek Price</p> <p>Written Representation</p>	<p>Church Farm, Stoughton Dairy Wildham Lane Stoughton PO18 9JQ - Prior Notification for the erection of a 12.97m high mast with 3 antennas within a shroud, one 0.3m dish, to be painted Bitter Chocolate, together with equipment cabinets, satellite dish and ancillary apparatus.</p> <p>Linked to <u>SDNP/20/01881/PA16</u></p>
<p>Appeal Decision: APPEAL DISMISSED</p>	
<p>The development would introduce a tall man-made feature and other artificial structures into the National Park. This would have an adverse effect on the character of the agricultural landscape in the context of the open fields and wooded areas on the upper slopes of the valley sides... owing to the siting of the development, which would be detached from the physical built form of the farm buildings, the tall 'bitter chocolate' painted mast would be clearly noticeable in localised views from Monarch's Way. Furthermore, the satellite dish, would...draw the eye of people passing the site along Monarch's Way. In combination, the mast and the satellite dish, would readily attract the attention of users of the public right of way, appearing as prominent and jarring features within the agricultural landscape...Futhermore, the cabinets in combination with the mast and the satellite dish, would serve to highlight the prominence of the development as an unsympathetic feature not in keeping with the agricultural characteristics of the National Park...the development would represent an intrusive and incongruous feature readily visible in localised views from Monarch's Way. It would also be at odds with the agricultural landscape character of the National Park...I conclude that the siting and appearance of the development would cause harm to the character and appearance of the National Park. In so far as they are a relevant material consideration, I also conclude that the proposal would conflict with Policies SD5 and SD44 of the South Downs Local Plan (2014-33)... The Authority's reason for refusal includes concern that opportunities for mast sharing or alternative sites in less prominent locations have not been satisfactorily explored by the appellants. It will be seen from my decision in regard to another appeal for a proposed mast that I have dealt with on a separate site at Church Farm, that there is at least one alternative means of providing coverage that would be materially less harmful to the character and appearance of the National Park.</p>	

Reference/Procedure	Proposal
<p data-bbox="108 286 486 392"><u>SDNP/20/01745/PA16</u> West Dean Parish Council Parish</p> <p data-bbox="108 421 478 454">Case Officer: Louise Kent</p> <p data-bbox="108 517 462 551">Written Representation</p>	<p data-bbox="549 286 1415 392">Chilgrove Farm Old West Dean Road West Dean PO18 9HU - Erection of 17.5 metre telecoms mast and associated equipment compound</p>
<p data-bbox="464 568 1037 602">Appeal Decision: APPEAL ALLOWED</p>	
<p data-bbox="108 609 1415 1852">“...The provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (GPDO 2015), under Article 3(1) and Schedule 2, Part 16, Class A, Paragraph A.3(4) require the local planning authority to assess the proposed development solely on the basis of its siting and appearance, taking into account any representations received. ... The appeal site is located on private land to the east of Chilgrove Farm and Chilgrove Business Centre and is around 500 metres north east of the B2141. It is sited some distance away from public highways and public rights of way. The site lies within the National Park which in this area is characterised by undulating agricultural fields and areas of woodland ... The site is relatively well enclosed by virtue of a large wooded area (Ham Wood). However, owing to its slimline design and ‘bitter chocolate’ colour the mast would appear as a subtle vertical element not significantly out of keeping within the backdrop provided by the trees and the wooded areas. 9. Within some local views from the public domain the mast would be perceptible. However, while it would be a tall and straight feature, it would not particularly draw the eye, owing to its thinness. In this regard, the mast would not be a visually dominant feature. Thus, it would not have a detrimental effect on the pleasantness of the views. ... The compound would incorporate a hardstanding area and would include screen planting using native species on three sides. In combination with the mast the equipment cabinets and hardstanding would have an adverse effect on local landscape character in the context of the undulating agricultural fields and areas of woodland. However, the effect would be minor and localised, and would be limited through the introduction of the proposed native species planting. ... the equipment cabinets would not be visible in most local views. ... the ‘fir green’ colour of the cabinets and the proposed planting would serve to visually diffuse and camouflage the outline of the equipment cabinets within the view ... The Authority’s reason for refusal includes concern that opportunities for mast sharing or alternative siting in a less prominent location have not been satisfactorily explored by the appellant; interested parties have also raised similar concerns. Based on previous and ongoing analysis of alternative options such an approach, in the view of the appellant, is unlikely to have less landscape impacts. However, given that I consider that the proposed site is itself acceptable, it is unnecessary to address the merits of alternative sites. Although the mast would be a noticeable man-made feature, for the reasons outlined above, both the mast and the equipment cabinets would not cause any significant harm to the character and appearance of the rural landscape. The development would also provide benefit in terms of new 4G coverage for commercial customers in the area. I conclude that the siting and appearance of the development would not cause significant harm to the character or appearance of the National Park. In so far as they are a relevant material consideration, I also conclude that the proposal would be in accordance with Policies SD4, SD5 and SD44 of the South Downs Local Plan (2014-33) ... Consequently, I have not imposed those suggested conditions...”</p>	

