

Chichester District Council

Planning Committee

Wednesday 11 January 2017

Report of the Head of Planning Services

Schedule of Planning Appeals, Court and Policy Matters

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).

- WR – Written Representation Appeal
- H – Hearing
- I – Inquiry
- FT – Fast Track (Householder/Commercial Appeals)
- () – Case Officer Initials
- * – Committee level decision

1. NEW APPEALS

Reference/Procedure	Proposal
CH/14/00399/CONMHC H (RH)	Cockleberry Farm, Main Road, Bosham, West Sussex, PO18 8PN - Appeal against the stationing of 2 mobile homes (in livery yard) for purposes of human habitation. LINKED TO CH/16/01902/PA3P
CH/16/01902/PA3P H (MT)	Cockleberry Farm, Main Road, Bosham, West Sussex, PO18 8PN - Part 3 Class P application for prior approval - Proposed change of use of 3 no. B8 storage buildings to 3 no. dwellings. Revised application further to CH/15/02290/PA3P. LINKED TO CH/14/00399/CONMHC
CC/16/01842/FUL WR (CABO)	North House, North Street, Chichester, West Sussex - Demolition of existing ground floor rear extensions and erection of single storey floor rear extension, with new vehicular access. Roof extension to provide 2 no. one-bedroom flats. Internal alterations to existing flats.

Reference/Procedure	Proposal
BX/16/01909/FUL WR (JACR)	Land North East Of 51, Halnaker, Boxgrove, West Sussex - 2 bedroom single storey oak framed self-catering holiday accommodation unit.
EWB/16/02532/DOM WR (MT)	Dakar, Nab Walk, East Wittering, PO20 8DH - First floor extension over existing garage to provide new studio.
EWB/16/01638/DOM WR (MT)	Offshore, 5 Tamarisk Walk, East Wittering, Chichester, West Sussex, PO20 8DQ - Amendment to planning application 16/00677/DOM - narrow balcony to rear elevation.
SDNP/16/04021/FUL FUNTINGTON WR (DP)	Land South of Braefoot, Southbrook Road, West Ashling, PO18 8DN - Construction of three bedroom thatched roof dwelling and double garage/car port following clearance of site including a shed and two existing caravans one being residentially occupied, installation of access gate, fences and landscaping.
SDNP/16/01027/HOUS LAVANT WR (JRS)	60 Midhurst Road, Lavant, West Sussex, PO18 0BP - Rear extension and conversion of outbuilding. LINKED TO SDNP/16/01028/LIS
SDNP/16/01028/LIS LAVANT WR (JRS)	60 Midhurst Road, Lavant, West Sussex, PO18 0BP – Rear extension and conversion of outbuilding. LINKED TO SDNP/16/01027/HOUS
SDNP/15/00361/COU PLAISTOW WR(RH)	Old Hearne Farm, Jays Lane, Lurgashall, Haslemere, West Sussex, GU27 3BL - Without planning permission, the erection of a building and laying of a stone pavement
SY/15/00376/CONADV WR (SCA)	2 Sherrington Mews, Ellis Square, Selsey, Chichester West Sussex, PO20 0FJ - Non-illuminated fascia sign within the front porch pitched roof over the entrance to door to Unit 2
SY/16/02694/FUL WR (MT)	47 Gainsborough Drive, Selsey, PO20 0HG - 1 no. dwelling.
SY/16/02420/DOM WR (PAHU)	Alkerton House, 58 James Street, Selsey, PO20 0JG - Proposed first floor extension over side extension of permitted application 15/02712/DOM.

Reference/Procedure	Proposal
WE/15/00363/CONBC H (RH)	The Woodlands, Marlpit Lane, Hambrook, Westbourne, Emsworth, West Sussex, PO10 8EQ - Breach of condition 2 to 12/00559/FUL - occupation agricultural. LINKED TO WE/15/03965/FUL
WE/15/03965/FUL H (CABO)	The Woodlands, Marlpit Lane, Hambrook, Westbourne, Emsworth, West Sussex, PO10 8EQ - Retention of 1 no. mobile home to serve the dual purpose of providing a single travelling show persons pitch and a single Gypsy pitch. LINKED TO WE/15/00363/CONBC
WE/16/02259/FUL WR (RABA)	Yew Tree Cottage, North Street, Westbourne, PO10 8SN - Demolition of rear conservatory and construction of ground floor extension and part first floor infill extension. LINKED TO WE/16/02260/LBC
WE/16/02260/LBC WR (RABA)	Yew Tree Cottage, North Street, Westbourne, PO10 8SN - To demolish rear conservatory and construction of ground floor extension and part first floor infill extension. LINKED TO WE/16/02259/FUL

