

Report to	Planning Committee
Date	10 July 2025
By	Director of Planning
Title of Report	Summary of appeal decisions from 24 January – 20 June 2025
Purpose of Report	To update SDNPA Members on appeal decisions received

Recommendation:

The Committee is recommended to note the outcome of appeal decisions

I. Overview

- I.1 The attached table (**Appendix I**) provides a summary of the decisions ordered by date. This covers both those appeals dealt with by the host authorities and directly by the South Downs National Park Authority.
- I.2 From the 24 January to 20 June 2025:
- There were 42 appeal decisions received, of which 28 were dismissed, 13 were allowed and one was a split decision.
 - Three applications for an award of costs were made against the Authority, 1 was refused and two were awarded partial costs. The partial award of costs relates to, in one case, the Authority amending the description of development without substantial justification and without consultation with the appellant. For the other case, the Authority failing to sufficiently investigate part of a potential breach of planning control prior to issuing an Enforcement Notice.
 - There was one judicial review (JR) decision related to a decision notice which was issued in error. This related to a permission to vary conditions on planning permission SDNP/19/04569/CW at Shoreham Cement Works (planning reference SDNP/24/04532/CND). Due to an administrative error the decision issued did not correlate with the delegated recommendation (for example it did not reimpose certain conditions). All interested parties consented to application to quash the decision. The Courts granted that consent order (quashing the decision) on 22 May 2025. A new, and correct, decision notice was issued on 5 June 2025.

- I.3 The Authority's appeal performance in the 2024/25 financial year was 84% dismissed.
- I.4 To date, three months into the 2025/26 financial year, the Authority's appeal performance is 54% dismissed.
- I.5 The full list of appeal decisions is set out the Table (**Appendix I**), further details on some key decisions are provided below.
- I.6 Members will note from the Table that a number of long-standing enforcement appeal decisions have been made, such as for the Tithe Barn at Falmer which has been waiting for a decision since 2022 (the appeal was dismissed and the enforcement notice upheld).
- I.7 There have also been a number of decisions related to gypsy / traveller pitches. For the appeal that was allowed, the Inspector concluded that whilst there was landscape harm and a detrimental impact to highway safety, the specific needs of the family and the general need for sites carried substantial weight. However, the issues in favour of the proposal did not result in a sufficient case to justify a permanent planning permission nor was the site suitable for occupation in perpetuity. Therefore, the Inspector granted a temporary permission to enable the appellant to find alternative accommodation and / or suitable sites to be identified.
- I.8 The Inspector on the 'Land Queens Field, Hurstpierpoint' demonstrated a good understanding of the issues with regards to temporary homes for agricultural / rural workers. In particular, looking at the details of the proposal (the Barn) and whether it was suitable / useable for the proposed businesses uses (the intention for quail farming and the growing of micro-greens). Overall, the Inspector was not persuaded that the enterprise had been planned on a sound and convincing financial basis or that it would succeed in the long-term, which in turn brought into question the need for a temporary dwelling (as well as nearby settlements offering a range of accommodation options for family living).
- I.9 Finally, there are two decisions to note in relation to proposed developments along the A3 corridor.
- I.10 One was the proposed Hotel and cycle centre at the land north of the junction between the B2070 and Greenway Lane (north-east of the A3) at Buriton. That appeal was allowed, and outline planning permission was granted.
- I.11 In that decision, the Inspector concluded that the site made a negligible contribution to the natural beauty and special qualities of the National Park. This was due to the site being surrounded by roads, a railway line and immediate neighbours of a roundabout, scrap yard, ribbon housing development and the proposed Recharge site. In addition, the proposed development, including the retention of a considerable amount of open space and room for landscaping enhancements, would lead to minimal effects on the site itself. Therefore, given there was an identified need for the development (the need for hotels), and with careful handling of the final design, the site could absorb such a change and could integrate successfully and make a positive contribution to the visitor experience. Which in turn would further the first purpose of the National Park.
- I.12 The other decision for 20 Holiday Lodges at Petersfield Golf Course, Steep. The site for the proposed lodges was the grassed field located between the edge of the golf course and the A3. That appeal was dismissed.
- I.13 In that decision, the Inspector noted that the land adjacent to the A3 within this part of the National Park was largely free from development, creating a visual buffer between the road and the surrounding hills. The proposed introduction of holiday lodges and a car park would disrupt this pattern, introducing built form into an otherwise generally undeveloped corridor.

- I.14 In addition, the lodges were proposed in elevated positions and would occupy a considerable portion of the site. Unlike the sparse built development pattern in the surrounding area, the number and distribution of the lodges stretched across this section of the countryside and would appear visually prominent, leaving minimal space for meaningful landscape mitigation or enhancements. Whilst the landscape harm was somewhat limited by the site's restricted visibility and modest existing value, the proposal would nevertheless result in harm to the landscape character and appearance of the site and detract from its positive contribution to the appearance of this part of the National Park. Therefore, it would fail to meet the requirement to positively contribute to the natural beauty of the National Park.
- I.15 Whilst also recognising a need for holiday accommodation, the Inspector concluded that the tourism benefits of the proposal were likely to be limited by the site's isolated setting and weak connectivity to other attractions or facilities within the Park. Furthermore, its position between a formally laid-out golf course and the A3 restricted opportunities for visitors to meaningfully engage with or appreciate the surrounding landscape.

TIM SLANEY

Director of Planning

South Downs National Park Authority

Contact Officer: Kelly Porter

Tel: 01730 819 314

Email: kelly.porter@southdowns.gov.uk

Appendices: Appendix I - Summary of Appeal Decisions

SDNPA Consultees: Director of Planning, Legal Services

