

Report to	Planning Committee
Date	14 December 2017
By	Director of Planning
Title of Report	Summary of Appeal Decisions Received From 30 August 2017 to 27 November 2017
Purpose of Report	To update SDNPA Members on appeal decisions received

Recommendation: The Committee is recommended to note the outcome of appeal decisions between 30 August 2017 and 27 November 2017.

I. Overview

- I.1 The attached table (**Appendix I**) ordered by date of decision, provides Members with a summary and brief commentary on the appeal decisions received by the Authority between 30 August 2017 and 27 November 2017 and is for information only. This covers those appeals dealt with by the host authorities and directly by the Authority.
- I.2 17 appeal decisions were received in this period, of which 15 were dismissed (88%) and 2 allowed. Additionally 2 costs decisions were received, both of which were refused.
- I.3 For the financial year to 27 November 2017 64% of appeals have been dismissed. Members can view all appeal decisions on the Authority's Intranet.
- I.4 Whilst the appeal decisions are individually important none raise issues of wider strategic importance to the National Park as a whole. However, the appeal decision at Parsonage Barn demonstrates how high the bar is to allow an isolated dwelling in the countryside (paragraph 55 of the NPPF) and the decision at Fox Rough shows the importance of all necessary supporting documentation being submitted by the applicant at planning application stage rather than being first submitted with an appeal. A number of the appeal decisions support the Authority's stance in relation to new homes in the countryside outside of settlement boundaries.

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Appendices I. Table of Appeal Decision Outcomes
SDNPA Consultees Legal Services
External Consultees None
Background Documents

Application No.	Authority	Site	Description of Development	Decision and Appeal Method
SDNP/16/04701/LIS (delegated refusal) APP/Y9507/Y/17/3170309	Chichester	East Harting Farm Hollist Lane East Harting, GU31 5LU	Extension to existing annex	Dismissed (30 Aug 17) Written Representations
<p>Commentary – Inspector’s Reasoning</p> <ul style="list-style-type: none"> • Appeal relates to an outbuilding behind the main house. Within the former farmstead the appeal building, its historic fabric, physical proximity and secondary relationship with the main house together with its generally agricultural, rural and utilitarian character were all held to contribute to the significance of the listed building. • The loss of historic fabric involved in the proposal was considered to erode the understanding of the outbuilding’s former function and that the proposed extended building would disrupt its secondary relationship to the farmhouse and former farmstead. The rare nature of the outbuilding added to the Inspector’s concern. • It was considered that the form of the proposal would appear domestic and would erode the outbuilding’s generally agricultural, rural and utilitarian character and would adversely affect its significance as a heritage asset. As well as causing harm to the listed building and the conservation area it was considered that the proposal would fail to conserve the landscape and scenic beauty of the SDNP and its cultural heritage. 				
Application No.	Authority	Site	Description of Development	Decision and Appeal Method
SDNP/16/02564/FUL (non-determination appeal, refusal recommended) APP/Y9507W/17/3170859	SDNPA (Arun DC area)	Fox Rough Selden Lane Patching, BN13 3UL	Change of use of forestry land to a campsite for a maximum of 30 pitches with associated car parking (1 st April – 31 st October)	Dismissed (5 Sep 17) Written Representations
<p>Commentary – Inspector’s Reasoning</p> <ul style="list-style-type: none"> • The appeal was made against non-determination with the Inspector considering the appeal on the basis of the reasons for refusal given in a refusal notice dated 12 October 2016. • The appellant submitted a significant amount of new and updated information with the appeal documents in March 2017 including a Camping Management Plan, an Ecological Impact Statement, a Campsite Layout Plan (including a substantially altered red line area), an Environmental Report, a Services Plan, a Flood Zone Plan, a Woodland Management Plan and a Parking Location Plan. • Whilst some of this information was held by the Inspector to be non-controversial and helpful other documents, it was argued, went beyond that which could be considered as ‘adding clarity’. The Inspector noted that the appeal process should not be used to evolve a scheme and that what is considered at appeal should essentially be what was considered at application stage. The Inspector determined that the development had been changed and, were it to be considered in this way, would deprive those who should have been consulted on the changed development of the opportunity of such consultation. The Inspector thus determined the appeal on the basis of the information available at the planning application stage. 				

