

Chichester District Council Planning Committee

Wednesday 07 September 2022

Report of the Director Of Planning and Environment Services Schedule of Planning

Appeals, Court and Policy Matters

between 22-07-2022 - 16-08-2022

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
<u>21/03037/FUL</u>	
Birdham Parish Case Officer: Calum Thomas Written Representation	Houseboat Karibuni Chichester Marina Birdham Chichester West Sussex PO20 7EJ Replacement of Berth 30 Houseboat Karibuni with a Bluefield Houseboat and installation of H column cored and grouted anchoring system.
<u>22/00073/FUL</u>	
Oving Parish Case Officer: Emma Kierans Written Representation	Land At 1 New Cottages Coach Road (South) Shopwhyke Oving Chichester West Sussex PO20 2BG Proposed 2 storey detached 2 bedroom dwelling.

2. DECISIONS MADE

Reference/Procedure	Proposal
20/00379/CONCOU	
<p>Birdham Parish</p> <p>Case Officer: Shona Archer</p> <p>Informal Hearings</p>	<p>Plot 13 Land North West Of Premier Business Park Birdham Road Appledram West Sussex</p> <p>Appeal against BI/47</p>
<p>Appeal Decision: APPEAL DISMISSED - NOTICE MODIFIED</p>	
<p>" Appeal A1 Ref: APP/L3815/C/18/3218777 Plot 12, Land North West of Premier Business Park, Birdham Road, Birdham, Chichester, West Sussex PO20 7BU ... The appeal is dismissed and the enforcement notice is upheld with a correction and variation ... Appeal A2 Ref: APP/L3815/W/18/3198239 Land rear of Premier Business Park, Plot 12, Birdham, Chichester PO20 7BU ... The appeal is dismissed. Appeal B3 Ref: APP/L3815/C/21/3285443 Land at Plot 13, north west of Premier Business Park, Birdham Road, Chichester, West Sussex PO20 7BU ... The appeal is dismissed and the enforcement notice is upheld with corrections and variations. Appeal B4 Ref: APP/L3815/W/18/3218768 Plot 13, Land South West of Premier Business Park, Birdham Road, Appledram PO20 7BU ... The appeal is dismissed. Appeal C1 Ref: APP/L3815/C/18/3218782 Plot 14, Land North West of Premier Business Park, Birdham Road, Chichester, West Sussex PO20 7BU ... The appeal is dismissed and the enforcement notice is upheld with corrections and variation ... Appeal C2 Ref: APP/L3815/W/18/3198240 Plot 14, Land rear of Premier Business Park, Main Road, Birdham, Chichester PO20 7BU ... The appeal is dismissed.....The sites subject of these appeals are adjacent to one another.....The appeals were made by a number of individuals. However, the three sites have been purchased by the appellantThe intention of Mr Knight is to residentially occupy plot 14 with his family, keep his horses in the stables at plot 13 and for his father, Mr Steven Knight, to residentially occupy plot 12. ... The enforcement notices in appeals A1, B1, B2 and C1 did not require the removal of the close boarded fence on the boundary of the site closest to the neighbouring Business Park as it was not identified on the plans attached to those notices. It is unclear when the fence was erected, or by whom. Nevertheless, it was discussed in full at the hearing and it was agreed that the close boarded fence to be removed is that fronting the access track and closest to plots 12 and 14. I note that the kennel building and kennel run have been removed from the site subject of appeal B3 such that the enforcement notice has been complied with in that regard.I note that some of the post and rail fences shown on the plans attached to the enforcement notices subject of appeals A1 and C1 have been replaced with close boarded fences. I shall remove reference to "close boarded" and "post and rail" on the enforcement notices to reflect those changes. As all these matters were discussed and agreed at the hearing, no injustice will be caused to the appellant or Council in making these corrections. Appeals A2, B4 and C2 relate to planning applications for residentially occupied caravans and associated operational development.if these appeals were allowed it would relate to the development on the site on the date of application. In the case of appeals A2 and C2 that would mean that</p>	

Appeal Decision: APPEAL DISMISSED - NOTICE MODIFIED
- Continued

any planning permission would relate to the development on plots 12 and 14. In the case of appeal B4, the use of the land described in the application has ceased.... The Council have indicated that they are not certain that the occupants of the caravans are gypsies or travellers as defined in the Glossary to the planning policy for traveller sites.... understand that the occupiers were accepted as being gypsies or travellers for the purposes of the planning application on their previous site outside Chichester District. On the basis of the discussions at the hearing I am satisfied, on the balance of probability, that the occupants of the site are gypsies or travellers. Appeal B3 on Ground (b)...The appellant suggests that the reference to tarmac in the description of the breach of planning control and in the requirements of the notice is incorrect. They suggest the hardsurfacing is constructed of scalplings....I conclude that the appeal under ground (b) should succeed to that extent and I shall amend the enforcement notice to refer to scalplings rather than tarmac. Appeals A1, B3 and C1 on Ground (a) and Deemed Planning Applications Appeals A2 and C2 against the refusal of planning permission ... The area around the appeal sites comprises predominantly fields enclosed by hedges and woodland with sporadic development, appeal sites from the surrounding area are significantly restricted, although the site can be seen in views across the field from the public footpath between Birdham Road and Lock Lane. The sites comprise three pitches within a wider field that was developed with pitches for gypsy and traveller occupation, a smallholding and some open spaces. The other gypsy and traveller pitches and smallholding were subject of other enforcement notices. Some of these enforcement notices have been complied with; others are in the process of being complied with. ... The remainder of the field, once the other development is removed, is likely to be open. The site is some distance from the harbour and there isn't intervisibility between the site and water. Nevertheless, development has been introduced into what would otherwise be an open field. Light from the caravans and any outside lighting would affect the dark night sky,... I consider that the developments individually and cumulatively result in harm to the AONB... I note that there are similar forms of development within the AONB, principally holiday caravan sites and the boats in Chichester Marina and canal. However, these are established uses and boats,... I conclude that the developments, both individually and cumulatively, have resulted in harm to the landscape and scenic beauty of the Chichester Harbour AONB. ... They would not comply with ... the Birdham Neighbourhood Plan ... In addition, the National Planning Policy Framework (the Framework) states that great weight should be given to conserving and enhancing landscape and scenic beauty in the AONB. ... the appeal sites are close to the services and facilities provided in Birdham and with good access to the main road and public transport, providing access to the wider range of services and facilities in Chichester and Wittering. ...The appeal sites are located within 5.6km of the Chichester and Langstone Harbours Special Protection Area (SPA).... I note that the appellant has agreed pay a contribution toward mitigation of recreational disturbance within the SPA ... They have submitted calculations relating to the nitrogen budget, that the Council have indicated are likely to be considered accurate. The appellant has agreed the purchase of an additional plot to allow tree planting as mitigation. However, these have not been finalised and are not subject of legally binding agreements or consultation with Natural England. ... The Council accept that they do not have a five year supply of deliverable caravan pitches to meet the needs

