

## South Downs National Park

### Planning Committee

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

#### Schedule of Planning Appeals, Court and Policy Matters

Date between 13-09-2023 and 17-10-2023

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

Reference/Procedure	Proposal
<a href="#">SDNP/22/03718/CND</a> Milland Parish Council  Case Officer: Lauren Cripps  <b>Written Representation</b>	Wardley Farm Cottage Wardley Lane Milland West Sussex GU30 7LX - Demolition of the existing residential dwelling and replacement with two storey three bedroom residential building - Variation of Condition 2 of Planning Permission SDNP/21/05788/FUL - addition of 1 no. dormer window on east elevation.
<a href="#">SDNP/23/00001/UNCM</a> Bury Parish Council  Case Officer: Sue Payne  <b>Written Representation</b>	Roman Mile Farm Bignor Park Road Bignor Pulborough West Sussex RH20 1HQ - Appeal against BG/6
<a href="#">SDNP/20/00622/GENER</a> Stoughton Parish Council  Case Officer: Sue Payne  <b>Written Representation</b>	Green Lanes Farm Back Lane Forestside Stoughton West Sussex PO9 6EB - Appeal against SO/15

Reference/Procedure	Proposal
<p data-bbox="124 188 496 259"><a href="#">SDNP/23/02896/LDE</a> Bury Parish Council Case</p> <p data-bbox="124 322 408 353">Officer: Derek Price</p> <p data-bbox="124 421 480 452"><b>Written Representation</b></p>	<p data-bbox="564 188 1501 293">Roman Mile Farm (Plot 2) Bignor Park Road Bignor West Sussex RH20 1HQ - Existing lawful development certificate for the use of a caravan as a dwelling.</p>
<p data-bbox="124 512 485 584"><a href="#">SDNP/22/00156/GENER</a> Duncton Parish Council</p> <p data-bbox="124 607 480 638">Case Officer: Sue Payne</p> <p data-bbox="124 705 480 736"><b>Written Representation</b></p>	<p data-bbox="564 512 1398 584">Rose Cottage High Street Duncton Petworth West Sussex GU28 0LB - Appeal against DN/6</p>

**2. DECIDED**

Reference/Procedure	Proposal
<a href="#">SDNP/22/02313/HOUS</a> Fernhurst Parish Council  Case Officer: Derek Price  <b>Householder Appeal</b>	Ashurst Barn Farm Lickfold Road Fernhurst West Sussex GU27 3JB - Conversion and extension of existing stable block and store to 2 bedroom annex.

**Appeal Decision: APPEAL ALLOWED**

"... Whether the proposed development would constitute an annex ...The proposal seeks to extend the stable block in an L shape to meet the rear of the outbuilding. The outbuilding would be retained as a separate space, but the stable block and extension would be converted to provide a kitchen, living space and 2 bedrooms and bathrooms. ... it is a matter of fact and degree as to whether it could be considered a separate planning unit to the appeal property. The proposal would be single aspect with all non-obscured windows overlooking the courtyard and would not have access to any private outdoor space. ... the subservient size in relation to that dwelling, and the requirement to share parking facilities, access and outdoor space combine to demonstrate a functional and physical link between the proposal and appeal dwelling. ... Therefore, the proposal would comply with all relevant parts of LP Policy SD31 and would constitute an annex. character and appearance ... The Authority has also identified the appeal dwelling as a non-designated heritage asset ... the significance of the appeal site would be as part of the setting of the Ashurst estate, and more broadly how it contributes to the overall character and appearance of the CA. The proposal would retain the character of the courtyard at the front of the appeal dwelling and would retain the legibility of its layout by using a dark wood finish for the extension. This would ensure the extension would visually recede between the existing brick outbuilding and stable block. ... The proposal would not, therefore, alter the relationship between the appeal dwelling and outbuildings and ensure the legibility of the appeal site. As such it would not have a detrimental impact on its character and appearance and on balance would not result in the harm or loss of the appeal dwelling as a non-designated heritage asset. Turning to the setting of Ashurst, and the CA in general. ... the proposal would not be so visually intrusive as to cause harm to the CA's settlement pattern, including the setting of Ashurst, or its verdant nature. ... The proposal would not, therefore, harm the character and appearance of the appeal site and the area, and would preserve the character and appearance of the CA. ... The relative tranquillity and dark night skies are both intrinsic qualities of the NP ... the visual and aural environment would not be harmed by the proposal. ... The appeal site is 6.5km from the Ebernoe Common Special Area of Conservation (SAC) and 12km from the Singleton and Cocking SAC. ... as the proposal would not materially alter the use of the appeal site nor intensify its use, I am satisfied it would not have a likely significant effect on the internationally important features of the SPA either alone or in combination with other nearby development. ... The Authority has not raised objections, amongst other things, regarding the living conditions of neighbouring occupants ... I have found the proposal would not cause, or can adequately mitigate against, any harm in relation to these issues. ... For the reasons given above the appeal scheme would comply with the development plan when read as a whole and there are no sufficiently weighted material considerations, including the Framework, which would indicate a decision otherwise. The appeal is, therefore allowed.