- The appeal turned on the effect of the proposed change of use on the character and appearance of the area and the effect on biological diversity.
- For the last 2 years the site has been used for camping for 28 days per year as permitted development. The Inspector stated that it would not be appropriate to grant planning permission when essential facilities on site are provided for another purpose entirely (in connection with the forestry use of the land) and which are outside the red line area and which, it was added, might lead to another application which would further add to the amount of built development.
- It was found to be unclear to what extent the existing charcoal and timber processing business would continue when the campsite would operate and that could lead to an unacceptable level of disturbance.
- In principle the Inspector considered that the proposed use would be proportionate and would provide a useful rural tourism resource but that without more firm information on the arrangement of camping pitches and the location and specification of essential facilities with a correct red line plan it could not be effectively controlled and the impact on character and appearance would be left open to an unacceptable level of doubt.
- In terms of impact on wildlife the Inspector referred to the appellant's Ecological Appraisal and considered it counter-intuitive, without more survey information, that the change of use involving 32,000 people over the course of a season, all encouraged to roam and with associated recreational facilities, fencing and car parking would not have any significant effect at all on protected species. The Inspector concluded that the conservation of wildlife on site had not been given the great weight required by NPPF paragraph 115.

Application No.	Authority	Site	Description of Development	Decision and Appeal Method
SDNP/16/04957/OUT APP/Y9507/W/17/3172528 (non-determination appeal, refusal recommended)	SDNPA called in application (Winchester CC)	Grey Farm House Kilmeston Road Kilmeston, SO24 0NJ	Construction of six detached houses together with a new access road	Dismissed (6 Sep 17) Written Representations

Commentary – Inspector’s Reasoning

- The main issue was whether or not the principle of residential development was acceptable, having regard to the site’s location within the SDNP and outside the defined settlement boundary.
- The appeal site was included in the SHLAA as a potential housing site but the Inspector noted that it does not follow that the site is acceptable for development, as it is for the Local Plan process to identify the most suitable sites (an alternative site elsewhere in the village has been identified). However the Inspector stated that as the draft Local Plan is at an early stage of development the emerging policies and site allocations can be given little weight. The application was thus considered under the current development plan.
- The proposal was not considered to be infill development and that in addition to being outside the settlement boundary it was also beyond a line of protected trees which define the edge of existing development. The Inspector considered that the proposal would be a significant intrusion into the countryside, both visually and functionally, and that the proposed layout, with its long cul-de-sac, turning head and regimented row of dwellings would be an unimaginative and urbanising form of development in a sensitive rural area.
- It was found that the proposal would be an undesirable encroachment into the open and undeveloped countryside of the National Park, unacceptable

<p>in principle and contrary to development plan policy and the statutory purposes of the SDNP.</p> <ul style="list-style-type: none"> No ecological survey had been submitted and the Inspector noted that had she been minded to grant permission she would have required information on the impact of the proposals on protected sites in accordance with the Habitats Regulations. Improvements to the sight lines along Kilmeston Road would have been necessary to provide safe access and this would require the removal of some trees and vegetation which was considered harmful to the appearance of the countryside. The proposal was also considered unacceptable as insufficient information had been provided to demonstrate that surface water from the development would not increase flood risk in the surrounding area. 				
Application No.	Authority	Site	Description of Development	Decision and Appeal Method
<p>Appeal A: SDNP/16/03648/LDP APP/Y9507/X/17/3166485</p> <p>Appeal B: SDNP/16/04993/LDP APP/Y9507/X/16/3165905 (both applications were delegated refusals)</p>	East Hampshire	Stonycroft Halanker Lane East Meon, GU32 1PW	<p>Appeal A – Certificate of lawfulness for a single storey rear extension</p> <p>Appeal B – Certificate of lawfulness for two separate rear extensions</p> <p>The appellant made an application for costs on both appeals.</p>	<p>Appeals A and B and the costs applications were refused on 12 Sep 17</p> <p>Written Representations</p>
<p>Commentary – Inspector’s Reasoning</p> <p>Appeal Decisions</p> <ul style="list-style-type: none"> Although the appeals were for different schemes the Inspector considered that they both raised the same issue and considered them together. The main consideration was whether the proposals would have been lawful (permitted development) on the date the applications were made. The issue here concerned the interpretation of ‘a wall forming a side elevation’ as under Class A of Part 1 of Schedule 2 of the Town and Country (General Permitted Development) Order 2015 development is not permitted if the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse. The Inspector concluded both appeals did not comply with this requirement and that therefore the decision to refuse these certificate of lawfulness applications was well founded. <p>Costs decision</p> <ul style="list-style-type: none"> The application for an award of costs was refused as the Inspector found that unreasonable behaviour resulting in unnecessary or wasted expense had not been demonstrated. However it was noted that where an application is refused the refusal notice must state clearly and precisely the full reasons for the decision. In this case this requirement had not been complied with and, in this respect, unreasonable behaviour had been demonstrated. However costs were not awarded against SDNPA as the appellant was fully aware of the reasons why the applications had been refused. The Inspector noted that the test for costs relates to the incurrence of wasted costs in the appeal process, not at earlier stages in the planning process. <p><i>Officer note: There is an error in the standard templates produced for the refusal of lawful development certificates by host authorities. This is being fixed.</i></p>				