2. DECISIONS RECEIVED

Reference/Decision	
SDNP/16/01778/HOUS EASEBOURNE WR (J Shore) DISMISSED	Callian Cottage, Dodsley Lane, Easebourne, GU29 9AS - Proposed side and rear single storey extension and new porch to side elevation.
<p>"... Anything can be a heritage asset but some have greater significance than others. Although these features are evidence of the way the property was previously used, there is no information to show that this property was of any great significance in the history of nursery gardening or that the use was of any great significance in the history of Easebourne or the wider locality. The National Planning Policy Framework (NPPF) advises that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. A balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. In this case, the loss of the rear entrance door and the insertion of openings in the presently blank flank would cause harm of little or no significance. The proposed extension would have a hipped roof, truncated to form a flattopped crown, so as to fit beneath an existing rear window. Although the form would be at odds with the gabled form of the main roof and of most other roofs in the vicinity, it would continue the hipped form of the existing single-storey lean-to projection and so would be consistent with the existing character of the property. The assertion that a crown roof form is typically discouraged within the South Downs National Park is not supported by any adopted policy. Although the windows would be of a different proportion to those of the existing cottage, there is no pretence that the extension would be a pastiche of an historic style; it would be a respectably proportioned building of its own time. It would be located in a backland position, not on public view but the quality of its design stands comparison with other rear extensions which can be seen in the vicinity and so would</p>	

have no adverse effect on local character. ... Policy RE1 referred to in the reasons for refusal applies other policies to development outside settlement policy areas but there is no information to show that this appeal is located outside a settlement policy area or to suggest that it would conflict with any of the other policies listed. ... Although no detailed drawings or measurements of the effects on the neighbouring window are provided, my judgement made on site is that the effects of the proposal would breach commonly accepted methods for assessing the acceptability of impact on daylight to a neighbouring property and that the proposal would have an unacceptable effect on the living conditions of the residents of St Helens. It would therefore conflict with Local Plan policy BE11 which requires the relationship to and effect on neighbouring development to be taken into account in assessing new development and with policy H12(3) which would not permit development detracting from the established amenities of adjoining residents. ..."

[SDNP/16/01220/HOUS](#)
ELSTED
WR (RGM)
DISMISSED

Barn Cottage, Fitzhall Road, Elsted, West Sussex, GU29 0JS - Demolition of single storey extension and dormer window to barn. Alterations, underpinning and renovation of existing barn.

"... Despite domestic style windows on the west elevation, it retains a simple utilitarian agricultural appearance due to the retention of its original form together with traditional external materials, particularly the stone walls, clay tile roof and timber cladding. In this way it contributes strongly to the character of the area because it reflects and is intrinsic to the use of the land that formed the surrounding valued landscape. ... The removal of the original extension, which is of limited practical use and of dubious construction, would not unacceptably harm the special interest of the main barn. The addition of the relatively modest contemporary bedroom, clearly separated from the host barn and appropriately detailed, would not prevent the appreciation and understanding of the barn and its contribution to the surrounding landscape. ... The Council is keen to encourage a traditional form of construction, but a sensitively designed contemporary treatment with modern detailing can also complement and indeed enhance an adjacent historic building, in part because of being completely different. Set down by a metre as proposed, with a grass or sedum low pitched roof, largely concealed from the road by vegetation, this part of the development, if well detailed, would be sufficiently subservient and would not conflict with the design quality objectives for extensions of LP policy H12 or the requirements of policies RE1, RE14, BE4 or BE11. ... The existing buttresses provide strength and serve to express part of the building's history- it would not be desirable or necessary to remove them. The adaptations to the main openings at ground floor level would not seriously alter the building's character, but the proposed projection of the first floor window openings in the manner proposed would impart a very different feel to the building. The indicated 'splayed' windows would appear uncomfortable and would be out of keeping. They would be an obviously incongruent feature seen from the road and further afield. Adapting a property which is a heritage asset and which contributes to the character of the area requires a balance between the needs of the present day occupants and retaining the heritage significance of the building, which in this case consists of the essentially utilitarian character of the original structure. These windows would be a step too far, would conspicuously detract from the buildings heritage significance and to an extent, the character of the surrounding area. ..."