COST Decision The applicant considers the Authority has behaved unreasonably by not properly considered the outcome of a previous appeal

### **Appeal Decision Continued**

namely The Barn, Lower Bordean Farm Lane (reference APP/Y9507/D/15/3136599) and being consistent in what constitutes an annex. Had the Authority given substantial weight to the appeal decision or indeed considered the proposal an annex, it would not have led the Authority to reverse its decision. This is because the reason for refusal was multi-faceted and related to the effect of the proposal on character and appearance, the Fernhurst Conservation Area, and the South Downs National Park, not simply whether the proposal would constitute an annex. ... From the evidence before me I am satisfied the Authority's assessment of the scheme was based on a reasonable understanding of the appeal site and the potential effect of the scheme in that context. It is therefore a matter of planning judgement, and the Authority's decision to refuse is fairly substantiated. Therefore, unreasonable behaviour resulting in unnecessary or wasted expense has not occurred and an award of costs is not warranted."

### 3. CURRENT APPEALS

Reference/Procedure	Proposal
<a href="#">SDNP/22/01619/FUL</a> Compton Parish Council Case Officer: Louise Kent  <b>Written Representation</b>	Land East of Noredown Way West Marden West Sussex - Laying of permeable hardstanding to facilitate access, turning and parking associated with existing private stable building (retrospective).
<a href="#">SDNP/22/04807/HOUS</a> Fittleworth Parish Council Case Officer: Jenna Shore <b>Householder Appeal</b>	Wingates Limbourne Lane Fittleworth West Sussex RH20 1HR - Addition of single storey glass roof/car port on the side elevation.
<a href="#">SDNP/22/02956/FUL</a> Sutton & Barlavington Parish Council Case Officer: Beverly Stubbington  <b>Written Representation</b>	Carriage House Burton Park Road Barlavington West Sussex GU28 0JS - Demolition of stables and pole barn. Construction of replacement building comprising a one-bedroom holiday let and vehicle store.
<a href="#">SDNP/19/00375/BRECO</a> Stedham With Iping Parish Council Case Officer: Michael Coates-Evans  <b>Written Representation</b>	Wispers Titty Hill Milland Midhurst West Sussex GU29 0PL - Appeal against ML/26
<a href="#">SDNP/21/03679/FUL</a> Compton Parish Council Case Officer: Derek Price  <b>Written Representation</b>	Compton Farmhouse Church Lane Compton PO18 9HB - Retrospective installation of a single run of underground drainage piping.
<a href="#">SDNP/22/03718/CND</a> Milland Parish Council Case Officer: Lauren Cripps <b>Written</b>  <b>Representation</b>	Wardley Farm Cottage Wardley Lane Milland West Sussex GU30 7LX - Demolition of the existing residential dwelling and replacement with two storey three bedroom residential building - Variation of Condition 2 of Planning Permission SDNP/21/05788/FUL - addition of 1 no. dormer window on east elevation.