Application No.	Authority	Site	Description of Development	Decision and Appeal Method
SDNP/16/05784/FUL (delegated refusal) APP/Y9507/W/17/3169527	Chichester	Ashurst Lickford Road Fernhurst GU27 3JB	Demolition of the existing dwelling and the erection of a replacement dwelling, including realigned driveway	Dismissed (12 Sep 17) Written Representations
<p>Commentary – Inspector’s Reasoning</p> <ul style="list-style-type: none"> The Fernhurst Conservation Area Character Appraisal and Management Plan states that the building contributes positively to the character of the Conservation Area. The Inspector noted that the building has a great landmark quality by reason of its position and relationship at the end of a long drive and within a landscaped setting, including a former walled garden. The Inspector also noted that given Ashurst’s function as a country house within an Edwardian estate there is a historical significance to the driveway, unloading/parking area and the walled garden. The proposed rerouting of the driveway would encroach into the former walled garden with a repositioned forecourt area. Given the historical significance of the access drive layout and the walled garden it was considered that the works to the historical layout of the grounds would adversely affect the significance of Ashurst as an Edwardian country house. The replacement dwelling would reflect the original building’s Edwardian architecture and materials and would reinstate original features. Although this weighed in favour of the scheme the Inspector found that even with planning conditions an exact re-creation of Ashurst in its original Edwardian form and architecture would be difficult given the need for the works to be undertaken in accordance with modern standards and modern building regulations. The Inspector concluded that the new development would not satisfactorily reinstate Ashurst as an Edwardian country house and would fail to preserve the character and appearance of the Conservation Area by reason of changes to the drive, forecourt and walled garden. 				
Application No.	Authority	Site	Description of Development	Decision and Appeal Method
APP/Y9507/C/16/3166029 Enforcement notice issued under delegated powers	Chichester	Land at River Farm Brookfield Lane Tillington, GU28 9BJ	Condition 4 of planning permission reference TL/05/02121/FUL granted in 2005 allowed only mobile homes or caravans for seasonal workers to be stationed on the permitted hardstanding. The enforcement notice alleged that 21 caravans are stationed permanently on site.	Dismissed (12 Sep 17) Written Representations
<p>Commentary – Inspector’s Reasoning</p> <ul style="list-style-type: none"> It was found that the appellant could not demonstrate that there had been a breach of this planning condition for a continuous period of 10 years (the time required to make the breach immune from enforcement action) The Inspector found no evidence that any of the people who occupy the caravans work at the farm and thus the year round occupation by workers working elsewhere has resulted in a permanent residential caravan site for agricultural workers employed in viticulture in this and neighbouring counties. 				

- The 21 caravans were considered to have a hard and unsympathetic visual appearance at odds with the rolling agricultural land. The caravans were considered to introduce a significant urban element into the rural area with associated domestic paraphernalia increasing the urbanisation of the site, out of keeping with the isolated and countryside location. The Inspector stated that residential activity by the occupiers of the caravans throughout the year would effect the tranquillity and character of the National Park, including through the number of people travelling to the site, the volume of traffic and vehicular movements and noise and disturbance emanating from the caravans.
- The Inspector concluded that harm was being caused to the character and appearance of the National Park contrary to Development Plan and Partnership Management Plan policies. The enforcement notice was upheld and planning permission refused.

