

Chichester District Council Planning Committee

Wednesday 08 February 2023

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

Appeals, Court and Policy Matters

between 15-12-2022 - 10-01-2023

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>* 21/02849/FUL</u>	
Loxwood Parish Case Officer: Calum Thomas Informal Hearing	Land South West Of Willets Way Willetts Way Loxwood West Sussex - 5 no. residential dwellings, vehicular and pedestrian access and hard and soft landscaping.

2. DECISIONS MADE

Reference/Procedure	Proposal
20/03034/OUT	
Birdham Parish Case Officer: Jane Thatcher Informal Hearing	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)
Appeal Decision: APPEAL DISMISSED	
<p>" . . . The site is located on the south-eastern edge of the CHAONB on the Manhood Peninsula, outside the historic core of Birdham Village. From the evidence the CHAONB is the second smallest designated AONB, being heavily constrained by 42% water coverage..... The appeal site is some 2.12 hectares of rough grassland. With a further similar grass field and the cricket ground to the west. Church Lane retains a semi-rural character, with the currently undeveloped nature of the site, making a positive contribution to the landscape. It provides important relief, from the development that largely surrounds the site and some transition to the more open countryside beyond. ... Whilst I accept that the current proposal occupies a smaller area of land than that proposed by the previous dismissed appeal (APP/L3815/A/13/2208162). Nonetheless, it would still occupy a substantial area of land when compared to the existing settlement pattern in the area. The proposal would result in 25 dwellings, together with parking, internal roads, formal gardens and the domestic paraphernalia usually associated with residential development, into an area of land, previously free from development. To my mind, this quantum of development would fail to conserve or enhance the landscape and would result in significant harm to the natural beauty of this significantly constrained part of the CHAONB. ... For the above reasons and for the purposes of the Framework, I find that it is reasonable to conclude that the scale and setting of the proposed development represents major development in the context of this site and its location in the CHAONB. ... In contrast with the existing position, the significant number of dwellings and associated infrastructure of the appeal proposal, would significantly change the character of the appeal site from rural to suburban. The layout results in a development that would appear overdeveloped, contrived and artificial in this semi-rural setting. The site has two field accesses off Church Lane and there are existing trees and very overgrown hedging bounding the site from the lane. This currently provides screening from Church Lane and to the church and cricket ground beyond. Be that as it may, the proposed development would still be highly visible from the rear of the numerous dwellings that partially surround and back onto the site. Construction of the access would result in the removal of part of the hedge in Church Lane. Whilst part of the hedge screening could be controlled by a condition for a period of time, I have no evidence that it all falls within the appellants ownership. Moreover, any such protection would be temporary and the screening it provides is likely to change month to month and year to year. Given its current overgrown nature it is reasonable to conclude that it will be subject to some remedial work, should the development be allowed. ... the proposed scale, layout and design of the development would appear contrived and incongruous when viewed in the context of this important semi-rural location. I find therefore that the scheme would cause significant harm to the character and appearance of the area and this important part of the CHAONB. The proposed development would therefore be in conflict with Policies 2,</p>	

**Appeal Decision: APPEAL DISMISSED
- continued**

33, 43, 45, 47 and 48 of the Chichester Local Plan: Policies 12, 13 and 15 of the 'made' Birdham Neighbourhood Plan (2016). Criteria 4 and 5 of the Council's Interim Position Statement for Housing Development (2020). In summary, these policies when taken together set out the Council's settlement Strategy and ensuring that new development respects and where possible enhances the character of the surrounding area. ... the proposed scale, layout and design of the development would appear contrived and incongruous when viewed in the context of this important semi-rural location. I find therefore that the scheme would cause significant harm to the character and appearance of the area and this important part of the CHAONB. The proposed development would therefore be in conflict with Policies 2, 33, 43, 45, 47 and 48 of the Chichester Local Plan: Policies 12, 13 and 15 of the 'made' Birdham Neighbourhood Plan (2016). Criteria 4 and 5 of the Council's Interim Position Statement for Housing Development (2020). In summary, these policies when taken together set out the Council's settlement Strategy and ensuring that new development respects and where possible enhances the character of the surrounding area significantly and demonstrably outweighed by the significant harm I have already identified. ... Overall, I have found that the proposed development represents major development in the CHAONB. I have no compelling evidence before me to conclude that the exceptional circumstances required to allow the appeal to exist. The limited benefits that would flow from allowing the development, do not outweigh the significant harm to the character and appearance of the area and CHAONB that I have identified ... For the above reasons the appeal is dismissed. ...”