of gypsies and travellers. There is an unmet need for 35 pitches. They are in the process of carrying out a Gypsy and Traveller Accommodation Assessment (GTAA) and Pitch Deliverability Assessment (PDA). ... I understand that the appellant occupies Plot 14 with his wife and four children. ... They were able to move onto the site during the lockdowns caused by Covid.. ... A permanent planning permission for occupation of these plots by this family would ensure a base for the family and security. ... The best interests of children are a primary consideration in considering this appeal. ... The appeal has been made on the basis of permanent occupation of the appeal site, but I am aware that a temporary or personal planning permission would be possible. ... However, there are specified exceptions, including where the land is within an AONB or protected under the Birds and Habitats Directives such as an SPA. I note that alternative sites would be identified in the DPD and that should be adopted and some alternative sites provided within three or five years. However, the need within the district is substantial and there is no certainty that any sites would be available to the appellant and his family within that timescale. Consequently, temporary and/or personal permissions would not be appropriate in this instance. Planning balance ... The Council have been unable to provide for the needs of gypsies and travellers in the district and there is a considerable unmet need. ... I have taken account of the best interests of the children as a primary consideration in this appeal. These material circumstances carry significant weight in the planning balance. However, the material circumstances identified do not outweigh the harm I have found to the AONB. On that basis, I consider that it is not necessary to carry out the appropriate assessment that would otherwise be required into the effect of the development on the SPA. I conclude that on balance the development does not accord with the development plan. Material considerations, including the best interests of children that is a primary consideration in this appeal, do not outweigh that conflict so my decision must be taken in accordance with the plan. The appeal on ground (a) therefore fails. Appeals A1, B3 and C1 on Ground (g) An appeal on this ground is that the period specified in the notice for compliance falls short of what should reasonably be allowed. ... A period of 12 months would allow more time for the appellant to find alternative accommodation for his family. However, I do not accept that a further two months is necessary to enable removal of the operational development as that could be arranged within the 12 month period and removed relatively quickly. ... I conclude that the appeals under ground (g) should succeed and the period for compliance with the enforcement notices should be increased to a consistent 12 months...."

Reference/Procedure	Proposal
<u>17/00356/CONMHC</u>	
<p>Birdham Parish Case Officer: Shona Archer Informal Hearings</p>	<p>Plot 12 Land North West Of Premier Business Park Birdham Road Appledram West Sussex</p> <p>Without planning permission, change of use of the Land to the storage of a caravan and a highway maintenance vehicle used for white line painting.</p>
Appeal Decision: APPEAL DISMISSED - NOTICE UPHeld	
As above	
<u>17/00362/CONMHC</u>	
<p>Birdham Parish Case Officer: Shona Archer Informal Hearings</p>	<p>Plot 14 Land North West Of Premier Business Park Birdham Road Appledram West Sussex</p> <p>Without planning permission change of use of the land to use as a residential caravan site.</p>
Appeal Decision: APPEAL DISMISSED - NOTICE MODIFIED	
As above	
<u>17/00361/CONMHC</u>	
<p>Birdham Parish Case Officer: Shona Archer Informal Hearings</p>	<p>Plot 13 Land North West Of Premier Business Park Birdham Road Appledram West Sussex</p> <p>Without planning permission, change of use of the Land to the storage of a caravan and a diesel fuel oil tank.</p>
Appeal Decision: APPEAL DISMISSED	
As above	

Reference/Procedure	Proposal
21/01920/PA16A	
<p>East Wittering And Bracklesham Parish</p> <p>Case Officer: Calum Thomas</p> <p>Written Representation</p>	<p>Car Park Northern Crescen East Wittering West Sussex</p> <p>Proposed 15.0m Phase 8 monopole C/W wrapround cabinet at base and associated ancillary works.</p>
Appeal Decision: APPEAL DISMISSED	
<p>"... The appeal site lies within an area of mixed character, and is immediately adjacent to a car park, located to the rear of a shopping parade. This arrangement provides an open setting around the appeal site. the surrounding area is predominantly characterised by single- and two-storey properties, which give the locality a domestic scale. Street furniture along Northern Crescent is generally slim and modest in height, being to a large extent limited to road signs.The development would appear bulkier and significantly taller than any other built forms and features in the area, including the nearest street lamps. The monopole would be sited within proximity to trees, but these would offer little screening. ...the proposal would unduly stand out as a prominent addition highly visible above nearby dwellings, built development and trees, which would add clutter to the street scene, and detract from the character and appearance of the surrounding area. The appeal is supported by a sequential approach to site identification, which includes a number of discounted optionsHaving regard to the available information, it is for example unclear whether the appellant has explored the possibility of erecting equipment on an existing building. Limited evidence has also presented to explain how the search for sites was carried out or how sites were selected for further consideration. Furthermore, the reasons provided to discount some of the sites are very brief,Whilst the colour of the equipment could be addressed by a suitably worded condition, this would not address the unacceptable harm which the development would cause to the surrounding area, although it is accepted that the largely residential nature of the locality may represent a constraint, there is insufficient information before me to demonstrate that there are no suitable alternatives to the appeal site. The Framework supports advanced, high quality and reliable communications infrastructure, which are considered essential for economic growth and social well-being. However, the siting and appearance of the development would cause unacceptable harm to the surrounding area, and I am not satisfied that the evidence before me demonstrates that there are no less harmful suitable alternatives to the appeal site."</p>	