Application No.	Authority	Site	Description of Development	Decision and Appeal Method
APP/Y9507/C/17/3167798 Enforcement notice issued under delegated powers	Chichester	Thomond House North Street Midhurst, GU29 9DJ	The formation of a door opening and the installation of a steel balustrade to form a roof terrace at second floor level	Dismissed (12 Sep 17) Written representations

Commentary – Inspector’s Reasoning

- It was found that the works are building operations, that they have a material effect on the external appearance of the building and thus that planning permission is required.
- It was noted that the roof terrace gives a largely uninterrupted view into a number of rear gardens and windows resulting in a significant loss of privacy. Given the location of the terrace some height above ground level the Inspector also considered that any noise emanating from the terrace would be likely to have a detrimental effect on neighbouring occupiers. The enforcement notice was upheld and planning permission refused.

Application No.	Authority	Site	Description of Development	Decision and Appeal Method
SDNP/16/04562/FUL (delegated refusal)	East Hampshire	Parsonage Barn Oxenbourne Lane Oxenbourne, GU32 1QL	Proposed new dwelling	Dismissed (25 Sep 17) Written representations

Commentary – Inspector’s Reasoning

- The appeal site is located outside of a settlement boundary and is located within the countryside. The Inspector noted that development plan policy CPI9 seeks to operate a policy of general restraint in order to protect the countryside for its own sake.
- The appellants submitted that the provisions of paragraph 55 of the NPPF should be taken as being a material consideration to be weighed against the conflict with Policy CPI9 and that the proposal is of both exceptional and innovative design.
- The Inspector considered that Policy CPI9 was consistent with the NPPF and that the proposal conflicts with the development plan, a factor to which he attached great weight.
- The Inspector noted the generally positive comments on the scheme’s design from the Authority’s Design Review Panel.
- The Inspector considered that siting a house on the site would not be in keeping with the generally undeveloped character of both the site and its

immediate environs. The design of the house was considered to be high quality and would utilise materials representative of the local vernacular but the Inspector was not persuaded that constructing a house and undertaking new planting, to assist with the house’s assimilation into the landscape, would enhance the appearance of the site or its surroundings given that the site is currently representative of the character and appearance of the area. The Inspector did not consider that the construction of the house would, of itself, enable onlookers of this house to gain a new appreciation of the landscape when that landscape’s quality is already so apparent and defining of the area’s character.

- The house would incorporate innovative construction methods and energy saving measures but the Inspector noted this did not require a house to be sited in this sensitive landscape location and that the energy saving credentials of the house would be tempered by the length and frequency of vehicular journeys to and from it.
- The Inspector found much to commend the quality and innovative nature of the house’s design but that it would be inappropriate development in the National Park, contrary to the statutory purposes of the Park and Development Plan Policy. It was also considered contrary to the NPPF, including paragraph 55, as it would neither significantly enhance its immediate setting nor be sensitive to the defining characteristics of the area.

Application No.	Authority	Site	Description of Development	Decision and Appeal Method
SDNP/16/04426/FUL (delegated refusal) APP/Y9507/W/17/3171318	Chichester	Land to rear of Four Winds Chichester Road Midhurst, GU29 9QE	Construction of a 5 bedroom dwelling	Dismissed (25 Sep 17) Written representations

Commentary – Inspector’s Reasoning

- The appeal scheme was an alternative to a 4 bedroom dwelling subject to an extant planning permission. The appeal scheme would be sited approximately 3m from the northern boundary, compared to 8.3m for the dwelling benefitting from extant permission.
- The Inspector considered that the relative tightness of the dwelling to the northern boundary would mean the development would lack the spaciousness exhibited by the vast majority of dwellings in the immediate vicinity and would not be respectful of its surroundings. It was concluded that the development would cause harm to the area’s character and appearance, contrary to development plan policies. The Inspector did not consider that there would be any conflicts with the National Park’s purposes as the new dwelling would be surrounded by other dwellings and would not be seen as new built development in the Park’s undeveloped landscape.
- It was also considered that the appeal scheme would harm the amenity of an adjoining occupier by loss of outlook and privacy.