Reference/Procedure	Proposal
<p><a href="#"><u>SDNP/21/04688/FUL</u></a> Bury Parish Council</p> <p>Case Officer: Beverly Stubbington</p> <p><b>Written Representation</b></p>	<p>Stane Lodge Bury Gate Bury RH20 1HA - Demolition of existing dwelling and garage and erection of replacement dwelling, garage with tennis court.</p>
<p><a href="#"><u>SDNP/22/03527/FUL</u></a> Bury Parish Council Case</p> <p>Officer: Lauren Cripps</p> <p><b>Written Representation</b></p>	<p>Foxbury Farm West Burton Road West Burton Pulborough West Sussex RH20 1HD - Convert main barn into 4 no. bedroom dwelling. Convert secondary barn to offices/storage and change of use of smaller barn to storage. Alterations to vehicle access from West Burton Road and new landscaping.</p>
<p><a href="#"><u>SDNP/22/02936/HOUS</u></a> Kirdford Parish Council</p> <p>Case Officer: Lauren Cripps</p> <p><b>Written Representation</b></p>	<p>Scrubb House Farm Cottage Crimbourne Lane Kirdford West Sussex RH14 0HX - Construction of link to join house with annex.</p>
<p><a href="#"><u>SDNP/23/00001/UNCM</u></a> Bury Parish Council</p> <p>Case Officer: Sue Payne</p> <p><b>Written Representation</b></p>	<p>Roman Mile Farm Bignor Park Road Bignor Pulborough West Sussex RH20 1HQ - Appeal against BG/6</p>
<p><a href="#"><u>SDNP/20/00622/GENER</u></a> Stoughton Parish Council</p> <p>Case Officer: Sue Payne</p> <p><b>Written Representation</b></p>	<p>Green Lanes Farm Back Lane Forestside Stoughton West Sussex PO9 6EB - Appeal against SO/15</p>
<p><a href="#"><u>SDNP/21/00367/COU</u></a> Compton Parish Council</p> <p>Case Officer: Michael Coates-Evans</p> <p><b>Written Representation</b></p>	<p>Land East of Noredown Way West Marden West Sussex - Appeal against CP/10</p>

<b>Reference/Procedure</b>	<b>Proposal</b>
<p data-bbox="124 197 434 230"><a href="#">SDNP/23/02896/LDE</a></p> <p data-bbox="124 235 411 268">Bury Parish Council</p> <p data-bbox="124 331 491 365">Case Officer: Derek Price</p> <p data-bbox="124 427 481 461"><b>Written Representation</b></p>	<p data-bbox="571 197 1414 304">Roman Mile Farm (Plot 2) Bignor Park Road Bignor West Sussex RH20 1HQ - Existing lawful development certificate for the use of a caravan as a dwelling.</p>
<p data-bbox="124 535 434 568"><a href="#">SDNP/23/00540/LDE</a></p> <p data-bbox="124 573 494 607">Lodsworth Parish Council</p> <p data-bbox="124 633 528 667">Case Officer: Lauren Cripps</p> <p data-bbox="124 730 481 763"><b>Written Representation</b></p>	<p data-bbox="571 535 1426 719">Land adjacent to Hazelnut Cottage The Street Lodsworth West Sussex GU28 9BZ - Existing lawful development certificate for the use of paddock north-east of Hazelnut Cottage as garden land in connection with Hazelnut Cottage for at least the past 10 years continuously.</p>
<p data-bbox="124 857 485 891"><a href="#">SDNP/22/00156/GENER</a></p> <p data-bbox="124 896 464 929">Duncton Parish Council</p> <p data-bbox="124 992 481 1025">Case Officer: Sue Payne</p> <p data-bbox="124 1088 481 1122"><b>Written Representation</b></p>	<p data-bbox="571 857 1398 929">Rose Cottage High Street Duncton Petworth West Sussex GU28 0LB - Appeal against DN/6</p>

#### 4. VARIATIONS TO SECTION 106 AGREEMENTS

#### 5. CALLED-IN APPLICATIONS

Reference	Proposal	Stage

#### 6. COURT AND OTHER MATTERS

Injunctions		
Site	Breach	Stage

Court Hearings		
Site	Matter	Stage

Prosecutions		
Site	Breach	Stage

#### 7. POLICY MATTERS