Reference/Procedure	Proposal
21/03343/FUL	
<p>Chichester Parish</p> <p>Case Officer: Sascha Haigh</p> <p>Written Representation</p>	<p>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.</p>
<p>Appeal Decision: APPEAL DISMISSED</p>	
<p>"Appeal A is dismissed. Appeal B is dismissed...The main issue is whether the proposal would preserve Forbes Place, a Grade II* listed building (Listed as 'The Royal West Sussex Hospital' - List Entry Number: 1354267), and any of the features of special architectural or historic interest it possesses. ... During the nineteenth century, the building was extended significantly either side and additional accommodation was also added at third floor level in the form of a mansard roof, with dormer windows. These additions make an important contribution to the special interest of the building, as they show how the building was adapted over time until its use as a medical institution ceased in 1972 ... the distinctive form of the mansard roof adds to the special interest of the listed building. Although other features, such as the dormer windows, have been subject to alterations, these appear to be limited to the shape of the pediments and do not affect the building's overall roof form. the insertion of a rooflight, albeit discreetly sited, would represent an alien feature which would disrupt the uniformity and consistency of the listed building's roofscape and harmfully erode its significance. the significance of a conservation area is dependent upon how it is experienced. the appeal scheme would cause less than substantial harm to the special interest of the listed building, to which I nevertheless ascribe considerable importance and weight. The proposed development and works would fail to preserve the special interest of the Grade II* listed building, ... There are no material considerations, which indicate that the appeals should be determined, other than in accordance with the development plan. For the reasons detailed above, and having regard to all other matters raised, I conclude that both appeals should be dismissed."</p>	

Reference/Procedure	Proposal
21/03344/LBC	
<p>Chichester Parish</p> <p>Case Officer: Sascha Haigh</p> <p>Written Representation</p>	<p>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.</p>
<p>Appeal Decision: APPEAL DISMISSED</p>	
<p>As above</p>	

Reference/Procedure	Proposal
<u>20/00534/FUL</u>	
<p>Funtington Parish Case Officer: Calum Thomas</p> <p>Informal Hearing</p>	<p>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.</p>
Appeal Decision: APPEAL DISMISSED	
<p>"The appeal is dismissed. ... The area is characterised by undulating countryside with fields of varying sizes separated by fences, hedgerows, and trees. ... The site lies between two existing gypsy and traveller sites. ... The site's western end at Scant Road East is bounded by existing high stone walls and gate posts topped with red bricks. These boundary treatments reflect what I am considering as part of this appeal. ... The Council confirmed that the two southern sections of walls and gate posts are subject to enforcement action. ... the location of the site between other authorised gypsy and traveller sites, infilling with two additional pitches would have little or no effect on the character and appearance of the area. the Council's sole concern in respect of character and appearance stems from the stone and brick walls and gate posts. ... I find that the proposal would, solely by reason of the stone and brick walls and gateposts, have a harmful effect on the character and appearance of the area. ... Local Plan Policy 50 ... confirms that all net increases in residential accommodation are likely to have an in-combination effect on the protected bird species within the SPA. ... To mitigate the effect of recreational disturbance, the Solent Recreation Mitigation Partnership has developed the Bird Aware Solent scheme. ... The appellants supplied an initial draft legal agreement immediately before the hearing to provide monies to mitigate the effect of recreational disturbance. However, this legal agreement was not completed. Consequently, there is no mechanism in place to secure mitigation measures for recreational disturbance. As such, adverse effects on the integrity of the SPA would not be avoided. ... the proposal comprises new residential development ... This is of concern given that Natural England has advised that a net increase in residential development within the catchment area is likely to have significant effects on nutrient water quality and upon the aforementioned SPA in the main issue above. ... The evidence provided to address this main issue has evolved during the appeal. ... A legal agreement to secure this mitigation was provided in draft form prior to the hearing, but was not updated following the hearing. ... Given the failure of the proposal in this regard, allowing it would be contrary to the Habitats Regulations and the precautionary principle embedded within the Habitats Directive. ... Amongst other things, paragraph 25 of the Planning policy for traveller sites (PPTS) states that local planning authorities should very strictly limit new traveller site development in open countryside that is away from existing settlements or outside areas allocated in the development plan ... There would be likely to be a reliance on the private motor vehicle for trips to services and facilities in the nearest settlements. However, ... it is not uncommon for such uses to be located in rural settings and for site occupiers to be reliant on the private car for most of their day-to-day journeys. ... this extent of reliance on use of the car is not unusual in a mainly rural area. ... the distances involved in this appeal are not excessive by rural standards. This is consistent with paragraph 105 of the Framework which confirms that opportunities to maximise sustainable transport solutions will vary between urban and rural areas. ... I conclude that the proposal would be in an appropriate location, having regard to access to local services and facilities. It would therefore not be contrary to Local Plan Policy 36 and paragraph 25 of the PPTS, as set out above. ... PPTS Policy C, planning authorities should ensure that the scale of such sites does not dominate the nearest paragraph 14 states that when assessing the suitability of sites in rural or semi-rural settings, local settled community. ... The site lies within a rural parish, where there is no defined settlement boundary. ... The Council has</p>	

