

Report to	Planning Committee
Date	13 September 2018
Title of Report	Summary of appeal decisions received from 31 May to 28 August 2018
Purpose of Report	To update SDNPA Members on appeal decisions received

Recommendation: To note the outcome of appeal decisions.

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 recently received by the Authority. This covers both those appeals dealt with by the host authorities and directly by the Authority.
- I.2 In summary, in the last 3 months there were:
- 21 appeal decisions (some dealt with simultaneously), 16 (76%) of which were dismissed and 5 allowed.
 - No Judicial Reviews.
- I.3 For purposes of comparison, 70% of appeals were dismissed in the financial year 2017/18, the Authority's strongest ever performance. 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 it is worth noting that (with the exception of 1 appeal) Inspectors are consistently referencing the emerging South Downs Local Plan but to date have considered that as it is yet to be examined it has not reached a sufficiently advanced stage to attach any significant weight to it for the purposes of the determination of an appeal.
- I.5 4 costs decisions were received in the period with 2 refused, 1 partially allowed and 1 allowed in full.

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Appendices: I. Appeal Decisions
SDNPA Consultees: Director of Planning, Legal Services

Planning Appeals				
Application No.	Authority	Site	Description of Development	Decision and Appeal Method
SDNP/17/03485/FUL Delegated refusal APP/Y9507/W/17/3186576	SDNPA (Arun)	Mill Lane House, Top Road, Slindon, BN18 0RP	Replacement dwelling plus detached double garage and store. Demolition of existing sheds and outbuildings.	Dismissed (4 June) Written Reps
Commentary – Inspector’s Reasoning				
<ul style="list-style-type: none"> • The contribution of the existing building to the character and appearance of the Conservation Area is positive. • Although the new building would generally resemble the appearance of the original, due to its regularised appearance and its lack of historic / visual interest reflecting the evolution of the building over time, it would be a relatively bland addition. • The period details are likely to look modern and unconvincing and the proposed building would detract from the character and appearance of the conservation area. • The case for the complete removal and replacement of the building has not been made convincingly and no public benefit has been demonstrated which could outweigh the harm caused. 				
Application No.	Authority	Site	Description of Development	Decision and Appeal Method
SDNP/17/01019/FUL and SDNP/17/04193/FUL Delegated refusals APP/Y9507/W/17/3186581 and APP/Y9507/W/17/3191016	East Hampshire	Woodacre, Gracious Street, Selbourne, GU34 3JE	Split site into two plots, retain existing house "Wood Acre" and create one new two story dwelling plus garage, workshops and access	Both dismissed (5 June) Written reps
Commentary – Inspector’s Reasoning				
<ul style="list-style-type: none"> • Appeals A and B concerned separate, but very similar, proposals. The differences between the appeals principally related to the siting and design of the house and garage. Given that the appeals raised very similar issues the Inspector determined the appeals concurrently. • The proposed development would require some tree removal detracting from site’s verdant character in an area of low density residential development. • Proposal would result in the consolidation of built development on the peripheral edge of the village more akin to a suburban area. Therefore it would not conserve and enhance the natural beauty of the National Park, nor would it preserve or enhance the character and appearance of the Conservation Area. 				

- The use of screening in the form of a high hedge suggests that this is an inappropriate location for such a development and the retention of hedgerows cannot be guaranteed into the future.
- Woodacre as a building contributes little to the Conservation Area’s significance but the grounds are of greater significance because of the contribution they make to the loose pattern of development in this location.
- The new properties under construction in the locality are not comparable as the sites were previously occupied by buildings rather than being undeveloped garden land and some benefits might be gained by the replacement of these buildings.
- The benefit of renovation of Wood Acre would not outweigh the harm identified and the appeals were dismissed.

Application No.	Authority	Site	Description of Development	Decision and Appeal Method
SDNP/16/05851/FUL Delegated refusal APP/Y9507/W/17/3181594	East Hampshire	Salon Sixteen, 16A Lavant Street, Petersfield, GU32 3EW	Ground and first floor extension to hairdresser salon.	Dismissed (5 June) Written Reps

Commentary – Inspector’s Reasoning

- The proposal would result in the garden of the adjoining flat becoming significantly more enclosed which would unacceptably reduce the outlook and be unneighbourly.
- The safeguarding of this outlook should be afforded similar weight as would be the case if the dwelling was in a predominantly residential area.
- The development would enable 15 additional full and part-time staff to be employed, establishment of a training facility, improve disabled access and bring an improvement to the appearance of the building’s exterior which would be a public benefit in the Conservation Area. However, this does not outweigh the significant harm to the occupiers of the adjoining flat.