Reference/Procedure	Proposal
<p data-bbox="108 226 475 331"><u>SDNP/20/01881/PA16</u> Stoughton Parish Council Parish</p> <p data-bbox="108 360 475 394">Case Officer: Derek Price</p> <p data-bbox="108 456 475 490">Written Representation</p>	<p data-bbox="555 226 1358 297">Church Farm, Stoughton Dairy Wildham Lane Stoughton PO18 9JQ - Proposed mast, antennas and cabinets.</p> <p data-bbox="568 338 1027 371">Linked to <u>SDNP/20/00335/PA16</u></p>
Appeal Decision: APPEAL ALLOWED	
<p data-bbox="92 539 1412 1751">“... The development would introduce a tall man-made feature and other artificial structures into the National Park. This would have an adverse effect on the character of the agricultural landscape in the context of the open fields and wooded areas on the upper slopes of the valley sides. The effect would though be minor given the established functional character of the complex of agricultural buildings within the wider setting of the site. As a result of the fact that it would be around twice the height of the adjacent barn the ‘bitter chocolate’ painted mast would be noticeable in localised views from Monarch’s Way. However, owing to the siting of the development, the not insubstantial bulk of the large modern farm buildings and the proximity of an existing tall transformer pole, which provides a visually strong vertical element, the mast would not represent an overly prominent or jarring feature when viewed from Monarch’s Way. ... Moreover, the mast would protrude above the adjacent barn. However, owing to its thinness the mast would not represent a bulky feature in the context of the physical built form and backdrop afforded by the farm buildings. Thus, in landscape terms, the mast would not introduce a significant visual disturbance to the existing scene. The earth bund, adjacent barn and tall close boarded fence would to a great extent screen the proposed equipment cabinet in views from Monarch’s Way and other public rights of way. Consequently, no significant harm would be caused to the rural landscape in visual terms. In longer distance views from Monarch’s Way and in views from the bridleway to the north of the site and from Wildham Lane the mast would be perceptible only as a minor element within the context of the composition of the farm complex. ... The Authority states that it has proactively engaged with the appellant in researching other locations for the mast that still meets the appellant’s operational requirements and, in this regard, positive progress has been made in identifying an alternative location. However, given that I consider that the proposed site is itself acceptable, it is unnecessary to address the merits of alternative sites. ... Although the mast would be a noticeable man-made feature, for the reasons outlined above, it would not cause any significant harm to the character and appearance of the rural landscape. ... the limited visual effects would themselves be clearly outweighed by the significant public benefits of the proposal. This would be in terms of the emergency services coverage to the road through Stoughton as well as the village itself and parts of Walderton, the B2146 and surrounding countryside. The development would also provide benefit in terms of new 4G coverage for commercial customers in the area. For the reasons outlined above, I conclude that the siting and appearance of the development would not cause significant harm to the character or appearance of the National Park. ...”</p>	

