

## 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 28-03-2024 and 23-04-2024

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

<a href="#">SDNP/23/04624/HOUS</a> Funtington Parish Council Parish  Case Officer: Khaleda Kamali  <b>Householder Appeal</b>	Freshfields Sandy Lane East Ashling West Sussex PO18 9AT - Conversion of existing tennis court to padel court including associated fencing and path.
<a href="#">SDNP/23/03950/FUL</a> Milland Parish Council Parish  Case Officer: Charlotte Cranmer  <b>Written Representation</b>	Stocksfield Borden Lane Borden Milland West Sussex GU30 7JZ - Replacement dwelling with associated works.

## 2. DECIDED

<p><a href="#">SDNP/23/00115/FUL</a> Lodsworth Parish Council Parish</p> <p>Case Officer: Lauren Cripps</p> <p><b>Written Representation</b></p>	<p>Land North of North Court Gills Lane Petworth Lodsworth GU28 9BY - Erection of boundary fence with 1 no. double gate.</p>
<b>Appeal Decision: APPEAL DISMISSED</b>	
<p>The main issues are whether the proposal would preserve a Grade II listed building, Lodsworth House, and any of the features of special architectural or historic interest that it possesses; and the effect on biodiversity and geodiversity.</p> <p>Whilst the style of post and rail fence proposed is not uncharacteristic of the area, the arbitrary subdivision of the original gardens and parkland would detract from its former open nature and association with the house. Indeed, the Local Planning Authority has imposed an Article 4 direction specifically to avoid such harm.</p> <p>The harm arising would be less than substantial in the terms of the National Planning Policy Framework, but great weight should be attached to conservation of the heritage asset. I have considered the purported public benefits of the scheme, but it is unclear what wildlife or ecological benefits would arise from the scheme that could not be achieved without the proposed fence.</p> <p>On balance, the proposal would fail to preserve the special historic interest derived from the setting of the Grade II listed building.</p>	

<p><a href="#">SDNP/22/03964/HOUS</a> Midhurst Town Council Parish</p> <p>Case Officer: Louise Kent</p> <p><b>Householder Appeal</b></p>	<p>41 Elmleigh Midhurst West Sussex GU29 9EZ - Rear first floor roof dormer extension, 3 no. rooflights to front elevation</p>
<p style="text-align: center;"><b>Appeal Decision: APPEAL ALLOWED</b></p>	
<p>No increase to 30% floorspace. The elevated mass and box-like shape of the proposed dormer would markedly change the appearance of the appeal property's roof. However, it would be well contained within the extent of the existing roof slope, and it would be broadly comparable in scale and form to the existing rear roof dormers at Numbers 38a and 40. Seen in the context of those existing dormers, the proposed dormer would not be a visually incongruous addition to the appeal property or the wider roofscape, and it would not be visually overbearing in views from nearby properties. The small front rooflight would not be visually harmful and would be in-keeping with others in the cul-de-sac...</p>	

<a href="#">SDNP/21/04270/FUL</a> Fittleworth Parish Council Parish  Case Officer: Derek Price  <b>Written Representation</b>	Amen Wood Yard Fitzleroi Lane Fittleworth RH20 1JN - Erection of workshop, office and associated parking.
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**Appeal Decision: APPEAL DISMISSED**

The appeal site is a vacant wood yard, with a sawmill building towards the centre of the site with former workshop buildings nearer the access. The appeal relates to a proposed workshop which would occupy part of the site currently vacant of structures, increasing ground coverage of buildings at the property. Whilst boundary trees would be retained on the site, the inspector considered that due to the position close to the access the proposed workshop would be seen from the road through the gateway this would result in the loss of openness. The Inspector also concluded that the building would spoil views from the road of trees towards the rear of the site, this would detract from the natural qualities of the northern part of the appeal property when seen from the road. Whilst the appellant contends that the proposed workshop would be located in the most practical position on the site, it was considered that there was no substantive reason why the proposed building could not be accommodated in a less obvious part of the woodyard. It was considered that the workshop would be appropriate in terms of appearance and scale due to the rural wood yard context and would not affect the tranquility of the area provided it was utilised in association with the current wood yard. However, it was considered that the development would be harmful to the character and appearance of the site and the area and was contrary to policies SD1, SD4 and SD39 of the Local Plan and would fail to conserve and enhance the landscape and natural beauty of the National Park.