Reference/Decision	
SDNP/16/01496/HOUS GRAFFHAM WR (J Shore) ALLOWED	The Dower House, Graffham Street, Graffham, GU28 0NP - Single storey side extension.
<p>"... This is not the principal entrance elevation of the house (which faces south) and so in principle it is not inappropriate or damaging to the character of the property to add an extension to this subsidiary façade. The extension would be substantial, equal to about one-third of the footprint of the existing house. But it would extend less than the full width of the eastern façade, retaining the long narrow window at ground floor level mentioned in the Authority's officer report and so would appear proportionate and subordinate to the house. In contrast to the existing accretions to the façade, which cut across the architectural feature of the dentilled string course, the drawings show clearly that the extension would sit below that feature with which the Authority is concerned. ... The conservatory would be translucent and so the attractive colours and patterns of the brickwork of the original house could still be appreciated, provided not covered with plaster or paint. From most public viewpoints the appeal proposal would not be visible. It would be visible from and level with the southern part of the green in front of the Homes of Rest but would not form part of or interfere with the important three-way relationship between the front of Graffham House, the principal elevation of the Homes of Rest and the rear of the adjacent old peoples' bungalows. I conclude that the proposal would be consistent with the preservation of the character of the Graffham Conservation Area. ... The setting of a heritage asset is not a fixed concept; it is concerned with the way the heritage asset is experienced. The Homes of Rest are also on an eminence rivalling that of Graffham House but on the opposite side of the village street and facing southwards, rather than northwards. The dominance of the Homes of Rest would be unaffected in this view. There is an important visual relationship between the two listed buildings, facing each other at an angle across the green and each dominating their parallel but opposite views. They symbolise a nexus between power and charity. The later old peoples' bungalows on the eastern side of the green, much less grand, nevertheless contribute to this relationship. In turn, the proposed extension, although attached to the Dower House in close proximity to Graffham House, would not be experienced in the same view and so would have no effect on the setting of that listed building. Likewise, although the Dower House can be seen from the southern part of the green in front of the Homes of Rest and the extension would also be seen, it would be seen by turning to face west whereas the Homes of Rest are seen and experienced by facing north.</p>	
SDNP/15/03829/CND HARTING WR (J Shore) ALLOWED, COSTS REFUSED	Copper Beeches Torberry Farm, B2146 Ditcham Lane to Hurst Mill Lane, Hurst, South Harting, Petersfield, West Sussex, GU31 5RG - Variation of condition 1 of permission HT/02/69. To remove agricultural occupancy from Copper Beeches, Torberry Farm.
<p>"... the appellants have obtained a certificate of lawfulness¹ (CLEUD) for the occupation of the dwelling without complying with the condition. This follows a continuous breach of the occupancy restrictions by the appellants over a period of at least 10 years. The certificate is unfettered and the benefits it provides would be transferable to subsequent occupiers. Copper Beeches could accordingly be occupied in breach of condition No 1 by any non-qualifying person in perpetuity. I acknowledge that the occupation of the dwelling by a qualifying person would have the effect of breaking the continuity of the breach, thereby reinstating the occupancy restrictions. A period of no occupancy, depending on the circumstances, might have the same effect as well. I find this to be a theoretical concept, however. Reverting back without the benefits provided by the CLEUD would, based on the evidence, have the effect of significantly reducing the</p>	

current open market value of the property of £650,000 by about 30%. Given the risk of such a substantial loss that would confront the sellers and a qualifying person means this is a scenario that is very unlikely to arise at least for the foreseeable future. Moreover, the property and its value are highly likely to be based on it being sold as an existing B&B business and not as an agriculture or forestry workers property now without any associated agricultural land or buildings. While the condition was originally necessary to achieve the purpose for which it was originally intended, the existence of the CLEUD has the effect of making it unenforceable for all practical purposes. Moreover, taking account of the 1 Application Ref SDNP/14/000639/LDE significant change of circumstances since 1969, the condition has now outlived any useful planning purpose thus also meaning that it is no longer necessary or reasonable to continue to require the property to be occupied by qualifying persons..."