Appeal Decision: APPEAL DISMISSED - continued

assessed postcode areas and has referred to the site's postcode area and two adjoining postcode areas.... It is evident from the data provided by the Council and FPC that there is a high concentration of gypsy and traveller pitches, both authorised and unauthorised, in and around West Ashling and in the wider parish. ... The proposal would numerically increase the existing numbers of gypsies and travellers resident locally by only a very small number. Furthermore, the proposal would fill a narrow gap between other pitches and would be seen together with existing pitches on Scant Road East, but not from West Ashling itself or from West Ashling Road. It would not be closer to existing sporadic residential development than existing gypsy and traveller sites. Its visual and spatial effect on the surrounding settled community would not therefore be harmful in scale, despite the loss of a formerly wooded area. ...In conclusion, the proposal, together with nearby gypsy and traveller sites, would not dominate the settled community. It would comply with Local Plan Policy 36 and paragraphs ... The Council's concerns about living conditions pertain to the site's capacity for pitches, soft landscaping and amenity space. ... However, having compared the proposal with surrounding pitches to the north and south, it does not appear to be markedly different from some authorised pitches. ... Consequently, the site would neither be unduly cramped nor have an undesirable layout. ... The Council confirmed at the hearing that their concern centred on the absence of the crossover licence and encroachment of the wall on the highway, rather than a specific concern about highway safety. During my site visit, I did not discern any particular issues with highway safety which would cause me to question the County Council's view. Notwithstanding the failure to apply for a crossover licence or the stopping up of the highway thus far, it is difficult to see how the reason for refusal can be substantiated in this instance. I conclude that the proposal would not have a harmful effect on highway safety. ... The PPTS confirms that local planning authorities should identify and annually update a supply of specific deliverable sites sufficient to provide 5 years' worth of sites against their locally set targets. Local Plan Policy 36 addresses the need for and provision of sites for gypsies, travellers and travelling showpeople from 2012 to 2027. ... The Council accepts that the data within this policy is now out of date and is developing a new Local Plan and GTTSSA. The Council produced a Gypsy, Traveller and Travelling Showpeople Assessment 2019 (GTAA) ... This is now being revised. However, the 2019 GTAA identifies a requirement for a further 66 pitches in the five years from April 2018 to March 2023... It is agreed that the Council does not currently have a five-year supply of specific deliverable sites, as required by the PPTS. Despite the small number of pitches proposed, they would contribute towards reducing the identified shortfall and can be delivered prior to the delivery of the GTTSSA. The unmet need for gypsy and traveller pitches is of significant importance. I afford this significant weight. ... I also attach significant weight to the lack of alternative sites and to the personal circumstances of the intended named occupiers of the first pitch. ... where I have found harm, I afford only moderate weight to the harm to the character and appearance of the area. However, I attach substantial weight to the harm in terms of recreational disturbance, nutrient neutrality, and groundwater. ... Having had regard to all material considerations, the aims of avoiding harm to the character and appearance of the area, recreational disturbance, nutrient neutrality, and groundwater can only be addressed by dismissal of the appeal. Interference with the human rights of the appellants and their family is therefore necessary and proportionate. Notwithstanding my conclusions in respect of location, the effect on the settled community, living conditions, and highway safety, the proposal would have an unacceptable effect on the character and appearance of the area, recreational disturbance, nutrient neutrality, and groundwater. ..."