Water neutrality was also considered, and the proposal is likely to increase water usage, however there was no need to consider this matter further as the Inspector was minded to dismiss the appeal for other reasons.

<p><a href="#">SDNP/22/03021/FUL</a> Lavant Parish Council Parish</p> <p>Case Officer: Derek Price</p> <p><b>Written Representation</b></p>	<p>Land at Lavant Pumping Station Lavant Down Road Mid Lavant Chichester West Sussex - Installation of solar panels.</p>
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**Appeal Decision: APPEAL DISMISSED**

The appeal relates to the installation of solar panels sited in a field between Lavant Pumping Station and residential development in Mid Lavant. The inspector considered that the field provides an important break between the pumping station and houses. The site forms part of the wider tranquil setting. The siting of additional built development would visually reduce the gap between the pumping station and Mid Lavant, this would harm the openness of the area and the tranquil setting of the river. Despite planting, given the height and scale of the proposed solar panels, they would be prominent in views from both PROW's. Due to their industrial and utilitarian appearance they would appear incongruous within the verdant area. The proposed woodland planting would further harm the openness of the site and would appear at odds with the prevailing character. The proposal would have a harmful effect on the character and appearance of the area and would fail to conserve the natural beauty of the SDNP.

In some views from the New Lipchis Way towards the Trundle (a scheduled ancient monument) the proposal would be prominent. These views are largely free of development, the proposal through the introduction of tall built development would compete with the visual prominence of the Schedule Ancient Monument and therefore harm its setting and consequently its significance. The Inspector ascribes less than substantial weight to the harm caused to the significance of the scheduled ancient monument. Paragraph 205 of the Framework indicates that irrespective of the level of harm to the significance of a designated heritage asset, great weight should be given to the asset's conservation. Paragraph 208 of the Framework indicates that when a proposal will lead to less than substantial harm to the significance of a designated heritage asset, the harm should be weighed against the public benefits of the proposal. The Inspector ascribes moderate weight to the public benefits, as the solar panels would only serve Lavant Pumping Station and not the wider area. Accordingly, the public benefits do not outweigh the harm and would have a harmful effect on the significance of the Trundle. The appeal was therefore dismissed.

### 3. CURRENT APPEALS

<p><a href="#"><u>SDNP/22/01619/FUL</u></a> Compton Parish Council Parish</p> <p>Case Officer: Louise Kent</p> <p><b>Written Representation</b></p>	<p>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).</p>
<p><a href="#"><u>SDNP/19/00375/BRECON</u></a> Stedham With Iping Parish Council Parish</p> <p>Case Officer: Michael Coates-Evans</p> <p><b>Written Representation</b></p>	<p>Wispers Titty Hill Milland Midhurst West Sussex GU29 0PL - Appeal against ML/26</p>
<p><a href="#"><u>SDNP/21/00311/GENER</u></a> Lurgashall Parish Council Parish</p> <p>Case Officer: Andy George</p> <p><b>Written Representation</b></p>	<p>Woodcraft Park Farm Dial Green Lane Lurgashall Petworth West Sussex GU28 9EU - Appeal against LG/22</p>
<p><a href="#"><u>SDNP/21/00311/GENER</u></a> Lurgashall Parish Council Parish</p> <p>Case Officer: Andy George</p> <p><b>Written Representation</b></p>	<p>Woodcraft Park Farm Dial Green Lane Lurgashall Petworth West Sussex GU28 9EU - Appeal against LG/22</p>
<p><a href="#"><u>SDNP/21/00526/GENER</u></a> Lodsworth Parish Council Parish</p> <p>Case Officer: Michael Coates-Evans</p> <p><b>Written Representation</b></p>	<p>Erickers The Street Lodsworth Petworth West Sussex GU28 9BZ - Appeal against LD/17</p>
<p><a href="#"><u>SDNP/22/04387/CND</u></a> Fernhurst Parish Council Parish</p> <p>Case Officer: Jenna Shore</p> <p><b>Householder Appeal</b></p>	<p>Copyhold Copyhold Lane Fernhurst West Sussex GU27 3DZ - Construction of extensions, following the partial demolition of detached dwelling. Construction of replacement annex. (Variation of condition 2 of permission SDNP/21/04805/HOUS - introduction of a solid roof lantern light).</p>