Reference/Procedure	Proposal
<u>21/00300/FUL</u>	
<p>Loxwood Parish</p> <p>Case Officer: Robert Young</p> <p>Written Representation</p>	<p>Land At Loxwood Hall West Guildford Road Loxwood Billingshurst West Sussex RH14 0QP</p> <p>Erection of a detached dwelling.</p>
Appeal Decision: APPEAL DISMISSED	
<p>“...The Appellant argues that Alfold Bars is a settlement within its own right and therefore, that development in the appeal site location is in accordance with policy 2. However, the appeal site is, as a matter of fact, outside of any of the listed settlements within the CLP and is not within any defined settlement boundary. As such, policy 2 does not apply to the appeal proposal. Policy 45 is the relevant policy as it applies to all sites outside of those defined settlement boundaries. Whilst the appeal scheme would make a limited contribution to local housing needs in general, there is no evidence to suggest that it would make a contribution to a specific need arising in the proposed location, nor, that it would require the countryside location to meet this need, nor that such a need could not be met within a settlement elsewhere. In this respect, the appeal scheme conflicts with policy 45 and it is therefore not acceptable in principle, in accordance with the development plan. ... the proposed development also does not relate well to the buildings which surround it, nor do its scale, siting, design and materials have only a minimal impact on the surrounding character. ... The Appellant has not identified any particular sites which make up the 5YHLS which would become undeliverable within the 5 year period and has not submitted detailed supporting evidence to counter the Council’s assessment that it does have a 5YHLS. However, for the reasons outlined above there are no material considerations which suggest the appeal should be determined other than in accordance with the development plan.... the proposal would subdivide the plot for Loxwood Hall West and would therefore encroach into the space surrounding it, which would erode its outstanding and dominant character. The appeal scheme would create an incongruous tighter spatial pattern with a smaller sized plot. Whilst the other dwellings in the vicinity are also markedly smaller in scale than Loxwood Hall West and East, they have spacious plots with generous gaps between dwellings. The appeal scheme would infill an area between Loxwood Hall West and two other dwellings, creating a more regular, formal and built-up frontage which is more typical of a suburban area, and which would be wholly out of character with the Loxwood Hall vicinity and out of keeping with the wider sporadic, spacious rural character of the area.... As such, the appeal scheme would have an adverse effect on the character and appearance of the area, and it would cause harm to the significance of Loxwood Hall East and West, an undesignated heritage asset. The scheme would result in a single additional home towards local need, which is a limited public benefit. However, the adverse impact on the character and appearance of the area and the harm to the significance of the undesignated heritage asset clearly outweigh that benefit. Therefore, the appeal scheme does not accord with policies 33 and 45 of the CLP, policy 10 of the Loxwood Neighbourhood Plan (LNP) and the Framework. Water neutrality and nutrient pollution were raised as issues in respect of the appeal scheme itself. However, since the appeal is dismissed on grounds other than nutrient neutrality, there needs to be no determination in respect of the particular circumstances of the appeal scheme. For the reasons stated above, the appeal proposal is contrary to the relevant policies of the Development Plan, would be out of keeping with the character and appearance of the area, and it would cause harm to the significance of an undesignated heritage asset. This harm is not outweighed by the limited public benefits arising from the proposed development. The appeal is accordingly dismissed.”</p>	

Reference/Procedure	Proposal
<u>21/02547/DOC</u>	
<p>Oving Parish</p> <p>Case Officer: Jeremy Bushell</p> <p>Written Representation</p>	<p>Former Portfield Quarry And Uma House Shopwhyke Road Shopwhyke Chichester West Sussex PO20 2AD</p> <p>Discharge of condition 3 (foul water disposal) from planning permission O/19/02030/FUL.</p>
Appeal Decision: APPEAL DISMISSED	
<p>“...The appeal site is part of the Shopwhyke strategic allocation on the eastern side of Chichester. Policy 16 in the Chichester Local Plan applies a number of criteria for development, including the provision of infrastructure for adequate wastewater conveyance and treatment to meet strict environmental standards. There is no dispute that the appeal site is within the catchment of the Apuldrum Wastewater Treatment Works (WwTW). However, the wording of policy 16 indicates that there is no expectation that the allocation will necessarily drain to this particular WwTW. Indeed, policy 12 in the LP seeks to ensure that development proposals in the catchment of Apuldrum have no adverse impact on the water quality of Chichester Harbour. ... The Apuldrum WwTW discharges into Chichester Harbour, where there are a number of designated sites of international importance to wildlife. The Council’s evidence indicates that having regard to the environmental constraints, by 1 January 2021 there was no spare capacity at the Apuldrum WwTW and this remained the situation at 1 January 2022. ... The Joint Position Statement by the Environment Agency and Southern Water (2018) indicates that major developments outside the settlement boundary of Chichester are expected to drain to alternative WwTWs, including Tangmere. This would include the appeal site. ... Notwithstanding the above, the Appellant’s case is that the site should discharge to Apuldrum. The justification for this is that it is within the catchment of that WwTW and that the development would result in no net increase in foul water flows when compared with the past uses. I am concerned about the assumptions relating to the historic employment level on which they rely. ... The previous use was as offices and open storage. It appears that foul water and some surface water runoff drained to 2 or 3 cess pits on the site and that these were emptied between 2 and 4 times a year, with the contents being conveyed by tanker to Apuldrum WwTW. ... My main concern about this is that the calculation relies on the maximum potential level of employment for the Use Class B1(a) and B8 uses, which would amount to some 400 employees. This is not the relevant measure when comparing the past level of wastewater generated by the site with the future level from the housing development. ... I agree with the Appellant that some employees would have probably travelled by other means. However, on the above evidence that would have had to mean that most of the 400 employees travelled by non-car modes. This seems to be rather unlikely in view of the location of the site. ... The Appellant’s representations give little comfort that this does provide a realistic assessment of the actual, as opposed to the hypothetical, level of employment. ... In the circumstances, I do not consider that the historic flows in the 2020 Technical Note can be relied upon. Without this information I am unable to conclude with any confidence that there would be no net increase in foul flows resulting from the appeal development. I acknowledge that Southern Water is satisfied on the matter and that the Environment Agency has raised no objection. However, I am the decision maker in this case and taking a precautionary approach I cannot conclude that the appeal proposal would not have a likely significant adverse effect on the protected habitats of Chichester Harbour. ... About a year ago permission was granted to discharge to Tangmere WwTW. It is difficult to understand why such a recent proposal was made without any technical</p>	

Appeal Decision: APPEAL DISMISSED - continued

assessment or costings. The Appellant claims it would threaten the viability of the scheme which already has a non-policy compliant level of affordable housing. However, I have no viability evidence before me to reach a judgement on whether that would be the case or not. ... I conclude that the appeal proposal is not acceptable and would conflict with policies 12 and 16 in the LP..."