Costs Decision – Partially allowed

- Whilst it was reasonable for the Authority to have refused planning permission because of the development’s effect on the outlook from within the flat’s garden, it was unreasonable for the loss of light concern to have been included in the reason for refusal. The applicant supplied overshadowing diagrams but they formed no part of the Officer’s report and therefore it would appear they formed no part of the assessment.
- The inclusion of the loss of light concern in the reasons for refusal resulted in the applicant incurring some unnecessary expense in the appeal process and a partial award of costs was made.

Application No.	Authority	Site	Description of Development	Decision and Appeal Method
SDNP/17/02856/FUL Delegated refusal APP/Y9507/W/17/3186000	East Hampshire	Barn Pear Tree House, The Straits, Kingsley, GU35 9NT	Contemporary barn style dwelling, following demolition of a barn, garage and mobile home.	Dismissed (7 June) Written Reps
<p>Commentary – Inspector’s Reasoning</p> <ul style="list-style-type: none"> • The site has until recently been used for vehicle servicing and classic car restoration. It is beyond the settlement boundary in the countryside. • The dwelling would not meet any particular proven local need. Occupiers would have a high dependency on private vehicles as it is not a particularly sustainable location. • No rural needs justification has been made for the new dwelling and a 5 year housing land supply has been demonstrated. • It has not been demonstrated that the site is no longer suitable for occupation by an employment use or that any alternative employment or business occupier would be a significant traffic generator and might harm the adjoining living conditions of Pear Tree House. Its redevelopment would have an unacceptable effect on the supply of employment land. • Although the site has a poor appearance, it is largely self-contained and any improvement would be limited. • There is nothing outstanding or innovative about the proposed dwellings design. 				
Application No.	Authority	Site	Description of Development	Decision and Appeal Method
SDNP/17/03896/HOUS Delegated refusal APP/Y9507/W/17/3188629	Chichester	Duncton Mill House, Dye House Lane, Duncton, GU28 0LF	Proposed new detached ancillary residential outbuilding comprising garaging, storage and attic room.	Dismissed (19 June) Written Reps
<p>Commentary – Inspector’s Reasoning</p> <ul style="list-style-type: none"> • Duncton Mill House is a substantial detached dwelling that is Grade II listed and situated in an attractive rural setting. • The proposed building would partly encroach into a paddock area that, on account of its non-domestic visual appearance and character was considered to be more related to the countryside than residential use. Accordingly the Inspector considered that the position of the proposed building would represent an encroachment into the countryside. • Given the size of the building and the degree of intrusion, relative to the position of an extant permission, the encroachment was considered to be very modest. However the Inspector considered that the result of this encroachment to be a modest dispersal of residential built development into the countryside setting, which would alter the character and appearance of the site, albeit only in a small area. This was held to harm the rural character of 				

the site and would be at odds with paragraph 115 of the NPPF (2012) which advises that great weight should be given to conserving landscape and scenic beauty in the national parks.

- The Inspector considered that the addition of features such as the external staircase, flue and rooflights would exacerbate the encroachment of domestic character into the countryside, further eroding the overriding rural character of the area.
- Although the scale of harm identified by the Inspector was stated as being modest it was considered significant, particularly given the highly sensitive location of the site. The proposal was considered to be more harmful than the extant scheme and that significantly limited any weight that could be given to the extant scheme as a fall back scheme. The appeal was dismissed due to the harm that would result to the character and appearance of the area and the National Park and as it would fail to preserve the setting of nearby listed buildings.

Costs Decision - refused

- The appellant considered that the refusal of planning permission was unreasonable on the basis of similarities to previously approved schemes.
- The Inspector considered that the reasons for refusal were complete, precise, specific and relevant to the application and that these reasons were adequately substantiated by the Authority in the officer report and subsequently supported at appeal by its statement of case. It was clear that in its consideration and determination of the application the Authority was cognisant of previously permitted schemes.
- The Inspector considered that the differences between the extant and proposed schemes were significant in the appeal and that the Authority had not been unreasonable in its refusal and that it had substantiated its case at appeal.