3. CURRENT APPEALS

Reference/Procedure	Proposal
<p>* <u>SDNP/18/05093/LDE</u> Elsted and Treyford Parish Council Parish</p> <p>Case Officer: Charlotte Cranmer</p> <p>Informal Hearing 18/01/2021 11:00:00 Virtual Hearing</p>	<p>Buryfield Cottage Sheepwash Elsted Midhurst West Sussex GU29 0LA - Existing lawful development certificate for occupation of a dwellinghouse without complying with an agricultural occupancy condition.</p>
<p><u>SDNP/19/06009/LDP</u> Fernhurst Parish Council Parish</p> <p>Case Officer: Rebecca Perris</p> <p>Written Representation</p>	<p>Meadow Cottage Hawksfold Lane East Fernhurst GU27 3JW - Proposed lawful development for single storey rear extension. The application is made under the auspices of the Town and Country Planning (General Permitted Development) Order 2015 Schedule 2, Part 1 (Class A.) to build one single-storey rear extension to the detached dwelling known as Meadow Cottage.</p>
<p><u>SDNP/19/04625/LIS</u> Petworth Town Council Parish</p> <p>Case Officer: Beverley Stubbington</p> <p>Written Representation</p>	<p>Riverbank High Street Petworth West Sussex GU28 0AU - Internal alterations including installation of dividing walls and sound/fire proofing party floors to facilitate change of use.</p>
<p><u>SDNP/19/03032/FUL</u> Bignor Parish Council Parish</p> <p>Case Officer: Louise Kent</p> <p>Written Representation</p>	<p>Manor Farm Bignor Road Bignor RH20 1PQ - Change of use of agricultural land to a tourist use for the siting of 6 no. shepherds huts, camping and with a part conversion of an agricultural barn to provide ancillary facilities.</p>
<p><u>SDNP/20/01635/LDP</u> West Lavington Parish Council Parish</p> <p>Case Officer: Derek Price</p> <p>Written Representation</p>	<p>Kennels Farm Selham Road West Lavington Midhurst West Sussex GU29 0AU - Proposed use of buildings at Kennels Farm as Estate Maintenance yard including a joinery workshop, painters workshop, stores and offices.</p>

Reference/Procedure	Proposal
<p><u>SDNP/19/04624/FUL</u> Petworth Town Council Parish</p> <p>Case Officer: Beverley Stubbington</p> <p>Written Representation</p>	<p>Riverbank High Street Petworth West Sussex GU28 0AU - Change of use of rear room currently used as retail store and first floor offices to residential to form a self-contained two bedroom flat. Soundproofing and fireproofing internal walls. Formation of WC at ground floor level.</p>
<p><u>SDNP/19/05938/HOUS</u> Lurgashall Parish Council Parish</p> <p>Case Officer: Jenna Shore</p> <p>Written Representation</p>	<p>Aldworth Farm Jobsons Lane Lurgashall GU27 3BY - Two storey rear extension to northern wing. Minor internal alterations and replacement fenestration to south west extended section and north east extended section. Amendments to planning permission SDNP/16/03556/FUL and listed building consent SDNP/16/03567/LIS.</p>
<p><u>SDNP/19/05939/LIS</u> Lurgashall Parish Council Parish</p> <p>Case Officer: Jenna Shore</p> <p>Written Representation</p>	<p>Aldworth Farm Jobsons Lane Lurgashall GU27 3BY - Two storey rear extension to northern wing. Minor internal alterations and replacement fenestration to south west extended section and north east extended section. Amendments to planning permission SDNP/16/03556/FUL and listed building consent SDNP/16/03567/LIS.</p>
<p><u>SDNP/20/00500/FUL</u> Bury Parish Council Parish</p> <p>Case Officer: Jenna Shore</p> <p>Written Representation</p>	<p>The Barn Hale Hill West Burton West Sussex - Change of use of agricultural building and associated works to form 1 no. residential dwelling house.</p>
<p><u>SDNP/20/02266/FUL</u> Fernhurst Parish Council Parish</p> <p>Case Officer: Charlotte Cranmer</p> <p>Written Representation</p>	<p>Fernhurst Place The Cylinders Fernhurst GU27 3EL - Demolition of existing dwelling and the erection of 4 dwelling houses and outhouses.</p>

4. VARIATIONS TO SECTION 106 AGREEMENTS

None

5. CALLED-IN APPLICATIONS

Reference	Proposal	Stage

6. COURT AND OTHER MATTERS

Injunctions		
Site	Breach	Stage

Court Hearings		
Site	Matter	Stage

Prosecutions		
Site	Breach	Stage

7. POLICY MATTERS

None