Reference/Procedure	Proposal
19/03112/FUL	
<p>Sidlesham Parish</p> <p>Case Officer: Calum Thomas</p> <p>Informal Hearings</p>	<p>Melita Nursery Chalk Lane Sidlesham Chichester West Sussex PO20 7LW</p> <p>Change of use of land to rear of dwelling for siting of residential caravans for 7 no. pitch Gypsy Traveller site with associated development (hard standing fencing and 3 no. utility buildings).</p>
Appeal Decision: APPEAL ALLOWED	
<p>"... The Council's first reason for refusal states that as the site is located a significant distance from key services and facilities found within recognised settlements it is therefore in an unsustainable location. ... The fact that the appeal site is not in a defined settlement, does not necessarily mean that it is located in an area with poor accessibility, as suggested in the Council's reasons for refusal....</p> <p>In this case, having regard to the nature of Sidlesham, the appeal site has better accessibility to some services than others. Whilst Sidlesham has limited facilities, there is a reasonable level of accessibility to public transport and to the major road in the area giving access to Chichester and Selsey....I conclude that the appeal site is in a suitable location in terms of access to services and facilities and the development proposals would in this regard, comply with the PPTS and LP Policy 36. The PPTS in paragraph 25 requires that sites in rural areas respect the scale of and do not dominate the nearest settled community.has around 500 dwellings with a population of approximately 1300 people. It is not disputed that the appeal proposals would not dominate the wider settled community on this basis. However, the Council argues that Appeal A, the 7-pitch scheme, creates a risk of perceived dominance within the area around Chalk Lane.Appeal A would increase the number of residential plots on Melita Nursery, to a total of 15. Numerically this number would not in my view dominate the number of dwellings in the immediate area. Furthermore, due to the enclosed nature of the appeal site, such intensification would not be visible to anyone passing along Chalk Lane. I accept that there would be some increase in activity, through vehicle movements etc. However, the lane also gives access to several commercial activities. The likely increase in traffic on this quiet lane would not be significant. ,, In this context, I am not persuaded that Appeal A would result in an overdominance of gypsy and traveller pitches in the immediate area.</p>	

A proposal for 7 additional pitches would result in increased activity which would have the potential to lead to increased noise and disturbance impacting negatively on the tranquil character of the area,... the Council explained that they were concerned about increased traffic noise and disturbance from the day-to-day activity of additional residential uses. ... In my view, any increase in noise would be very low level and would be spread out across the day. In the context where there are existing commercial premises alongside residential uses, I do not consider that the increase in activity and noise would be of such a level or frequency to cause harm to the tranquil character of the area. ... At the hearing, the Council explained that they are trying to achieve well designed high quality spacious development and that this approach is evident in adjacent approvals for pitches on land to the north at 5 Melita Nursery and 6 and 7 Melita Nursery. Comparing the appeal scheme with other approved plots on the nursery site, I find that the three pitches proposed would not be significantly smaller. I do not therefore agree that the pitches appear cramped. The appeal site is bounded by a combination of conifer hedgerow and 1.8- metre-high close boarded fencing. The hedgerow within the site is proposed to be retained. ... A grassed area with trees forms part of the garden area to the existing dwelling giving the site a green appearance on entering. Each pitch is proposed to include a small, grassed amenity area though much of each pitch would be laid to hardstanding. ... Included within the appeal site is an area of paddock used for the grazing of horses. This is retained in the 3-pitch scheme. Not only would it add to the green nature of the site it would also provide an area for children to play. It is proposed that 1.8-metre-high panel fencing be provided to separate the individual pitches. At the hearing it was discussed that this could be amended to a lower height fence, different style of fence or part fence/hedgerow to maintain privacy for the occupants but also to soften the hard appearance of fencing. A scheme of boundary treatments could be required through the imposition of an appropriate condition. In light of the above, whilst I accept that minimal landscaping is provided for each pitch, the design of the scheme provides an acceptable layout which is not overly cramped, and which would cause no significant harm to the character of Melita Nursery. The appeal site lies in Flood Zone 1, an area with the least likelihood of flooding. I understand however that there are some localised surface water drainage issues. The appellant advises that hardstanding areas would have a permeable sub base, soakaways would be installed, the site would be connected to mains sewers and water butts could be provided. The condition put monitoring to establish the highest annual groundwater levels and winter percolation testing.. ... Whilst this condition may be one imposed on all residential development; I am not persuaded it is necessary for this type of development especially as the hardstanding areas would be permeable in any case. ... concern has also been raised regarding the failure of the proposed layout to facilitate the movement of wildlife between the pitches or within the wider surrounding area. LP Policy 49 and also section 15 of the Framework, seek to enhance biodiversity. I am advised that bats are known to be present in the locality of the appeal site but that as no trees are proposed to be removed, it is unlikely that the proposal would result in the loss of habitat or roosts. The Council argue that the isolated areas of grass provide limited opportunities for insects and small wildlife upon which bats and larger species rely. 47. It is notable that the site has hedgerow boundaries which provide a continuous wildlife corridor. Furthermore, the paddock area, whilst used for horse grazing could be

enhanced to improve its biodiversity. I am also mindful that other measures could be introduced to promote wildlife such as bird or bat boxes and infilling gaps in existing hedgerows. ... As part of the evidence base for the emerging Local Plan, an updated GTAA (2018) has been prepared. ... it identifies a need for a further 66 pitches from 2018-2023. At the hearing the Council advised that since 2018 they had provided 27 pitches out of the 66 required. A revised estimate covering the period up to March 2026 suggests a current need for 35 pitches in the District. On this basis the Council agreed that they cannot demonstrate a 5-year supply. I have been made aware that the Council has appointed consultants to assist them in preparing a Gypsy and Traveller Development Plan Document (DPD). The Council are taking a proactive approach to delivery and an assessment is underway to determine the opportunities in the borough for intensification and reconfiguration of existing sites as well as new sites. It is notable that the two appeals before me propose the intensification of an existing site. ... The emerging local plan is some way off, with the Regulation 18 consultation anticipated to take place in late 2022 with its submission for Examination in 2023. A similar timeframe is in place for the DPD. It will therefore be at least 2 years before sites are allocated and then available for occupation. There is an unmet need for Gypsy and Traveller sites in the District and no 5 year supply of sites, as required by PPTS. ... Even if there was a 5-year supply of sites in the borough, and sufficient sites had been allocated in the Local Plan, Policy 36 of the Local Plan allows for additional sites provided they meet the policy criteria. As both Appeal A and Appeal B comply with the development plan and national policies, and there are no other considerations that indicate otherwise, planning permission should be granted. The proposals would represent sustainable development as sought by the NPPF and the PPTS.

"Cost Decision" ... Planning Practice Guidance (PPG) advises that irrespective of the outcome of the appeal, costs may only be awarded against a party which has behaved unreasonably and thereby caused the party applying for costs to incur unnecessary or wasted expense in the appeal process. ... Members of the Planning Committee did not undertake a site visit. ... There is no requirement for the Committee to visit a site and whilst they could have resolved to defer the application for a visit to be made, the Members felt they had enough information, as well as their own local knowledge of the area, to make a decision. This does not constitute unreasonable behaviour. The Council Officer report and the Statement of Case submitted with this appeal, refer to the Framework and also the PPTS. It is clear that regard was had to both documents. In refusing planning permission, the Members came to different conclusions and attached different levels of weight to these documents than Officers. ... Whilst Members took

the view that the site was unsustainable, contrary to my conclusion, their position has been substantiated. I have no evidence that, in coming to their decision, the Council did not have regard to the NPPF and the PPTS. ... It is not disputed the appeal site lies within the settlement. It is accepted that the services and facilities in the village are limited, ... The proposal would therefore comply with criteria 1 of the policy. I agree with the appellant that the reference in the Council's first reason for refusal to 'recognised settlements' misinterprets this policy. ... In terms of the consideration of and application of Policy 36, I find unreasonable behaviour. Reason for refusal 2 refers to an uncharacteristic increase in noise and disturbance resulting from the development causing harm to the tranquil character of the countryside. ... I have no evidence before me about the tranquil nature of the area and why it is worthy of such protection. At the hearing the Council explained that their main concern related to traffic noise and general activity from residential uses.