Application No.	Authority	Site	Description of Development	Decision and Appeal Method
SDNP/16/04519/FUL Refused at Planning Committee (overturning officer's recommendation to approve) APP/Y9507/W/17/3190504	Chichester	Copse Cottage, Norwood Lane, East Lavington, GU28 0QG	Proposed replacement dwelling and associated garaging.	Dismissed (19 June) Written Reps

Commentary – Inspector’s Reasoning

- Copse Cottage is a modest rural vernacular house dating from around 1800. The Inspector noted that it had an attractive rural character and was attractive for its cottage appearance but that it possessed a simple interior with only limited features, including several exposed beams.
- The building was identified as having some significance as a non-designated heritage asset but that for reasons including a largely unremarkable history and the significant alterations to the building that had occurred over time the degree of significance was small. Having regard to paragraph 135 of the NPPF (2012), the scale of the loss would be limited and would not necessarily amount to significant harm provided that a suitable replacement development was secured.
- The proposed replacement dwelling was noted to be substantially different in scale and character from the existing building. The new house would be of predominantly Georgian style with a grand and formal stature. The design was not considered to be reflective of the other houses nearby and would

significantly alter the character and appearance of the rural, largely informal site as existing. The extent of paved and terraced areas, together with the outbuilding, would add to the cumulative extent of new development at the site.

- The design of the replacement dwelling was considered to be inappropriate in this secluded rural location and to result in an adverse change to the character and appearance of the site and the National Park.

Application No.	Authority	Site	Description of Development	Decision and Appeal Method
SDNP/17/03224/FUL Delegated refusal APP/Y9507/W/17/3191104	Chichester	Vine House, Easebourne Lane, Easebourne, GU29 9AZ	Proposed single storey extensions to the west and south elevations with part of the west elevation having rooms in the roof with dormer windows.	Dismissed (19 June) Written reps

Commentary – Inspector’s Reasoning

- Whilst the building is not statutorily listed the Inspector noted that it is generally reflective of the age and style of other properties in the locality and therefore contributes to the prevailing pleasant architectural and historic character of the area.
- Although the effect of the proposals on the principal elevation from Easebourne Lane were found to be limited the rear extension would be clearly visible in public views from the street from where features such as the barn hip and the substantial expanse of roof would appear at odds with the roof profile of the main building. The dormer window would not be reflective in style or scale of the existing dormers at Vine House, and neither would the proposed fenestration. The proposed side extension would effectively take the full width of the side elevation with a roof profile unreflective of the main building and located in a prominent position clearly visible from Vanzell Road and Easebourne Lane. It was therefore concluded that the proposed development would harm the character and appearance of the area.
- The impact of the proposed extensions on neighbours was considered to be acceptable, as was the highways impact of the proposal.
- The benefits that the proposal would bring (including increased employment and the provision of more residential beds) lent some weight in favour of the scheme but they were considered to be outweighed by the harm arising to the character and appearance of the National Park.

Application No.	Authority	Site	Description of Development	Decision and Appeal Method
SDNP/17/05536/CND Delegated refusal APP/Y9507/W/18/3196585 and APP/Y9507/Y/18/3196586	Chichester	Tye Oak Farm Barns, East Harting Hollow Road, East Harting, GU31 5NA	Application reference SDNP/17/01720/FUL was granted for the partial demolition of redundant farm buildings and conversion of the remaining redundant farm buildings into 1 no. dwelling with ancillary accommodation. The condition subject to this appeal is No. 2 which states that: The development hereby permitted shall be carried out in accordance with the plans listed below under the heading "Plans Referred to in Consideration of this Application".	Dismissed (25 June) Written Reps
<p>Commentary – Inspector’s Reasoning</p> <ul style="list-style-type: none"> • The appeal site includes a number of traditional and modern farm buildings. The site adjoins Tye Oak Farmhouse (Grade II listed building). The subservient form and scale of the historic farm buildings on 4 sides of the former farmyard and the historic building to the north are considered important to the listed building because they enable the historic status and purpose of the principal farmhouse and its related farm buildings to be appreciated. • The appellant sought to revise the approved development through a discharge of conditions application. The revised scheme considered through the discharge of conditions process aimed to make the conversion of the farm buildings more convenient for and attractive to future occupiers. However, due to the scale, form, design and loss of historic fabric that they would cause, the revised scheme was considered by the Inspector to significantly damage the character and special interest of the listed buildings. Examples include: <ul style="list-style-type: none"> – The replacement of the wide farm gates with walls, a narrow archway and the gabled-roofed porch between the north and east ranges, the partly enclosed terrace and garden walls by the link between the west and south ranges, and the taller bulkier pitched-roofed link between them which would harmfully intrude into the important mainly open gaps between buildings. – The alterations and extensions to the timber-framed barn on the west side of the yard, and the glazed slits in its south gable, which would look incongruous after dark when lights are on inside, would be at odds with the historic function of the barn and fail to preserve dark night skies. – The prominent lean-to family room extension to the north range which would be out of keeping with the simple form and layout of the existing farm buildings. – The domestic appearance of the almost full-height glazing on the south side of the north range would disrupt its low-key rural character and the mainly glazed west wall of the family room would detract from the largely inward-facing ranges that enclose the yard. – The style, pattern and number of windows and openings in the north wall of the south range would erode its subservient functional character. – The residential character of the alterations to form the annex in the building to the north and the outdoor parking would unacceptably erode the character of the historic farmstead group in views from the lane. – The circular-plan steps and sunken stone and gravel areas in the yard which would have a suburban character and appearance and be at odds with 				