Reference/Procedure	Proposal
21/03123/FUL	
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.
Appeal Decision: APPEAL DISMISSED	
<p>"The appeal is dismissed..... whilst a one for one replacement of the existing dwelling in the open countryside is acceptable, the proposal would be incongruous and intrusive in its setting by reason of its scale, mass and bulk, particularly having regard to the modest proportions of the existing building. ...I take the view that this approach is over-simplistic and am satisfied that buildings of an overtly contemporary design form a tiny minority of the houses in rural Sussex. ... Wephurst Park itself is supported by the farm and half a dozen workers' cottages, for the most part positioned around the mansion's more immediate surroundings at the heart of the estate grounds, as already indicated in paragraph 4 above. These dwellings are consistent in respect of their simple built form and modest size, both characteristics being commensurate with their function as workers' accommodationthe existing building with its simple design and rural character 'reads' as the workers' cottage it was before its vacation..... the cottage makes a positive and authentic contribution to the rural character of the area. And with the dwelling's modest size, cream rendered walls and position set against a backdrop of mature trees, its prominence in the landscape and from public footpaths actually makes a positive contribution in the countryside of the estateit is reasonable for Little Wephurst to be replaced.... in this instance the contemporary design with its 47% increase in floor area, including a tripling of the first floor area under a flat roof compared to the existing 'extended' building, would result in a dwelling that would draw the eye from the public footpaths and be negatively perceived as incongruous in this setting.the main part of the front elevation would be the same height as the ridge of the existing building and extend further laterally, The two-storey height glazing panel in the front elevation would also have the potential to increase the building's presence by reflecting the morning sun and releasing artificial light into the rural 'dark skies'. All these factors would result in the building imposing itself on its context and being out of keeping in this rural estate setting. ... The development would also fail to comply with the requirements of Policy 33 of the Chichester Local Plan: Key Policies 2014-2029 and paragraph 130c) of the National Planning Policy Framework 2021. Neither policy supports a proposal for an unsympathetic addition to the local landscape character and the surrounding built environment.... The final concern of the Council as regards the appeal scheme relates to the absence of a defined residential curtilageIn the light of my endorsement of the thrust of the Council's objections, these areas would appear to be excessive. ..."</p>	

Reference/Procedure	Proposal
22/00144/PNO	
<p>Sidlesham Parish</p> <p>Case Officer: Rebecca Perris</p> <p>Written Representation</p>	<p>Chalk Lane Nursery 17A Chalk Lane Sidlesham Chichester West Sussex PO20 7LW - Erection of agricultural building.</p>
Appeal Decision: APPEAL DISMISSED	
<p>"... The proposed development would replace an existing glasshouse located within an area of land, which is approximately 2.2 hectares and owned by the appellants. In addition to this site, it is suggested that the agricultural unit includes two other parcels of land, one of which is used on a seasonal basis..... Though it is not necessary for the occupier to own the agricultural land for it to form a unit, the terms of occupation are relevant. In that regard, the presented documents however lack in detail, as they do not, for example, refer to exclusive possession or provide some security of tenure. In the absence of further evidence to the contrary, it cannot be established with certainty whether the ties between the appellants and these third parties can be regarded as farm business tenancies, and consequently, whether these parcels of land form part of the agricultural unit. ... The presented information is not substantiated by detailed evidence, for example showing details of the keeping of accounts, size of turnover... On the basis of the presented information, I cannot therefore be certain that the activities can be regarded as a trade or business as defined in paragraph D.1 (1) of the GPDO. Having regard to the available evidence, I am not satisfied that the proposal meets the requirements of Schedule 2, Part 6, Class A of the GPDO. There is firstly no certainty that the development would be carried out on agricultural land comprised in an agricultural unit of 5 hectares or more in area and secondly that the proposed building is reasonably necessary for the purposes of agriculture and would be so used for the purposes of a trade or business. On this basis, I am not satisfied that the proposal can be regarded as permitted development. ...</p>	
<p>"COST DECISION". ... The reasons for refusal as set out in the decision notice are complete, precise and specific to the application, clearly setting out that insufficient information had been provided to meet the requirements of the GPDO. The wording of the GPDO implies that detailed information may need to be submitted to demonstrate that the size of the agricultural unit meets the relevant threshold, and to establish the existence of a 'trade or business'. On this basis, the Council was entitled to scrutinise and raise concerns regarding the level of information provided by the applicants. It follows that the Council did not behave in an unreasonable manner in finding that the presented evidence was not sufficient to demonstrate the proposal's compliance with the requirements of the GPDO. Whilst I disagree with the Council's interpretation of paragraph A.1(b) and the relevance of previous Class Q approvals for the purposes of the proposal subject to this appeal, this does not to my mind constitute unreasonable behaviour. In any event, this would not have prevented the appeal, given other concerns raised by the Council regarding the proposal, as detailed above. ... "</p>	

