

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 14/04/2021 and 18/05/2021

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
SDNP/20/04320/HOUS Harting Parish Council Parish Case Officer: Louise Kent Householder Appeal	Ridgeview (formerly Spindles) East Harting Street East Harting Petersfield West Sussex GU31 5LY - Proposed front garden pergola.

2. DECIDED

Reference/Procedure	Proposal
SDNP/19/05939/LIS Lurgashall Parish Council Parish Case Officer: Jenna Shore Written Representation	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.
Appeal Decision: APPEAL DISMISSED	
<p>“...The main issue is whether the proposal would preserve a Grade II listed building, Aldworth Farm, and any of the features of special architectural or historic interest that it possesses. ... Whilst the ridge height of the proposed two-storey extension would be lower than both that of the 1970s extension and the historic core of the building, and the eaves would be commensurate with those of the historic core, the proposal would represent a significant addition to the overall size of the section of the listed building described as the northern wing. The resultant northern wing would be substantial in scale, particularly due to its additional length, relative to the modest proportions of the historic core, making it unduly dominant to the most historic and architecturally significant section of the building. Additionally, and whilst the valley roof would facilitate the lower ridge and eaves height and be less physically intrusive to the 1970s roof, its design would have an incongruous relationship with the 1970s wing in its backdrop, as well as with the adjacent historic core. ... Paragraph 193 of the National Planning Policy Framework 2019 (the Framework) advises that when considering the impact of development on the significance of designated heritage assets, great weight should be given to their conservation. Paragraph 194 goes on to advise that significance can be harmed or lost through the alteration or destruction of those assets or from development within their setting and that this should have a clear and convincing justification. Given the limited works to the fabric of the historic core, I find the harm to be less than substantial in this instance but nevertheless of considerable importance and weight. Under such circumstances, paragraph 196 of the Framework advises that this harm should be weighed against the public benefits of the proposal, which includes the securing of optimal viable use of listed buildings. The appellants consider that the proposal would be beneficial including because it would result in improved habitable space for 21st century family living, the related investment would secure the longevity of the site and the building, thermal efficiency would be improved, and a remaining uPVC door would be removed. However, these are mainly private benefits and the thermal improvements and the limited conservation benefit which lies mainly in the uPVC removal, could be achieved without the proposed extension. Therefore, any public benefits of the proposal are very limited and insufficient to outweigh the harm that I have identified. In any event, the continued viable use of the appeal property as a residential dwelling is not dependent on the proposal as the building has an ongoing residential use that would not cease in its absence. Given the above and in the absence of any significant public benefit, I conclude that, on balance, the proposal would fail to preserve the special historic interest of the Grade II listed building. This would fail to satisfy the requirements of the Act, paragraph 192 of the Framework, and policies SD12 and SD13 of the South Downs Local Plan 2019 which together seek, among other things, to ensure that development proposals would conserve and enhance the historic environment, including the significance of a listed building and its setting. Accordingly, it would also be inconsistent with the first purpose of the national park designation. It would also fail to satisfy policies SD5 and SD31, which respectively and among other things seek appropriate and sympathetic design and extensions to respect local established character, and policy SD1 which relates to sustainable development including the conservation of cultural heritage. ... I conclude that the appeals should be dismissed.”</p>	

Reference/Procedure	Proposal
SDNP/19/05938/HOUS Lurgashall Parish Council Parish Case Officer: Jenna Shore Written Representation	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.
Appeal Decision: APPEAL DISMISSED	
As Above	

Reference/Procedure	Proposal
<p data-bbox="108 194 446 230">SDNP/20/03281/HOUS</p> <p data-bbox="108 232 475 300">Lurgashall Parish Council Parish</p> <p data-bbox="108 331 432 398">Case Officer: Beverley Stubbington</p> <p data-bbox="108 427 422 463">Householder Appeal</p>	<p data-bbox="550 194 1382 300">Sybs Farm Jobsons Lane Windfall Wood Common Lurgashall GU27 3BX - Replacement garage with ancillary accommodation.</p>
<p data-bbox="464 486 1050 517">Appeal Decision: APPEAL DISMISSED</p>	
<p data-bbox="108 524 1401 1541">...The development proposed is replacement garage with ancillary accommodation. ... The main issues in this appeal are: a) Whether the proposal meets the strategy for the extension of existing dwellings in the South Downs National Park (National Park); and b) The effect of the proposed development on the setting of the Grade II listed building known as Sybs Farm.the proposal would increase the amount of floorspace on the site by more than the Policy SD31 threshold. ... The proposed new building would be of considerable bulk, height and scale. ... there would still be a number of locations where the proposed building would be clearly visible. As a result, when seen from these views, I consider that it would appear as an overly large and dominant form of development. ... the proposal would have an intrusive impact upon the landscape and would have an adverse impact on the character and appearance of the area and therefore fail to conserve the landscape and scenic beauty of the National Park. ... The TAN identifies that a small or medium sized home is considered to typically have a gross internal area (GIA) of less than 120 m2 and/or have 1, 2 or 3 bedrooms. ... whilst the appeal property has three bedrooms, the overall GIA exceeds the level set out in the TAN. Therefore, on the basis of the evidence, I do not consider the appeal property to fall within the definition of a small or medium sized home. ... It would exceed the size threshold established in Policy SD31. Furthermore, due to its size and scale, it would fail to respect the established character of the area and therefore have a harmful impact upon the surrounding landscape. Its special interest and significance is informed by its architectural interest as a building that dates back several centuries, with the survival of key vernacular features, combined with its location within the landscape. ... the proposed replacement building, would be of a considerably greater scale, bulk and mass. ... it would appear as a visually prominent form of development. ... it would appear as an overly dominant form of development within the context of the surrounding listed building. As a consequence, the proposed development would undermine the legibility of Sybs Farm as a historical, vernacular rural dwelling, thereby diminishing its significance. I conclude that the appeal should be dismissed..."</p>	