... I conclude that the Council has failed to substantiate its second reason for refusal.

... In respect to the matter of perception of dominance, the Committee heard from the Parish Council who provided figures of the number of gypsy pitches in the area which it thought to be correct. ... Members will have had regard to the comments of third parties in coming to their decision. However, these figures were not verified. The Council therefore relied on vague and inaccurate assertions. It is also unclear to me why the Council considered that the proposal would give a 'perception of dominance'. The Council have failed to explain how the scheme would impact on dominance, and why or how dominance would be 'perceived'. ... The reason for refusal refers to a high-density development however no assessment or explanation is given to the existing densities, comparisons with other approved plots, what density would be acceptable, are any standards being applied. ... I conclude that the Council relied on vague and inaccurate assertions and failed to substantiate its first reason for refusal.

... I note from the Committee report that the Drainage Engineer concluded that should the application be approved, conditions should be imposed requiring further details to be submitted. He did not recommend that due to the lack of information provided, the scheme be refused. The Council have failed to substantiate why this matter could not have been dealt with by condition. ... This forms unreasonable behaviour. The wording of the drainage condition put forward by the Council requires winter ground water monitoring. ... The Council argues that this condition as drafted is necessary due to the scale of the development in this case, 7 pitches, which is considerably greater than the 3 pitches allowed on appeal at Keynor Lane. ... However, given that the site is in Flood Zone 1, I do not consider it reasonable to expect this to have been undertaken. ... The imposition of a condition that is unnecessary is a form of unreasonable behaviour as defined in the PPG. The applicant also argues that the Council failed to consider a temporary permission ... I acknowledge that there is no requirement for members to consider a temporary permission. The appeal proposal was speculative and personal circumstances of any occupants were not presented to support the scheme. It was therefore not unreasonable for the Council not to consider a temporary condition. ... The applicant put forward several arguments to support the substantive grounds in the application for costs. Whilst I have not agreed with all of them, taken as a whole, I find that unreasonable behaviour has been demonstrated, resulting in the appellant incurring unnecessary or wasted expense, as set out in PPG. A full award of costs is justified. ..."

Reference/Procedure	Proposal
<u>20/01470/FUL</u>	
<p>Sidlesham Parish</p> <p>Case Officer: Calum Thomas</p> <p>Informal Hearings</p>	<p>3 Melita Nursery Chalk Lane Sidlesham Chichester West Sussex PO20 7LW</p> <p>Change of use of land to mixed use for siting of residential caravans for 3 no. pitch Gypsy Traveller site with associated development (hard standing, fencing and utility buildings) on land forming part of 3 Melita Nursery -part retrospective.</p>
Appeal Decision: APPEAL ALLOWED	
As above	

Reference/Procedure	Proposal
21/02354/ELD	
Bosham Parish Case Officer: Alicia Snook Written Representation	Land West Of Walton House Main Road Bosham PO18 8QB Use of the land for the storage of boats, boat trailers and sundry items.
Appeal Decision: APPEAL ALLOWED	
<p>"The appeal is allowed and a certificate of lawful use or development is issued, in the terms set out below in the Formal Decision. ... The main issue is whether the Council's refusal to grant a certificate of lawfulness for the existing use of the land for the storage of boats, boat trailers and sundry items (the use) was well founded. ... the appellant has provided two statutory declarations of her own, two from an individual who stores boats on the land as well as an affidavit. ... The Council then has very little evidence to dispute the appellant's version of events. ... These do not lack detail and I do not accept they are insufficiently precise or unambiguous as a consequence. Indeed, I afford this sworn evidence considerable weight. Whilst the photographs provided potentially concern a more recent period in time, the absence of older or date stamped photographs does make the appellant's version of events less than probable given the sworn statements and weight I have afforded to them. For the same reasons the aerial photographs, given there are tree canopies obscuring parts of the site, does not cast doubt in my mind. The photographs before me therefore do not provide contradictory evidence. ... the Council's refusal to grant a certificate of lawful use or development in respect of the use of the land for the storage of boats, boat trailers and sundry items was not well-founded and that the appeal should succeed. The appeal is allowed and attached to this decision is a certificate of lawful use or development describing the existing use which is considered to be lawful."</p>	

3. IN PROGRESS

Reference/Procedure	Proposal
<u>20/03034/OUT</u>	
Birdham Parish Case Officer: Jane Thatcher Informal Hearings	Land And Buildings On The South Side Of Church Lane Birdham West Sussex Erection of 25 no. dwellings comprising 17 open market and 8 affordable units with access, landscaping, open space and associated works (all matters reserved except for access and layout)
<u>21/03407/PA3Q</u>	
Boxgrove Parish Case Officer: Sascha Haigh Written Representation	Eartham Quarry Eartham West Sussex PO18 0FN Change of use of agricultural building to 2 no. dwellinghouses (Class C3).
<u>21/03343/FUL</u>	
Chichester Parish Case Officer: Sascha Haigh Written Representation	Forbes Place, Flat 23 King George Gardens Chichester PO19 6LF Altering of non-load bearing partitions and ceiling, removal of boiler and addition of 1 no. roof-light.
<u>21/03344/LBC</u>	
Chichester Parish Case Officer: Sascha Haigh Written Representation	Forbes Place, Flat 23 King George Gardens Chichester PO19 6LF Altering of non-load bearing partitions and ceiling, removal of boiler and addition of 1 no. roof-light.
<u>20/00040/CONENG</u>	
Chichester Parish Case Officer: Mr Michael Coates-Evans Written Representation	Land North West Of Newbridge Farm Salthill Road Fishbourne West Sussex Appeal against CC/154