Reference/Procedure	Proposal
21/03424/FUL	
Wisborough Green Parish Case Officer: Sascha Haigh Written Representation	Howfold Barn, Howfold Farm, Newpound Lane Wisborough Green RH14 0EG - Erection of 1 no. custom/self build dwelling - alternative to permission WR/20/01036/PA3Q.
Appeal Decision: APPEAL ALLOWED	
<p>" The appeal is allowed and planning permission is granted for the erection of 1 No. custom / self-build dwelling – alternative to permission WR/20/01036 /PA3Q at Howfold Barn, Howfold Farm, Newpound Lane, Wisborough Green RH14 0EG in accordance with the terms of the application, Ref. Ref. WR/21/03424 /FUL, dated 2 November 2021 and subject to the conditions in the attached Schedule. ...The appellant considers that the prior approval under Class Q of the GPDO represents a fall back position which would support the appeal scheme. This would be superior to the approved conversion of the agricultural building in terms of sustainability and its effect on the character and appearance of the area. ...In these circumstances I can see no reason why an absence of similarity with the GPDO Class Q approval should in itself be a reason for the refusal of permission of the appeal development. ...Case Law, including Mansell v Tonbridge and Malling Borough Council (2017) and an appeal decision at Taunton, Somerset (Ref. APP/W3330/W/20/3248009), both cited for the appellant, support this fall back approach and the appropriateness of assessing the proposed new building as an alternative option. ... Furthermore, the maximum height of the currently proposed dwelling would only slightly exceed that of the existing farm building. And although there is an increase in the amount of roof at this height, I consider that any perception of bulk would be offset by the inclusion of the hipped elements in the roof design and the inverted 'U' shape of the proposed building. This enables the massing of the development to be more evenly distributed within an extent of a footprint of similar size and essentially in the same position as the existing building retained in the conversion under the Prior Approval. The Council's evidence concedes that 'the architectural quality of the proposed dwelling is not disputed' and that because it is a new build the sustainable construction methods and technologies would reduce the environmental impact of the dwelling compared to the approved scheme. These are clearly considerations that carry weight in favour of the appeal proposal, but in the Council's view they would be outweighed by the significant differences in appearance that would fail to integrate with its surroundings and would 'cause harm and detriment to the low key rural character of the site and locality' ... I support the appellant's view that the design, courtyard layout and external materials would be in keeping with the Sussex rural vernacular. ... I also consider that the substantial size of the appeal site is such that it would result in the revised development being proportionate and able to accommodate landscaping to assist in enabling the proposed dwelling to blend with the local landscape. The Council criticises the development as having a 'domestic' appearance, but as the building would be a dwelling I can see no objection to this. ... I shall therefore allow the appeal. ..."</p>	