the simple gently sloping form and utility of the farmyard.

- The constraints of the farm buildings include restricted headroom and changes in level, but the Inspector noted that it is generally accepted that the benefit of occupying a heritage asset may require some compromise in spatial standards. The levels of daylight and sunlight inside the farm buildings contribute to their special interest, future occupiers would reasonably expect to use some artificial light for specific tasks.
- The fact that some parts of the proposal cannot be seen from the public domain is not sufficient to allow a damaging proposal.
- Waivers of building regulations can be granted in the case of listed buildings, so there is almost nothing to explain why the approved scheme would not be workable or why it could not be implemented.

Application No.	Authority	Site	Description of Development	Decision and Appeal Method
SDNP/17/05355/HOUS APP/Y/9507/W/18/3197234	East Hampshire	Beeleigh, Petersfield Road, Greatham, GU33 6AS	Extension to garage	Dismissed (25 June) Written representations

Commentary – Inspector’s Reasoning

- Due to its siting, scale, bulk and height the existing garage is much more prominent in the street scene than those nearby. The proposed development would include a side extension and a taller gabled roof with dormers.
- The proposed height, scale, bulk and siting of the extended garage would have a dominant appearance harmfully at odds with the character of the current pattern of development and semi-rural character of the immediate area. The proposal would harm the street scene.
- The hedgerow between the garage and Petersfield Road could not be relied upon to partly screen the proposal in the longer term.

Application No.	Authority	Site	Description of Appeal	Decision and Appeal Method
Appeal A: SDNP/17/00440/HOUS Appeal B: SDNP/17/00441/LIS Appeal C: SDNP/17/00438/HOUS Appeal D: SDNP/17/00439/LIS Delegated refusals Appeal A: APP/Y9507/X/17/3178684 Appeal B: APP/Y9507/Y/17/3178682 Appeal C: APP/Y9507/W/17/3178686 Appeal D: APP/Y9507/Y/17/3178689	Chichester	Bridge Farm, Haslemere Road, Linchmere, GU30 7LG	Appeals A & B: Three bay garage with gym to first floor roof space, modification of existing external stone wall to driveway, and construction of new external steps and retaining wall. Appeals C & D: Extension of the entrance hall and construction of new external access steps.	A & B dismissed C & D allowed (10 July) Written representations
<p>Commentary – Inspector’s Reasoning</p> <ul style="list-style-type: none"> • Bridge Farmhouse is a grade II* listed property. <p>Appeal A & B</p> <ul style="list-style-type: none"> • The proposed garage would be substantial and very noticeable when approaching the farmhouse. The significant height, width and mass would detract from the setting of the listed building. Large glass areas in each gable would also draw the eye away from the listed building. The design was considered to be confusing being neither completely modern nor traditional. • Any public benefits of the scheme are insufficient to outweigh the harm. <p>Appeal C & D</p> <ul style="list-style-type: none"> • The proposed extended entrance hall would improve the north elevation of the building and remove some unsightly steps. The design would reduce the impact of the current flat roof area and have a beneficial effect on the heritage asset. • The proposal would have no impact or very marginal impact on an adjacent bridleway. 				