Reference/Procedure	Proposal
* 20/01854/OUT	
<p>Chidham & Hambrook Parish</p> <p>Case Officer: Andrew Robbins</p> <p>Informal Hearings 21-Sep-2022</p> <p>Chichester City Council North Street Chichester PO19 1LQ</p>	<p>Chas Wood Nurseries Main Road Bosham PO18 8PN</p> <p>Outline permission for 26 no. dwellings with access, public open space, community orchard and other associated works (with all matters reserved except for access).</p>
20/03320/OUTEIA	
<p>Chidham & Hambrook Parish</p> <p>Case Officer: Jane Thatcher</p> <p>Public Inquiry 18-Aug & 23 Aug – 2Sept 2022 Multiple Venues</p>	<p>Land East Of Broad Road Broad Road Nutbourne West Sussex</p> <p>Outline planning application (with all matters reserved except access) for up to 132 dwellings and provision of associated infrastructure.</p>
20/03321/OUTEIA	
<p>Chidham & Hambrook Parish</p> <p>Case Officer: Jane Thatcher</p> <p>Public Inquiry 18-Aug-2022 & 23 Aug – 2Sept 2022 Multiple Venues</p>	<p>Land North Of A259 Flat Farm Main Road Chidham West Sussex</p> <p>Outline planning application (with all matters reserved except access) for up to 68 no. dwellings and provision of associated infrastructure.</p>
20/03378/OUT	
<p>Chidham & Hambrook Parish</p> <p>Case Officer: Andrew Robbins</p> <p>Informal Hearings</p>	<p>Land At Flat Farm Hambrook West Sussex PO18 8FT</p> <p>Outline Planning Permission With Some Matters Reserved (Access) - Erection of 30 dwellings comprising 21 market and 9 affordable homes, access and associated works including the provision of swales.</p>
20/03125/OUT	
<p>Earnley Parish</p> <p>Case Officer: Jeremy Bushell</p> <p>Public Inquiry 14-Jun-2022</p> <p>Bracklesham Barn</p>	<p>Land South Of Clappers Lane Clappers Lane Earnley West Sussex</p> <p>Outline Application for the erection of up to 100 dwellings with associated access, landscaping and public open space. All matters reserved other than access.</p>

Reference/Procedure	Proposal
<u>22/00137/FUL</u>	
Earnley Parish Case Officer: Calum Thomas Written Representation	Russ Autos 132A Almodington Lane Almodington Earnley Chichester West Sussex PO20 7JU Demolition of B2 workshop and erection of 1 no. live/work unit.
<u>21/03163/FUL</u>	
East Wittering And Bracklesham Parish Case Officer: Calum Thomas Written Representation	Hanneys West Bracklesham Drive Bracklesham PO20 8PH Replacement dwelling, garaging and associated works (alternative scheme to planning permission EWB/20/03303/FUL)
<u>21/03282/FUL</u>	
East Wittering And Bracklesham Parish Case Officer: Emma Kierans Written Representation	Land South Of Tranjoeen Ashcroft Place Bracklesham Lane Bracklesham Bay West Sussex Proposed vehicle crossover (means of access to a highway Class B).
<u>* 21/02509/FUL</u>	
Fishbourne Parish Case Officer: Martin Mew Written Representation	Black Boy Court Main Road Fishbourne PO18 8XX Creation of 4 no. parking spaces, dropped kerb, boundary treatment and landscaping.
<u>21/02553/FUL</u>	
Fishbourne Parish Case Officer: Joanne Prichard Written Representation	Bethwines Farm Blackboy Lane Fishbourne PO18 8BL Change of use of land to provide facility for 'doggy day care', including the provision of 3 no. portakabins and perimeter fence.
<u>22/00142/FUL</u>	
Fishbourne Parish Case Officer: Jane Thatcher Written Representation	Bethwines Farm Blackboy Lane Fishbourne Chichester West Sussex PO18 8BL Re-grading of existing agricultural land to create natural grass and wetlands.

Reference/Procedure	Proposal
<u>22/00575/PA3R</u>	
Fishbourne Parish Case Officer: Jane Thatcher Written Representation	Bethwines Farm Blackboy Lane Fishbourne Chichester West Sussex PO18 8BL Prior Approval - Change of use of existing agricultural building to storage use (B8).
<u>* 19/00445/FUL</u>	
Funtington Parish Case Officer: Martin Mew Written Representation	Land South East Of Tower View Nursery West Ashling Road Hambrook Funtington West Sussex Relocation of 2 no. existing travelling show people plots plus provision of hard standing for the storage and maintenance of equipment and machinery, 6 no. new pitches for gypsies and travellers including retention of hard standing.
<u>19/02939/FUL</u>	
Funtington Parish Case Officer: Calum Thomas Informal Hearings 31-Jan-2023 Chichester City Council North Street Chichester PO19 1LQ	Old Allotment Site Newells Lane West Ashling West Sussex Use of land for the stationing of a caravan for residential purposes, together with the formation of hardstanding.
<u>20/00234/FUL</u>	
Funtington Parish Case Officer: Calum Thomas Informal Hearings 31-Jan-2023 Chichester City Council North Street Chichester PO19 1LQ	Land West Of Newells Lane West Ashling PO18 8DD Change of use of land for the stationing of 4 no. static caravans and 4 no. touring caravans for a Gypsy Traveller site, including parking, hard standing and associated infrastructure.
<u>20/00534/FUL</u>	
Funtington Parish Case Officer: Calum Thomas Informal Hearings 29-Nov-2022 Chichester District Council East Pallant House PO19 1TY	Land South Of The Stables Scant Road East Hambrook Funtington West Sussex Change of use of land to use as a residential caravan site for 2 no. gypsy families and construction of 2 no. ancillary amenity buildings, including the laying of hardstanding, erection of boundary wall.

Reference/Procedure	Proposal
<u>20/00950/FUL</u>	
<p>Funtington Parish</p> <p>Case Officer: Calum Thomas</p> <p>Informal Hearings 31-Jan-2023</p> <p>Chichester City Council North Street Chichester PO19 1LQ</p>	<p>Field West Of Beachlands Nursery Newells Lane West Ashling West Sussex</p> <p>Use of land for the stationing of a caravan for residential purposes, together with the formation of hardstanding and associated landscaping.</p>
<u>20/00956/FUL</u>	
<p>Funtington Parish</p> <p>Case Officer: Calum Thomas</p> <p>Informal Hearings 31-Jan-2023 Chichester City Council North Street Chichester PO19 1LQ</p>	<p>Field West Of Beachlands Nursery Newells Lane West Ashling West Sussex</p> <p>Change use of land to residential for the stationing of caravans for Gypsy Travellers including stable, associated infrastructure and development.</p>
<u>20/03306/FUL</u>	
<p>Funtington Parish</p> <p>Case Officer: Calum Thomas</p> <p>Informal Hearings 31-Jan-2023 Chichester City Council North Street Chichester PO19 1LQ</p>	<p>Land To The West Of Newells Farm Newells Lane West Ashling West Sussex</p> <p>The stationing of caravans for residential purposes together with the formation of hardstanding and utility/dayrooms ancillary to that use for 3 no. pitches.</p>
<u>20/00109/CONTRV</u>	
<p>Funtington Parish</p> <p>Case Officer: Shona Archer</p> <p>Informal Hearings 31-Jan-2023 Chichester City Council North Street Chichester PO19 1LQ</p>	<p>Field West Of Beachlands Nursery Newells Lane West Ashling West Sussex</p> <p>Appeal against Enforcement Notice FU/80</p>
<u>18/00323/CONHI</u>	
<p>Funtington Parish</p> <p>Case Officer: Sue Payne</p> <p>Written Representation</p>	<p>West Stoke Farm House Downs Roa West Stoke Funtington Chichester West Sussex PO18 9BQ</p> <p>Appeal against HH/22</p>