3. IN PROGRESS

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>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
<u>20/03320/OUTEIA</u>	
Chidham & Hambrook Parish Case Officer: Jane Thatcher Public Inquiry 15-May-2023	Land East Of Broad Road Broad Road Nutbourne West Sussex - Outline planning application (with all matters reserved except access) for up to 132 dwellings and provision of associated infrastructure.
<u>20/03321/OUTEIA</u>	
Chidham & Hambrook Parish Case Officer: Jane Thatcher Public Inquiry 15-May-2023	Land North Of A259 Flat Farm Main Road Chidham West Sussex - Outline planning application (with all matters reserved except access) for up to 68 no. dwellings and provision of associated infrastructure.
<u>20/03378/OUT</u>	
Chidham & Hambrook Parish Case Officer: Andrew Robbins Informal Hearing	Land At Flat Farm Hambrook West Sussex PO18 8FT - 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.
<u>22/00137/FUL</u>	
Earnley Parish Case Officer: Calum Thomas Written Representation	Russ Autos132A Almodington Lane Almodington Earnley Chichester West Sussex PO20 7JU - Demolition of B2 workshop and erection of 1 no. live/work unit.

Reference/Procedure	Proposal
* 19/00445/FUL	
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.
19/02939/FUL	
Funtington Parish Case Officer: Calum Thomas Informal Hearing 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.
20/00234/FUL	
Funtington Parish Case Officer: Calum Thomas Informal Hearing 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.
20/00950/FUL	
Funtington Parish Case Officer: Calum Thomas Informal Hearing 31-Jan-2023 Chichester City Council North Street Chichester PO19 1LQ	Field West Of Beachlands Nursery Newells Lane West Ashling West Sussex - Use of land for the stationing of a caravan for residential purposes, together with the formation of hardstanding and associated landscaping.
20/00956/FUL	
Funtington Parish Case Officer: Calum Thomas Informal Hearing 31-Jan-2023 Chichester City Council North Street Chichester PO19 1LQ	Field West Of Beachlands Nursery Newells Lane West Ashling West Sussex - Change use of land to residential for the stationing of caravans for Gypsy Travellers including stable, associated infrastructure and development.

Reference/Procedure	Proposal
<u>20/03306/FUL</u>	
Funtington Parish Case Officer: Calum Thomas Informal Hearing 31-Jan-2023 Chichester City Council North Street Chichester PO19 1LQ	Land To The West Of Newells Farm Newells Lane West Ashling West Sussex - The stationing of caravans for residential purposes together with the formation of hardstanding and utility/dayrooms ancillary to that use for 3 no. pitches.
<u>21/00152/CONTRV</u>	
Funtington Parish Case Officer: Shona Archer Informal Hearing 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>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 HH/22
<u>20/00109/CONTRV</u>	
Funtington Parish Case Officer: Shona Archer Informal Hearing 31-Jan-2023 Chichester City Council North Street Chichester PO19 1LQ	Field West Of Beachlands Nursery Newells Lane West Ashling West Sussex - Appeal against Enforcement Notice FU/80
<u>20/00288/CONENG</u>	
Funtington Parish Case Officer: Shona Archer Informal Hearing 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

Reference/Procedure	Proposal
<u>20/00288/CONENG</u>	
Funtington Parish Case Officer: Shona Archer Informal Hearing 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>21/02428/FUL</u>	
Linchmere Parish Case Officer: Calum Thomas Written Representation	Land North Of 1 To 16 Sturt Avenue Camelsdale Linchmere West Sussex GU27 3SJ - 9 no. new dwelling houses and 9 no. carports/studios with associated access, infrastructure, parking and landscaping.
<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.
<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>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: Martin Mew 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: Martin Mew 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 Informal Hearing	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>19/00103/CONCOU</u>	
Southbourne Parish Case Officer: Mr Michael Coates-Evans Written Representation	Thornham Marina Thornham Lane Southbourne Emsworth Hampshire PO10 8DD - Appeal against SB/124
<u>20/00785/FUL</u>	
Westbourne Parish Case Officer: Calum Thomas Informal Hearing	Meadow View Stables Monks Hill Westbourne PO10 8SX - 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