Application No.	Authority	Site	Description of Development	Decision and Appeal Method
SNDP/17/00723/LDP Delegated refusal APP/Y9507/X/17/3178684	East Hampshire	Springs, Reeds Lane, Liss, GU33 7HU	Lawful Development Certificate (LDC) sought for the siting of five additional residential caravans at Springs to make a total of ten.	Dismissed (10 July) Hearing
<p>Commentary – Inspector’s Reasoning</p> <ul style="list-style-type: none"> • There is a history of LDCs being granted for residential caravans and ancillary caravans. The NPA concluded that the site can lawfully accommodate Springs (a caravan) and 4 other proposed residential caravans (a total of 5). In addition there is no planning control over the proposed ancillary caravans to the 5 residential caravans as they are lawful so long as they are used in an ancillary way. The appellant argued that there would be no material change of use between the situations if the ancillary caravans were used as independent accommodation thus creating a caravan site of 10 separate households. • The main issue was whether the proposed use of the site for 10 caravans would result in a material change of use. • There would be an increased use of the access track if the proposed use was implemented. This would lead to increased noise and disturbance to the residential amenity of occupiers of dwellings adjacent to the track. • 10 separate households would require their own area of hard-surfacing for car parking. • The proposed use would require a wider access road in accordance with the terms of the Site Licensing regime. • The proposed use would result in the need for further residential paraphernalia such as bins, play equipment, sheds, fencing, lighting etc. • Each of the 10 caravans could claim a need for their own ancillary caravan or other moveable structure. • The proposed use would change the definable character of the site and result in a material change of use. The appeal was therefore dismissed. 				

Application No.	Authority	Site	Description of Development	Decision and Appeal Method
SDNP/17/02266/FUL Delegated refusal APP/Y9507/W/17/3181123	Chichester	October House, Marley Heights, Fernhurst, GU27 3LU	Change of use of land to garden land and the construction of a tennis court with 2.75m high surrounding fence.	Dismissed (11 July) Written representations
<p>Commentary – Inspector’s Reasoning</p> <ul style="list-style-type: none"> The Inspector noted that the site at present has the appearance of open land and appears firmly linked to the residential land of October House. It was also noted that the Ordnance Survey map of the area appears to show the land as open in amongst the treed surrounding landscape. Whilst a range of garden structures and paraphernalia could alter this character such small scale development could be restricted by condition. Due to the topography and wooded nature of the site views of the site from external viewpoints were found to be difficult to come by. Due to this and the open ‘clearing’ type nature of the site the Inspector did not consider that the change of use of the land to garden use, provided that garden paraphernalia was restricted, would harm the character of the land. However the Inspector had concerns about the proposed tennis court as it would involve a fairly substantial engineering operation in preparing and constructing a flat and level tennis court. It was considered that the combination of the completed court, the high fence surrounding and the wooden sleeper retaining wall would all alter the character of the site fairly substantially, failing to retain the open sloping nature of the site, and hence failing to conserve or enhance the natural beauty of the National Park. Although there are tennis courts in the area the number of them was not considered so high that they now form part of the character of the area and the appeal was dismissed. <p>Costs Decision - Refused</p> <ul style="list-style-type: none"> The costs application was based on two main grounds: i) that the planning authority failed to give full and proper consideration to the application by failing to fully recognise the absence of any significant adverse impact on the character and landscape of the area and, ii) by not determining similar cases in a consistent manner. The Inspector disagreed with the appellant that there would be no adverse effect on the character and landscape of the area and accordingly did not consider that the Authority behaved unreasonably in this matter. In relation to the second ground the Inspector noted that each case must be considered on its own merits and that the Authority has not behaved unreasonably on this issue. 				

Application No.	Authority	Site	Description of Development	Decision and Appeal Method
SDNP/17/05857/HOUS Delegated refusal APP/Y9507/D/18/3199383	East Hampshire	Walnut Cottage, Standfast Lane, Hawley, Liss, GU33 6NR	Demolition of existing concrete garage and attached greenhouse and erection of detached garage and workshop with family annex and home office above.	Allowed (13 July) Written representations
<p>Commentary – Inspector’s Reasoning</p> <ul style="list-style-type: none"> • The property is a Grade II listed cottage. • The new building would not harm the setting of the listed building. It is of traditional design with low eaves reflecting some of the features of the cottage. • Views of the building from the public realm would be partially screened and the new building is not excessively large or bulky. 				
Application No.	Authority	Site	Description of Development	Decision and Appeal Method
SDNP/18/00492/HOUS Delegated refusal APP/Y9507/D/18/3200777	East Hampshire	18 Sussex Road, Petersfield, GU31 4JX	Conversion of garage/store to ancillary domestic accommodation	Allowed (13 July) Written representations
<p>Commentary – Inspector’s Reasoning</p> <ul style="list-style-type: none"> • The property is a Grade II listed semi-detached cottage. • The main issue in this appeal was the level of parking provision. The Inspector noted that the site is in a reasonably sustainable location and the shortfall in 2 on-site parking spaces (caused by the loss of the garage and increase in bedrooms) against adopted parking standards would not be likely to lead to harm. One of the bedrooms is particularly small and there is a possibility that it would not be used as a bedroom. • Permission was recently granted at 2 Sussex Road for flats with no off-road parking and the appeal site’s sustainability credentials are not so different as to warrant a refusal on the basis of a lack of on-site parking. 				