Reference/Procedure	Proposal
<u>18/00323/CONHI</u>	
Funtington Parish Case Officer: Sue Payne Written Representation	West Stoke Farm House Downs Road West Stoke Funtington Chichester West Sussex PO18 9BQ Appeal against High Hedge Remedial Notice HH/25
<u>20/00288/CONENG</u>	
Funtington Parish Case Officer: Tara Lang Informal Hearings 31-Jan-2023 Chichester City Council North Street Chichester PO19 1LQ	Land West Of Newells Lane West Ashling Chichester West Sussex PO18 8DD Appeal against Enforcement Notice FU/77
<u>21/00152/CONTRV</u>	
Funtington Parish Case Officer: Shona Archer Informal Hearings 31-Jan-2023 Chichester City Council North Street Chichester PO19 1LQ	Land West Of Newells Farm Newells Lane West Ashling West Sussex Appeal against Enforcement Notice FU/87
<u>20/00288/CONENG</u>	
Funtington Parish Case Officer: Shona Archer Informal Hearings 31-Jan-2023 Chichester City Council North Street Chichester PO19 1LQ	Land West Of Newells Lane West Ashling Chichester West Sussex PO18 8DD Appeal against Enforcement Notice FU/89
<u>19/01400/FUL</u>	
Loxwood Parish Case Officer: Martin Mew Written Representation	Moores Cottage Loxwood Road Alfold Bars Loxwood Billingshurst West Sussex RH14 0QS Erection of a detached dwelling following demolition of free-standing garage.

Reference/Procedure	Proposal
<u>21/00992/FUL</u>	
Oving Parish Case Officer: Joanne Prichard Written Representation	Littlemead Business Centre Tangmere Road Tangmere PO20 2EU Erection of 10 no. new lettable E(a), E(g)(ii), (iii) and B8 units of differing sizes, including mezzanines and ancillary access slabs, onsite unallocated parking, cycle and communal bin area, planting.
<u>21/00077/FUL</u>	
Plaistow And Ifold Parish Case Officer: Sascha Haigh Written Representation	Oxencroft Ifold Bridge Lanefold Loxwood RH14 0UJ New entrance gate at Oxencroft (retrospective).
<u>21/01697/PA3Q</u>	
Plaistow And Ifold Parish Case Officer: Rebecca Perris Written Representation	Premier Treecare & Conservation Ltd Oxencroft Ifold Bridge Lane Ifold Loxwood Billingshurst West Sussex RH14 0UJ Prior notification for the change of use of agricultural buildings to 1 no. dwelling (C3 Use Class) with alterations to fenestration.
<u>21/03123/FUL</u>	
Plaistow And Ifold Parish Case Officer: Sascha Haigh Written Representation	Little Wephurst Walthurst Lane Loxwood RH14 0AE Replacement dwelling following demolition of an existing dwelling.
<u>20/00414/CONHH</u>	
Plaistow And Ifold Parish Case Officer: Sue Payne Public Inquiry	Oxencroft Ifold Bridge Lane Ifold Loxwood Billingshurst West Sussex RH14 0UJ Appeal against Enforcement Notice PS/71.
<u>20/00182/CONCOU</u>	
Plaistow And Ifold Parish Case Officer: Sue Payne Written Representation	The Coach House Oak Lane Shillinglee Plaistow Godalming West Sussex GU8 4SQ Appeal against PS/70

Reference/Procedure	Proposal
<u>20/02785/ELD</u>	
Sidlesham Parish Case Officer: Emma Kierans Written Representation	Jardene Nursery Chalk Lane Sidlesham Chichester West Sussex PO20 7LW Use of building 3 for B1 and B8 purposes.
<u>21/01963/PA3Q</u>	
Sidlesham Parish Case Officer: Robert Young Written Representation	11 Cow Lane Sidlesham Chichester West Sussex PO20 7LN Prior approval of proposed change of use of an existing agricultural building former piggery building to 1 no. dwelling.
<u>20/02077/FUL</u>	
Southbourne Parish Case Officer: Maria Tomlinson Written Representation	Marina Farm Thorney Road Southbourne Emsworth Hampshire PO10 8BZ Redevelopment of previously developed land. Removal of existing 5 no. buildings. Proposed 1 no. dwelling.
<u>21/02238/FULEIA</u>	
Southbourne Parish Case Officer: Jane Thatcher Written Representation	Gosden Green Nursery 112 Main Road Southbourne PO10 8AY Erection of 29 no. (8 no. affordable and 21 no. open market) new dwellings, public open space, landscaping, parking and associated works (following demolition of existing buildings).
<u>21/03665/FUL</u>	
Southbourne Parish Case Officer: Calum Thomas Informal Hearings	Land East Of Priors Orchard Inlands Road Nutbourne Chichester West Sussex PO18 8RJ Construction of 9 no. dwellings.
<u>* 20/00047/FUL</u>	
Westbourne Parish Case Officer: Calum Thomas Written Representation	Hopedene Common Road Hambrook Westbourne PO18 8UP Change use of land to a single private gypsy pitch with associated hardstanding and day room.

