

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 19-05-2021 and 16-06-2021

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/20/02881/FUL Fernhurst Parish Council Parish Case Officer: Louise Kent Informal Hearing 08/07/2021 Virtual Hearing Or Inquiry	Ashurst Lickfold Road Fernhurst GU27 3JB - Demolition of existing dwelling and replacement with detached two-storey dwelling house with associated parking and landscaping, including reinstatement of walled garden.

2. DECIDED

Reference/Procedure	Proposal
SDNP/20/02578/FUL Fernhurst Parish Council Parish Case Officer: Louise Kent Written Representation	Bramleys 36A Vann Road Fernhurst GU27 3JN - Construction of a new dwelling and garage within the garden.
Appeal Decision: APPEAL ALLOWED	
<p>" The appeal is allowed, ... The appellant has included revised plans as part of their appeal. ... I consider that no-one would be prejudiced if I were to consider the revisions as part of the appeal, taking account of the principles established in the Wheatcroft case. ... I have determined the appeal on this basis. ... The proposal would involve the erection of a detached dwelling within the garden of the host property, with a double garage provided to the rear. The dwelling would be single storey, however dormer windows would be provided in the roof space to allow the area to be used for living accommodation. Access to the new dwelling would be shared with the host dwelling. the majority of the appeal site is not readily discernible within the street scene. ... only the very top of the roof would be visible above surrounding development ... the height of the dwelling would be less than the host property. ... given the limited overall visibility of the appeal site within the street scene, and the relationship of the dwelling to surrounding properties, the scale, bulk and mass of the proposed dwelling would not materially harm the character and appearance of the area in this respect. ... Sufficient space would be provided to the front and rear. ... As a result, the proposal would not represent a cramped form of development. ... I therefore conclude that the proposed development would preserve the natural beauty of the SDNP ... The provision of the new dwelling would be likely to increase the amount of vehicular traffic using the existing shared access. This would be likely to give rise to some level of additional noise and disturbance to surrounding properties. However, given the nature of the proposal, the amount of activity that would be generated by a single house would be likely to be minimal and therefore would not be overly disruptive to surrounding residents. ... Therefore, given the location and nature of the site and the relationship with surrounding development, on its own, this would not amount to a justifiable reason to withhold planning permission. ... I acknowledge the concerns raised by local residents in relation to highway issues, however I have no technical evidence to substantiate this and there is no evidence that highway safety would be compromised. Furthermore, I note that the Council did not conclude that they would amount to reasons to justify withholding planning permission. Therefore, I find that the development would not materially harm highway safety. ..."</p>	

Reference/Procedure	Proposal
SDNP/20/04320/HOUS Harting Parish Council Case Officer: Louise Kent Householder Appeal	Ridgeview (formerly Spindles) East Harting Street East Harting Petersfield West Sussex GU31 5LY - Proposed front garden pergola.
Appeal Decision: APPEAL ALLOWED	
<p>The appeal is allowed and planning permission is granted for front garden pergola at Ridgeview (formerly Spindles), East Harting Street, East Harting. The site is slightly higher than the adjacent lane by approximately 1.5metres, however views into it are largely screened by the vegetation along the boundary which is continuing to establish. ...The proposed development would be open on all sides, formed of six timber posts to support a roof structure which would be at a very slight angle rising form 2.4 metres to 2.7 metres. The completely open design would sit comfortably within the site and would have no greater impact on the views into the site and beyond than the parking of two vehicles. This, combined with the existing levels of space within the site and established boundary planting would preserve the first purpose of the National Park designation and respect the significance of the CA ... I have considered the previous appeals on the site. The dwelling was permitted at appeal (Ref APP/Y9507/W/18/3208006). The Inspector included a condition removing a number of permitted development rights, including the construction of outbuildings.the condition did not restrict any development at a future date, it correctly secured the need for any development to be properly assessed in its context by the relevant authority....previously dismissed scheme (APP/Y9507/W/20/3246808) related to a significantly larger structure which would have been far more dominantHaving regard to the open structure that is proposed and the absence of harm that I have found I am satisfied that the proposal would not conflict with the first purpose of designation of the SDNP or the NPPF.</p>	

Reference/Procedure	Proposal
SDNP/19/03032/FUL Bignor Parish Council Case Officer: Louise Kent Written Representation	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.
Appeal Decision: APPEAL DISMISSED	
<p>The addition of the activity and structures of the huts would further harm the character and appearance of the area. ... Whilst harm would be caused as a matter of judgement whether seen or not, the existence of likely receptors seeking to enjoy the beauty and tranquillity of the National Park adds weight to the concern. ... Whilst the total number of pitches and huts is stated, the facilities could cater for a gathering of 30 or more people, with comings and goings to and from the pitches, possibly late into the evening, although that could be controlled. Either way, that building and the arrivals by car or on foot could have an adverse effect on the occupiers of the Manor Farm Courtyard where there are windows along the east side abutting the driveway, and not far from the amenity building... There has been discussion over the extent of car usage that would be likely. Whether tent campers would tend to use a bus is doubtful, although some campers could be on hiking tours... The likelihood is that a reasonable number of potential users would arrive by car and would expect to have use of that car for touring while based at the site, adding further to the concern as to the effect on the rural character of the area. ... Taking all matters into consideration; the effect on the topography and the rural character and appearance, as well as on residential amenity, the conclusion is that the proposal would cause harm. ... The planning balance lies in not granting permission.</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 13/07/2021 Virtual Hearing Or Inquiry</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>
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<p>SDNP/20/01390/FUL Heyshott Parish Council Parish</p> <p>Case Officer: Charlotte Cranmer</p> <p>Informal Hearing 13/07/2021 Virtual Hearing Or Inquiry</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/20/01635/LDP 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>
<p>SDNP/20/02881/FUL Fernhurst Parish Council Parish</p> <p>Case Officer: Louise Kent</p> <p>Informal Hearing 08/07/2021 Virtual Hearing Or Inquiry</p>	<p>Ashurst Lickfold Road Fernhurst GU27 3JB - Demolition of existing dwelling and replacement with detached two-storey dwelling house with associated parking and landscaping, including reinstatement of walled garden.</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