Application No.	Authority	Site	Description of Development	Decision and Appeal Method
SDNP/18/00030/HOUS Delegated refusal APP/Y9507/D/18/3201525	Chichester	39 Oakwood Close, Midhurst, GU29 9QP	Proposed dormer window to the front elevation.	Dismissed (13 July) Written representations
Commentary – Inspector’s Reasoning				
<ul style="list-style-type: none"> The Inspector noted that this modern housing estate was not characterised by a high number of dormer windows or rooflights. However the new dormer was considered to have been carefully designed and would be set in a central position in relation to the width of the roofslope, with the original roofslope remaining dominant given the modest size of the proposed dormer. The front dormer was not considered to unduly balance the terrace of dwellings given its modest size and sympathetic pitched roof and the front elevation would not appear overdeveloped as a whole. The appeals was therefore allowed. 				
Application No.	Authority	Site	Description of Development	Decision and Appeal Method
SDNP/17/02983/DCOND Delegated refusal APP/Y9507/D/18/3195820	SDNPA (Arun)	6 South Lane, Houghton, BN18 9LN	The development granted consent was a single storey front and rear extension. This appeal concerns a discharge of conditions application relating to the design and layout of building foundations, service trenches, ditches and other excavations, insofar as they may affect trees and hedgerows on or adjoining the site.	Dismissed (10 August) Written representations
Commentary – Inspector’s Reasoning				
<ul style="list-style-type: none"> A large mature horse chestnut tree sits in the corner of the site, it also falls within a Conservation Area. The condition placed on the original planning permission sought to ensure that, prior to commencement of any works, details were submitted and approved to demonstrate that trees and hedgerows would be protected from damage during construction. Details were not submitted prior to commencement as required and the NPA refused to discharge the condition as it was submitted well into construction and could not be retrospectively discharged. An Arboricultural Assessment was submitted in July 2017, by which point the extension had been largely complete. The assessment explicitly acknowledged that there may have been damage caused to the roots, but that it is not possible to assess these without risking further harm. The report recommends an annual tree inspection be carried out to look for deterioration of condition and any possible remedial action. The Inspector noted that it has not been possible to demonstrate that the tree would have been properly safeguarded during construction and dismissed the appeal. 				

Application No.	Authority	Site	Description of Development	Decision and Appeal Method
SDNP/18/00689/HOUS Delegated refusal APP/Y9507/D/18/3201537	Lewes	Pippins, The Street, Offham, BN7 3QE	Proposed front extension.	Allowed (17 August) Written representations
<p>Commentary – Inspector’s Reasoning</p> <ul style="list-style-type: none"> The Inspector considered that the proposed extension would sit comfortably within the good sized garden, that the extension was entirely proportionate to the host dwelling and that it would have an acceptable relationship with neighbouring properties in this part of Offham that has a varied pattern of development. No harm to neighbouring amenity was identified. <p>Costs Decision - Allowed</p> <ul style="list-style-type: none"> The application for costs was based upon; i) preventing or delaying development which should clearly have been permitted and ii) that assertions about the proposal’s impact had been made which were unsupported by any objective analysis. The Inspector noted that LDC had not stated its case for a rebuttal of the application for costs. In a strongly worded decision the Inspector noted that LDC had described the site incorrectly and had failed to appraise the application plans with a reasonable degree of care and accuracy. The Inspector also noted that the appellants notified LDC of the errors in the Delegated Report and that there was a failure of management to delay the issue of the Decision Notice to clarify and if necessary correct any mistakes made. The Inspector considered that the errors made in the processing of the application, combined with the failure to take the opportunity to do something about them, represented unreasonable behaviour necessitating an appeal and development being delayed when clearly it should have been permitted. A full award of costs was therefore made. 				