Application No.	Authority	Site	Description of Development	Decision and Appeal Method
SDNP/17/00473/HOUS (delegated refusal) APP/Y9507/D/17/3176270	SDNPA (Wealden DC area)	21 The Brow Friston Eastbourne, BN20 0ES	The erection of a 1.35m high wall and planting of a hedge in front of the wall	Allowed (26 Sep 17) Written representations

<p>Commentary – Inspector’s Reasoning</p> <ul style="list-style-type: none"> The height of the wall was considered to be modest and the planting of a hedge in front of the new wall was considered to soften its impact over time. The Inspector held that the proposal would have no adverse effects on the National Park, or the objectives set out in the East Dean and Friston Village Design Statement. 				
Application No.	Authority	Site	Description of Development	Decision and Appeal Method
SDNP/17/00104/HOUS (delegated refusal) APP/Y9507/D/17/3178374	SDNPA (Arun DC area)	6 Meadsway Slindon, BN18 0QU	Single storey extension to the rear and two storey extension to the side	Allowed (11 Oct 17) Written representations
<p>Commentary – Inspector’s Reasoning</p> <ul style="list-style-type: none"> The Inspector noted that the property sits on a good sized plot and that in this context the proposal would not appear as overdevelopment. The side extension would be set back from the front and would be constructed in matching materials. The Inspector considered that the characteristic steeply pitched and catslide roof would remain dominant and that therefore the cohesive character of Nos. 1-6 Meadway would be retained. The Inspector did not consider that the extensions would be highly visible. The Inspector acknowledged that a proposed lantern roof feature would be of significant size but that there was no evidence before him that the extension would have anything other than normal domestic lighting and therefore considered light spillage would be minimal in terms of any external impact. The Inspector considered a condition requiring night blinds on the lantern feature was not necessary for these reasons and, additionally, because it would be difficult to enforce. 				
Application No.	Authority	Site	Description of Development	Decision and Appeal Method
APP/Y9507/C/17/3169838 Enforcement notice issued under delegated powers	Chichester	The Old Studio Stedham Midhurst, GU29 0PT	Continued use of the land and building as a single dwellinghouse	Dismissed (26 Oct 17) Informal hearing
<p>Commentary – Inspector’s Reasoning</p> <ul style="list-style-type: none"> The site lies outside the settlement policy area for Stedham and in a relatively remote location poorly served by public transport and with a narrow local road network without footways. The Inspector stated that occupiers of the development would place considerable reliance on private transport which would be unsustainable, contrary to Chichester Development Plan Policy RE1. The use of the site as an independent dwelling would increase residential activity and vehicular movement to and from the site which would, the Inspector set out, contribute harm to the character and appearance of the area through its urbanising effect and the potential for unnecessary light spillage. It was also considered that the proposal would be harmful to neighbouring residents through loss of privacy. The Inspector concluded that this development in the open countryside was contrary to Development Plan Policy, the NPPF and the statutory purposes of the National Park and dismissed the appeal. 				

Application No.	Authority	Site	Description of Development	Decision and Appeal Method
SDNP/16/06133/OUT (delegated refusal)	Horsham	Beeding Court Farm Shoreham Road Upper Beeding, BN44 3TN	Replacement of existing dwelling by 5 x 4 bedroom dwellings	Dismissed (3 Nov 17) Written representations
<p>Commentary – Inspector’s Reasoning</p> <ul style="list-style-type: none"> The site is located outside Upper Beeding’s built area boundary and, for the purposes of the development plan, is in the countryside. The Inspector stated that the appeal site has an appearance that reads clearly as being part of the countryside as opposed to the village’s built up area. It was considered that replacing one house with five houses would be disrespectful of the farmstead character (as a more intense residential enclave would be introduced) that has been maintained following the establishment of a business park nearby. The houses would be approximately a third taller than the existing house which would, in the Inspector’s view, draw attention to the site taking on a significantly more intense residential appearance in the countryside and being uncharacteristic of its surroundings. The Inspector found that the design of the houses was not objectionable but nor was it exceptional or innovative and it was thus considered that the design of the houses provided no special justification for this housing development in the countryside. In conclusion the Inspector set out that the development would not be of a good design, being uncharacteristic of its surroundings and would neither conserve nor enhance the National Park’s landscape, contrary to development plan policy. It was noted that the redevelopment of previously developed land weighed in favour of the scheme but that this was outweighed by the harm to character and appearance of the Park. 				
Application No.	Authority	Site	Description of Development	Decision and Appeal Method
SDNP/16/06249/LIS (delegated refusal) APP/Y9507/Y/17/3177736	Chichester	West Ashling Mill Down Street West Ashling, PO18 8DS	The replacement of single glazing with double glazing	Dismissed (8 Nov 17) Written representations
<p>Commentary – Inspector’s Reasoning</p> <ul style="list-style-type: none"> It was considered that the manufactured character and alien modern appearance of the new glazing would be harmfully out of keeping with the single glazing that is important to the utilitarian character and historic appearance of the listed mill. Although the works would be fairly small in relation to the Conservation Area as a whole the Inspector stated that the works would damage the listed building and would erode the significance of the Conservation Area as a historic rural settlement. The Inspector also considered that the proposal failed to accord with the first purpose of the SDNP. 				
Application No.	Authority	Site	Description of Development	Decision and Appeal Method
SDNP/16/01555/FUL (Committee decision, refusal recommended)	Winchester	Exton Park Allens Farm Lane Exton, SO32 3NW	Conversion of an existing building to form an agricultural worker’s dwelling	Dismissed (8 Nov 17) Informal hearing