Reference/Procedure	Proposal
<u>20/00785/FUL</u>	
<p>Westbourne Parish</p> <p>Case Officer: Calum Thomas</p> <p>Informal Hearings 02-Aug-2022 Chichester District Council East Pallant House PO19 1TY</p>	<p>Meadow View Stables Monks Hill Westbourne PO10 8SX</p> <p>Change of use of land for use as extension to Gypsy caravan site for the stationing of 6 additional caravans, including 3 pitches, each pitch consisting of 1 no. mobile home, 1 no. touring caravan and a utility building together with laying of hardstanding</p>
<u>* 20/01569/FUL</u>	
<p>Westbourne Parish</p> <p>Case Officer: Andrew Robbins</p> <p>Informal Hearings 18-Oct-2022 Chichester City Council North Street Chichester PO19 1LQ</p>	<p><i>Land South Of Foxbury Lane Foxbury Lane Westbourne West Sussex PO10 8RG</i></p> <p><i>Erection of 1 no. dwelling and associated landscaping.</i></p>
<u>20/03164/FUL</u>	
<p>Westbourne Parish</p> <p>Case Officer: Calum Thomas</p> <p>Informal Hearings 05-Oct-2022 St Johns Church Hall</p>	<p>Land East Of Monk Hill Monks Hill Westbourne West Sussex</p> <p>Change of use of land to 1 no. private gypsy and traveller caravan site consisting of 1 no. mobile home, 1 no. touring caravan, 1 no. utility dayroom and associated development.</p>
<u>21/02159/FUL</u>	
<p>Westbourne Parish</p> <p>Case Officer: Martin Mew Written Representation</p>	<p>Land Adjacent To 15 The Shire Long Copse Lane Westbourne West Sussex</p> <p>Erection of 7 no. dwellings, access, landscaping and associated works.</p>
<u>21/00169/CONDWE</u>	
<p>Westbourne Parish</p> <p>Case Officer: Tara Lang Public Inquiry 29-Nov-2022 Chichester District Council East Pallant House PO19 1TY</p>	<p>Land South West Of Racton View Marlpit Lane Hambrook Westbourne West Sussex</p> <p>Appeal against creation of a dwellinghouse and two annex buildings subject to Enforcement Notice WE/59</p>

Reference/Procedure	Proposal
<u>21/00169/CONDWE</u>	
<p>Westbourne Parish</p> <p>Case Officer: Tara Lang Public Inquiry 29-Nov-2022 Chichester District Council East Pallant House PO19 1TY</p>	<p>Land South West Of Racton View Marlpit Lane Hambrook Westbourne West Sussex</p> <p>Appeal against creation of a dwellinghouse and two annex buildings subject to Enforcement Notice WE/58</p>
<u>21/00169/CONDWE</u>	
<p>Westbourne Parish</p> <p>Case Officer: Tara Lang Public Inquiry 29-Nov-2022 Chichester District Council East Pallant House PO19 1TY</p>	<p>Land South West Of Racton View Marlpit Lane Hambrook Westbourne West Sussex</p> <p>Appeal against creation of a dwellinghouse and two annex buildings subject to Enforcement Notice WE/57</p>
<u>21/00169/CONDWE</u>	
<p>Westbourne Parish</p> <p>Case Officer: Tara Lang Public Inquiry 29-Nov-2022 Chichester District Council East Pallant House PO19 1TY</p>	<p>Land South West Of Racton View Marlpit Lane Hambrook Westbourne West Sussex</p> <p>Appeal against creation of a dwellinghouse and two annex buildings subject to Enforcement Notice WE/54</p>
<u>21/00169/CONDWE</u>	
<p>Westbourne Parish</p> <p>Case Officer: Tara Lang Public Inquiry 29-Nov-2022 Chichester District Council East Pallant House PO19 1TY</p>	<p>Land South West Of Racton View Marlpit Lane Hambrook Westbourne West Sussex</p> <p>Appeal against creation of a dwellinghouse and two annex buildings subject to Enforcement Notice WE/53</p>
<u>21/00169/CONDWE</u>	
<p>Westbourne Parish</p> <p>Case Officer: Tara Lang Public Inquiry 29-Nov-2022 Chichester District Council East Pallant House PO19 1TY</p>	<p>Land South West Of Racton View Marlpit Lane Hambrook Westbourne West Sussex</p> <p>Appeal against creation of a dwellinghouse and two annex buildings subject to Enforcement Notice WE/52</p>

Reference/Procedure	Proposal
<u>13/00163/CONWST</u>	
<p>Westbourne Parish</p> <p>Case Officer: Shona Archer Public Inquiry 18-Oct-2022 Chichester District Council East Pallant House PO19 1TY</p>	<p>The Old Army Camp Cemetery Lane Woodmancote Westbourne West Sussex</p> <p>Appeal against WE/40, WE/41 and WE/42</p>
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<u>13/00163/CONWST</u>	
<p>Westbourne Parish</p> <p>Case Officer: Shona Archer Public Inquiry 18-Oct-2022 Chichester District Council East Pallant House PO19 1TY</p>	<p>The Old Army Camp Cemetery Lane Woodmancote Westbourne West Sussex</p> <p>Appeal against WE/40, WE/41 and WE/42</p>
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<u>13/00163/CONWST</u>	
<p>Westbourne Parish</p> <p>Case Officer: Shona Archer Public Inquiry 18-Oct-2022 Chichester District Council East Pallant House PO19 1TY</p>	<p>The Old Army Camp Cemetery Lane Woodmancote Westbourne West Sussex</p> <p>Appeal against WE/40, WE/41 and WE/42</p>
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<u>19/00176/CONT</u>	
<p>Westbourne Parish</p> <p>Case Officer: Shona Archer Fast Track Appeal</p>	<p>4 The Paddocks Common Road Hambrook Westbourne Chichester West Sussex PO18 8UP</p> <p>Appeal against Enforcement Notice WE/55 - removal of TPO'd trees without an application for tree works.</p>
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<u>21/03424/FUL</u>	
<p>Wisborough Green Parish</p> <p>Case Officer: Sascha Haigh Written Representation</p>	<p>Howfold Barn, Howfold Farm, Newpound Lane Wisborough Green RH14 0EG</p> <p>Erection of 1 no. custom/self build dwelling - alternative to permission WR/20/01036/PA3Q.</p>
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4. VARIATIONS TO SECTION 106 AGREEMENTS

5. CALLED-IN APPLICATIONS

Reference	Proposal	Stage

6. COURT AND OTHER MATTERS

Injunctions		
Site	Breach	Stage
Birdham Farm, Birdham	Of 4 Enforcement Notices	Injunction granted in August 2020 and varied in January 2021 for occupiers to clear the land of all fixtures and fitting and caravans, leave the land and restore the land to agricultural use. All have left apart from 3 plots which remain in occupation. Advice sought from counsel to initiate Contempt of Court proceedings for breach of the Injunction.

Court Hearings		
Site	Matter	Stage

Prosecutions		
Site	Breach	Stage
Oakham Farmhouse, Oving	Breach of Enforcement Notice	First hearing at Crawley Magistrates' Court in June 2022. No plea entered as the defendants stated to the court, they now understand what is required and will comply. Case adjourned to 1 September for case to be withdrawn (if compliance achieved) or to proceed with plea to be entered.
Crouchlands, Lagoon 3, Plaistow	Of Enforcement Notice	Papers with counsel for advice on some aspects of potential prosecution

7. POLICY MATTERS