COSTS DECISION

"... I have some sympathy in the delay in obtaining a decision on the application, however it is evident from the correspondence provided to me that the Authority was seeking additional information by which to assess compliance with the Chichester District Local Plan First Review 1999 (the Local Plan), and that an extension of time to November 2015 was agreed. ... The appellants continued to submit substantive material for the Authority's consideration. Moreover, the right of appeal against non-determination would have been available at this point and was not exercised. ... The Authority was required to examine the extent to which the condition was necessary. As a starting point it rightly applied the policies of the development plan, including Policy RE19 of the Local Plan and its requirement that the appeal property be subject to a suitable period of marketing. effect of this on the suitability of the appeal property for a qualifying person. The weight to be applied to the CLEUD is a matter of planning judgement, particularly in the light of the conflicting limited evidence of demand from both parties. I do not therefore find the Authority's position in this regard to amount to being vague and generalised, as referred to in the Planning Practice Guidance (PPG), and the appeal would have been forthcoming in order to test the disputed points. ..."

<p>HN/16/00607/LBC WR (M Tomlinson) DISMISSED</p>	<p>Spire Cottage, Church Lane, Hunston, Chichester West Sussex, PO20 1AJ - Replacement timber windows at first floor level, with timber glazed doors and clear glass screens.</p>
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The proposal would cause harm to the significance of the listed building and for that reason harm to the character and appearance of the conservation area due to the prominent location of the building and the proposed balcony. The proposals would not accord with Policy 47, the tests in the 1990 Act and the aims of the Framework on designated heritage assets. The level of harm is 'less than substantial', a differentiation required between paragraphs 133 and 134 of the Framework. In this case the latter applies and this states that this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. The building is advertised to be a 'bed and breakfast' establishment and is clearly in an attractive tourism area close to Chichester, the canal, countryside and coast, and there are good public transport services close by on the main road. However, there is no evidence that the business would not continue for lack of the access, and the phrase 'optimum viable use' should be taken to be with regard to the listed status and the statutory requirement to protect heritage assets. No doubt the access would add to the attractiveness of the rooms, and would further the aims of tourism policies, but being only on the first floor there is ready access to any amenity space made available to users, and the view of the countryside is available from the windows in any event. ... In the balance, the case has not been made for the works as a public benefit sufficient to outweigh the harm to the listed building and the conservation area, and therefore for the reasons given above it is concluded that the appeal should fail. "

<p>SDNP/16/00382/HOUS LAVANT WR (J Shore) ALLOWED</p>	<p>29 Northside, Mid Lavant, Chichester West Sussex, PO18 0BX - Retention of arctic cabin.</p>
<p>"... in there is a further area of grassed and decked garden and a small shed. The cabin only occupies a relatively small proportion of the overall useable area. The remaining garden area is ample to serve the house and therefore this is not an excessively cramped form of development in relation to No 29. I accept that the cabin does largely obscure the view of the far end of the garden from the back of the house. However, this does not unduly impact upon the character and appearance of No 29. The cabin cannot be seen in public views from Northside. ... I accept that the shape of the roof, which is relatively uncommon for a garden structure, and the dark-coloured roof material, draw the eye to the cabin to some degree. However, against the backdrop of existing houses, the cabin does not significantly detract from the character and appearance of No 29 or the surrounding area in the limited views from Springfield Close. ... The cabin roof can be clearly seen above the hedge from midway down the garden at No 31. However it slopes away from the boundary and is not dominant in views from that garden. Moreover, the single storey rear projection of No 31, adjacent to the common boundary, means that the cabin cannot be seen from the patio area at the rear of that property. The cabin is therefore not overbearing in relation to No 31 or significantly bulky in the outlook therefrom. I accept it is possible that the cabin will facilitate increased frequency or duration of use of the garden at No 29, particularly given the stove in the cabin. However, there is no substantive evidence before me that this would be particularly likely to result in a significant impact on the quiet enjoyment of neighbouring properties. ... I conclude that there is no significant harm to the character and appearance of 29 Northside, the surrounding area and the South Downs National Park. ... "</p>	
<p>SDNP/16/01498/HOUS MILLAND WR (RGM) ALLOWED</p>	<p>Brookvale, Mill Vale Meadows, Milland, GU30 7LZ - Erection of detached double garage with ancillary non-habitable accommodation over.</p>
<p>"... A significant and useful area of garden would remain between the dwelling and Mill Vale Meadows; this would be greater than many other dwellings in the road. There would not be an unacceptable impact on the impression of spaciousness at the start of the road. I consider that the proposed building would not be dominant on the plot, would be subservient to the host dwelling and would not appear unusually out of place. ... The structure would be located some distance away from the hedge on the boundary and would not be prominent in views along Fernhurst Road, to an extent because of the many dominant mature trees. ... "</p>	
<p>WI/16/01558/FUL WR (M Tomlinson) DISMISSED</p>	<p>Church Farm, Itchenor Road, West Itchenor, PO20 7DL - Modify and relocate permitted log store/boathouse (WI/15/03736/DOM) to location within goose pen to rear of property.</p>
<p>"...I have found that the scale, siting, design and materials proposed would have minimal impact on the landscape and rural character of the area and would affect the character and appearance of the area less than the approved scheme...I further conclude that while the development would cause a measure of perceptible change to the character and appearance of the WICA, this would not be of a magnitude to constitute harm...While the proposed development would result in a measure of perceptible change to the setting of the Church, which would be approximately 90m away, and the context in which it is experienced, this would not be of a magnitude to constitute harm given the degree of</p>	