Reference/Procedure	Proposal
<u>* 20/01569/FUL</u>	
Westbourne Parish Case Officer: Jeremy Bushell Informal Hearing	Land South Of Foxbury Lane Foxbury Lane Westbourne West Sussex PO10 8RG - Erection of 1 no. dwelling and associated landscaping.
<u>20/03164/FUL</u>	
Westbourne Parish Case Officer: Calum Thomas Informal Hearing	Land East Of Monk Hill Monks Hill Westbourne West Sussex - 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.
<u>21/00169/CONDWE</u>	
Westbourne Parish Case Officer: Shona Archer Public Inquiry	Land South West Of Racton View Marlpit Lane Hambrook Westbourne West Sussex - Appeal against creation of a dwellinghouse and two annex buildings subject to Enforcement Notice WE/54
<u>19/00176/CONT</u>	
Westbourne Parish Case Officer: Shona Archer Fast Track Appeal	4 The Paddocks Common Road Hambrook Westbourne Chichester West Sussex PO18 8UP - Appeal against Enforcement Notice WE/55 - removal of TPO'd trees without an application for tree works.
<u>13/00163/CONWST</u>	
Westbourne Parish Case Officer: Shona Archer Public Inquiry	The Old Army Camp Cemetery Lane Woodmancote Westbourne West Sussex - Appeal against WE/40, WE/41 and WE/42
<u>21/00169/CONDWE</u>	
Westbourne Parish Case Officer: Shona Archer Public Inquiry	Land South West Of Racton View Marlpit Lane Hambrook Westbourne West Sussex - Appeal against creation of a dwellinghouse and two annex buildings subject to Enforcement Notice WE/57
<u>21/00169/CONDWE</u>	
Westbourne Parish Case Officer: Shona Archer Public Inquiry	Land South West Of Racton View Marlpit Lane Hambrook Westbourne West Sussex - Appeal against creation of a dwellinghouse and two annex buildings subject to Enforcement Notice WE/53

Reference/Procedure	Proposal
<u>21/00169/CONDWE</u>	
Westbourne Parish Case Officer: Shona Archer Public Inquiry	Land South West Of Racton View Marlpit Lane Hambrook Westbourne West Sussex - Appeal against creation of a dwellinghouse and two annex buildings subject to Enforcement Notice WE/52
<u>21/00169/CONDWE</u>	
Westbourne Parish Case Officer: Shona Archer Public Inquiry	Land South West Of Racton View Marlpit Lane Hambrook Westbourne West Sussex - Appeal against creation of a dwellinghouse and two annex buildings subject to Enforcement Notice WE/59
<u>21/00169/CONDWE</u>	
Westbourne Parish Case Officer: Shona Archer Public Inquiry	Land South West Of Racton View Marlpit Lane Hambrook Westbourne West Sussex - Appeal against creation of a dwellinghouse and two annex buildings subject to Enforcement Notice WE/58
<u>21/03135/FUL</u>	
Wisborough Green Parish Case Officer: Calum Thomas Written Representation	Land Adjacent To 1 Newfields Newpound Wisborough Green RH14 0AX - Change use of land to private gypsy and traveller caravan site consisting of 1 no. pitch.
<u>21/03603/FUL</u>	
Wisborough Green Parish Case Officer: Emma Kierans Written Representation	Goose Cottage Durbans Road Wisborough Green RH14 0DG - Change of use of outbuilding to Use Class E(g) with additional 2 no. parking bays and associated works.

4. VARIATIONS TO SECTION 106 AGREEMENTS

None.

5. CALLED-IN APPLICATIONS

Reference	Proposal	Stage

6. COURT AND OTHER MATTERS

Injunctions		
Site	Breach	Stage
Birdham Farm, Birdham	Of 4 Enforcement Notices	All papers provided to Legal by client for application at High Court for Contempt of Court Proceedings for breach of the Injunction. Documents (Affidavits) for court must be sworn in before an external solicitor. This is currently being arranged.

Court Hearings		
Site	Matter	Stage
Crouchlands – Lagoon 3, Loxwood	Breach of Enforcement Notice	Advice received from Counsel. Liaison currently taking place with owner of the site.

Prosecutions		
Site	Breach	Stage
Land South of the Stables, Hambrook	Of Enforcement Notice	Hearing at Crawley Magistrates' Court on 10 January: no plea entered and matter adjourned to 15 June at the same court. This is in the Interest of Justice as the defendant is in the process of lodging a planning application permission and, should this be granted, compliance would be achieved in this way. If not, matter to proceed on 15 June.

7. POLICY MATTERS