Reference/Procedure	Proposal
SDNP/19/06009/LDP Fernhurst Parish Council Parish Case Officer: Rebecca Perris Written Representation	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.
Appeal Decision: APPEAL DISMISSED	
<p>"...The lean-to walls incorporate bricks and tile hanging which for the most part differ appreciably in colour to the external wall materials of the rest of the cottage. ... The lean-to rainwater goods are plastic, whilst those of the cottage are of traditional metal construction. These factors all suggest that the lean-to is of more recent origin than the cottage. ... The brick joints found on the rear elevation of the lean-to in particular are consistent with the use of a coarse, lime-based mortar. Historic England guidance¹ suggests that historically such mortars would have been used in or before the early 20th Century, where after the use of cement-based mortars became more common. ... Moreover, the mortar joints found on the lean-to are for the most part noticeably wider compared with the tighter joints on the cottage where lime mortar is evident. This also suggests that the lean-to originated more recently. ... Due to its overall width the proposal would clearly be greater than half the width of the original cottage and by extending to the rear of the lean-to, it would be beyond a wall forming the side elevation of the original cottage, thereby not meeting the limitation at Class A, paragraph A.1 (j) (iii). In any event, as the proposal would extend beyond a wall forming a side elevation of the original cottage it does not meet the limitation at paragraph A.2 (b). ... Therefore, on the balance of probability the appellant has not shown that the proposal is granted planning permission by the GPDO Article 3, Schedule 2, Part 1, Class A. It follows that in the absence of a grant of express planning permission, the proposal would not be lawful for planning purposes..."</p>	

3. CURRENT APPEALS

Reference/Procedure	Proposal
<p>SDNP/20/01391/LIS Heyshott Parish Council Parish</p> <p>Case Officer: Charlotte Cranmer</p> <p>Informal Hearing</p>	<p>Dunford House Dunford Hollow West Lavington GU29 0AF - Demolition of modern extension and external and internal alterations to facilitate the change of use of the building to a single dwellinghouse.</p>
<p>SDNP/20/02578/FUL Fernhurst Parish Council Parish</p> <p>Case Officer: Louise Kent</p> <p>Written Representation</p>	<p>Bramleys 36A Vann Road Fernhurst GU27 3JN - Construction of a new dwelling and garage within the garden.</p>
<p>SDNP/20/02062/HOUS Petworth Town Council Parish</p> <p>Case Officer: Jenna Shore</p> <p>Householder Appeal</p>	<p>Leith House Angel Street Petworth West Sussex GU28 0BG - Demolition of existing double garage to replace with Annex extension to include glazed link. Internal/external alterations to the existing property.</p>
<p>SDNP/20/01390/FUL Heyshott Parish Council Parish</p> <p>Case Officer: Charlotte Cranmer</p> <p>Informal Hearing</p>	<p>Dunford House Dunford Hollow West Lavington GU29 0AF - Change of use of listed building (Use Class C2) to a single dwellinghouse (Use Class C3), including demolition of modern extension and external and internal alterations.</p>
<p>SDNP/19/03032/FUL 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>

Reference/Procedure	Proposal
SDNP/20/01635/LDP West Lavington Parish Council Parish Case Officer: Derek Price Written Representation	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.
SDNP/20/04320/HOUS Harting Parish Council Parish Case Officer: Louise Kent Householder Appeal	Ridgeview (formerly Spindles) East Harting Street East Harting Petersfield West Sussex GU31 5LY - Proposed front garden pergola.

4. VARIATIONS TO SECTION 106 AGREEMENTS

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