separation and screening between the site and the listed building...Notwithstanding my findings above in favour of the appeal, I am significantly concerned that the implementation of both the approved scheme and the appeal scheme would result in the undesirable and unnecessary overdevelopment of this sensitive location, cumulatively increasing the built form, reducing the sense of openness and thereby having a detrimental effect on the character or appearance of the area, including the WICA and the setting of the listed building...I have not been provided with a completed s106 obligation that would prevent both permissions being implemented, if I were to allow the appeal. In the absence of such an obligation I have no means before me of preventing both going ahead... As a result, I am unable to do other than dismiss the appeal..."

3. OUTSTANDING APPEALS

Reference/Status	Proposal
BI/15/00139/CONSH PI (S Archer) In Progress 7 th – 9 th February 2017 CDC Committee Room 1	Land North West Of Premier Business Park, Birdham Road Birdham, West Sussex – Access track, hardstanding and fencing. Linked to BI/15/01288/FUL and BI/15/00194/CONTRV
BI/15/00194/CONTRV PI (S Archer) In Progress 7 th – 9 th February 2017 CDC Committee Room 1	Land North West of Premier Business Park Birdham Road Birdham, West Sussex - Use of land as a Traveller Site. Linked to BI/15/01288/FUL and BI/15/00139/CONSH
BI/15/01288/FUL PI (S Archer) In Progress 7 th - 9 th February 2017 Venue to be confirmed	Land north west of Premier Business Park, Birdham Road Birdham, West Sussex PO20 7BU - Proposed single pitch site including the provision of a utility building for settled gypsy accommodation together with existing stables. Linked to BI/15/00194/CONTRV and BI/15/00139/CONSH
SDNP/14/04865/FUL BURY I (D Price) Awaiting Decision	Land North of Junction with B2138 Bury Road Bury West Sussex - Change of use from agricultural land to a Gypsy and Traveller's site. Linked to SDNP/15/00336/COU .
SDNP/15/00336/COU BURY I (R Hawks) In Progress 8-9 th December 2016 Bury Village Hall	Land North of Junction with B2138 Bury Road Bury West Sussex - Stationing of two caravans for human habitation. Appeal against enforcement notice Linked to SDNP/14/04865/FUL
CC/15/00409/CONBC WR (S Archer) In Progress	3 Pound Farm Road, Chichester, West Sussex, PO19 7PX - Residential occupation of games room. Appeal against enforcement notice.