Commentary – Inspector’s Reasoning

- The appeal turned on whether there is an essential/operational need to accommodate a rural worker on site, having regard to local and national planning policies that seek to control new dwellings in the countryside.
- The appeal building is used for storage, ancillary tea room and welfare facilities within a holding comprising both a vineyard and agricultural land. It was proposed to convert this into a farm worker’s dwelling to accommodate the existing deputy vineyard manager (the vineyard manager already lives on site).
- Winchester Development Plan Policy indicates that in the countryside development will only be permitted where there is an operational need for a countryside location, such as agriculture, horticulture or forestry.
- The Inspector considered that most activities at the vineyard are carried out in the day rather than at night time, with those occurring overnight being capable of being overseen by the manager who already lives on site. Based on operational and security considerations the Inspector found that there was no need for the presence of a second worker on site 24 hours a day and that the essential need to permit a rural worker to live at or near their place of work was not proven. The Inspector concluded that the dwelling would not be essential or justified on grounds of operational need and would therefore conflict with development plan policy.
- The Inspector acknowledged that the economic benefits of the enterprise on site are significant but that it had not been demonstrated that a second dwelling on site was necessary to secure these benefits.

Application No.	Authority	Site	Description of Development	Decision and Appeal Method
SDNP/16/06305/FUL APP/Y9507/W/17/3177690 (non-determination appeal, refusal recommended)	SDNPA called in application (Chichester DC)	Park House Hotel Bepton Road Bepton, GU29 0JB	Change of use of field to overflow car park The appellant made an application for costs.	Appeal dismissed and application for costs refused (27 Nov 17) Written representations

Commentary – Inspector’s Reasoning
Appeal Decision

- The appeal scheme provided a car park with capacity to accommodate 30 cars.
- The Inspector noted that the development would involve the sub-division of a field which would not follow any discernible natural or man-made features. It was considered this would result in the false sub-division of a field in an area characterised by an uncomplicated pattern of large agricultural fields and that this sub-division and associated planting would result in the site having a contrived appearance within what is a quite simple fieldscape, with this simplicity being characteristic of the landscape of this part of the Park. The Inspector found that the car park would be an uncharacteristic urbanising element in the area and that whilst the development’s visual impact would be very localised it would neither conserve or enhance the landscape, contrary to the Park’s first statutory purpose.
- The Inspector recognised that the on-street parking taking place had some adverse visual impact but that it is of a transient nature and not an uncommon phenomenon, even in the most rural of locations such as this. The over-flow on-street car parking was considered to be of less

significance than the permanent visual harm to the Park and the setting of the Conservation Area arising from establishing a permanent car park.

- The Inspector was not content that the use of the car park could effectively be precluded by 22:00 and the appellant's acoustic report recognised that there would be potential for occupiers of the nearest residential property to be disturbed between 22:00 and 07:00 hours. The Inspector set out that expecting the nearest residential property to close their bedroom windows at night, either after being disturbed or in expectation of being disturbed, would be unreasonable, particularly in the summer months.
- The Inspector was also not persuaded that the appeal site represents the only possible location for accommodating a permanent overflow car park and noted that 2 other options put forward by the appellant had only cursory evidence provided for why they had been discounted.

Costs Decision

- The Inspector stated that there was some evidence of indecision by the Authority prior to it being decided that the application would be referred to planning committee with a recommendation to refuse. He noted that it was not readily apparent why the Authority took 5 months to decide that the application should be recommended for refusal. However, the Inspector considered the Authority's concerns about the development to be justified and that it had not exhibited unreasonable behaviour. The award of costs was not therefore justified.