<p><a href="#"><u>SDNP/23/00001/UNCM</u></a> Bury Parish Council Parish</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/21/00062/UNCM</u></a> Compton Parish Council Parish</p> <p>Case Officer: Shona Archer</p> <p><b>Written Representation</b></p>	<p>Cowdown Farm Cowdown Lane Compton Chichester West Sussex PO18 9NW - Appeal against CP/11</p>
<p><a href="#"><u>SDNP/20/00510/GENER</u></a> Lurgashall Parish Council Parish</p> <p>Case Officer: Michael Coates-Evans</p> <p><b>Written Representation</b></p>	<p>Dickhurst Lodge Petworth Road Lurgashall Haslemere West Sussex GU27 3BG - Appeal against LG/23</p>
<p><a href="#"><u>SDNP/23/04624/HOUS</u></a> Funtington Parish Council Parish</p> <p>Case Officer: Khaleda Kamali</p> <p><b>Householder Appeal</b></p>	<p>Freshfields Sandy Lane East Ashling West Sussex PO18 9AT - Conversion of existing tennis court to padel court including associated fencing and path.</p>
<p><a href="#"><u>SDNP/20/00622/GENER</u></a> Stoughton Parish Council Parish</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 Parish</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>

<p><a href="#">SDNP/21/00367/COU</a> Compton Parish Council Parish</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>
<p><a href="#">SDNP/23/02896/LDE</a> Bury Parish Council Parish</p> <p>Case Officer: Derek Price</p> <p><b>Written Representation</b></p>	<p>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><a href="#">SDNP/23/00540/LDE</a> Lodsworth Parish Council Parish</p> <p>Case Officer: Lauren Cripps</p> <p><b>Written Representation</b></p>	<p>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><a href="#">SDNP/22/00156/GENER</a> Duncton Parish Council Parish</p> <p>Case Officer: Sue Payne</p> <p><b>Written Representation</b></p>	<p>Rose Cottage High Street Duncton Petworth West Sussex GU28 0LB - Appeal against DN/6</p>
<p><a href="#">SDNP/22/00340/COU</a> Northchapel Parish Council Parish</p> <p>Case Officer: Andy George</p> <p><b>Written Representation</b></p>	<p>Willow Spring Farm Hillgrove Lane Northchapel Petworth West Sussex GU28 9EN - Appeal against NC/17</p>
<p><a href="#">SDNP/23/01045/FUL</a> Heyshott Parish Council Parish</p> <p>Case Officer: Lauren Cripps</p> <p><b>Written Representation</b></p>	<p>Hoyle Lane Stables Hoyle Lane Heyshott West Sussex GU29 0DX - Conversion and alteration of equestrian stables to create to 2 self-contained dwelling units for holiday let use.</p>



<p><a href="#">SDNP/23/01616/FUL</a> Lurgashall Parish Council Parish</p> <p>Case Officer: Derek Price</p> <p><b>Written Representation</b></p>	<p>Park Farm Dial Green Lane Lurgashall West Sussex GU28 9EU - Stationing of 1 no. mobile home within existing agricultural building.</p>
<p><a href="#">SDNP/23/01156/HOUS</a> Graffham Parish Council Parish</p> <p>Case Officer: Jemma Frankland</p> <p><b>Householder Appeal</b></p>	<p>The Folly Graffham Common Road Graffham West Sussex GU28 0PT - Replacement of existing attached garage and erection of 2 storey extensions together with veranda and balconies.</p>
<p><a href="#">SDNP/23/01157/HOUS</a> Graffham Parish Council Parish</p> <p>Case Officer: Jemma Frankland</p> <p><b>Householder Appeal</b></p>	<p>The Folly Graffham Common Road Graffham West Sussex GU28 0PT - Erection of detached garage/workshop.</p>
<p><a href="#">SDNP/23/03950/FUL</a> Milland Parish Council Parish</p> <p>Case Officer: Charlotte Cranmer</p> <p><b>Written Representation</b></p>	<p>Stocksfield Borden Lane Borden Milland West Sussex GU30 7JZ - Replacement dwelling with associated works.</p>
<p><a href="#">SDNP/23/04113/HOUS</a> Fernhurst Parish Council Parish</p> <p>Case Officer: Louise Kent</p> <p><b>Householder Appeal</b></p>	<p>Fridays Hill Cottage Copyhold Lane Fernhurst West Sussex GU27 3DZ - Erection of a two-storey side extension.</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