CC/15/03923/FUL WR (M Tomlinson) In Progress	25A Chapel Street, Chichester, West Sussex, PO19 1BT - To replace 6 no. windows with UPVC units.
CC/15/04197/DOM WR (H Chowdhury) Awaiting Decision	39 Ormonde Avenue, Chichester PO19 7UX – Proposed Conservatory
CH/16/02071/FUL WR (R Ballam) In Progress	Land South Of Kings Meadow, Broad Road, Hambrook, Chidham, West Sussex - Revised house type on Plot 30 with attached single garage and drive, access onto Broad Road.
EWB/16/01793/DOM WR (J Cross) In Progress	22 Seafeld Close, East Wittering, West Sussex, PO20 8DP - Demolition of garage and outbuildings, extension and loft conversion to bungalow. LINKED TO EWB/16/00311/FUL
EWB/16/01638/DOM WR (M Tomlinson) In Progress	Offshore, 5 Tamarisk Walk, East Wittering, Chichester, West Sussex, PO20 8DQ - Amendment to planning application 16/00677/DOM - narrow balcony to rear elevation.
EWB/16/01793/DOM WR (J Cross) In Progress	22 Seafeld Close, East Wittering, West Sussex, PO20 8DP - Demolition of garage and outbuildings, extension and loft conversion to bungalow. LINKED TO EWB/16/00311/FUL
FU/15/02504/FUL H (K Rawlins) Awaiting Decision	Land South Of The Stables, Scant Road East, Hambrook, West Sussex, PO18 8UB - Change of use of land from equestrian use to half equestrian and residential gypsy and traveller site with the erection of barn and 2 no. stable building
HN/16/01665/OUT WR (M Tomlinson) In Progress	Streamside, 1 St Leodegars Way, Hunston, PO20 1PE - Outline application for the erection of 1 no. 3 bedroom dwelling.
LX/15/00498/ELD I (C Boddy) Awaiting Decision	Beech Farm, Roundstreet Common, Loxwood, Wisborough Green, West Sussex, RH14 0AN. - The siting of a mobile home for the purposes of human habitation independently to Beech Farm House

Reference/Status	Proposal
PS/13/00015/CONCOU I (R Hawks) In Progress 25 th -28 th April & 3 rd -4 th May 2017	Crouchlands Farm, Rickmans Lane, Plaistow, Billingshurst West Sussex, RH14 0LE. Use of anaerobic digestion tanks and equipment for importation of waste and export of biomethane. Construction of a digestate lagoon without planning permission. Appeal against enforcement notice. Linked to s78 appeal against refusal of planning permission by WSCC.
PS/16/00562/PLD WR (H Chowdhury) In Progress	Newhouse Farm, Shillinglee Road, Shillinglee, Northchapel GU8 4SZ - Construction of single storey outbuilding to be used for purposes incidental to the enjoyment of the dwelling.
SY/14/00304/CONHH WR (S Pattie) In Progress	100 Beach Road, Selsey, Chichester, West Sussex PO20 0SZ - Erection of a fence adjacent to the highway. Appeal against enforcement notice.
SY/15/00371/CONCOU H (R Hawks) In Progress	East Beach Evangelical Church, 6 Marisfield Place, Selsey, Chichester, West Sussex PO20 0PD - Stationing of a portacabin. Appeal against enforcement notice.
SY/16/02420/DOM WR (P Hunt) In Progress	Alkerton House, 58 James Street, Selsey, PO20 0JG - Proposed first floor extension over side extension of permitted application 15/02712/DOM.
WH/15/04038/FUL H (F Stevens) Awaiting Decision	Land North Of March Primary School, Claypit Lane, Westhampnett, West Sussex - Erection of two storey detached dwelling house and detached single storey double car port with attached storage.
WE/16/01529/FUL WR (C Boddy) In Progress	The Meadow, Cemetery Lane, Woodmancote, Westbourne West Sussex - Use of land as a single pitch private gypsy plot. Resubmission of WE/15/01114/FUL.
SDNP/14/04141/FUL WISBOROUGH GREEN WR (D Price) In Progress	Stroods, Strood Green, Wisborough Green, Billingshurst RH14 0HL - Partial removal of low level boundary wall, retention of remainder of wall and relocation of tennis court. Retention of greenhouse and vegetable patch and removal of patio area and post and rail fence. New post and rail fence to tennis court.

4. VARIATIONS TO SECTION 106 AGREEMENTS

NONE.

5. CALLED-IN APPLICATIONS

Reference	Proposal	Stage
NONE		

6. COURT AND OTHER MATTERS

Injunctions		
Site	Breach	Stage
Birdham Farm	Breach of Enforcement Notices and Stop Notices	Court Orders will be served on all defendants in person with notification that we reserve the option to have the case re-opened at court before April 2017 after the Planning Inspectorate matter is concluded. Date for the public Inquiry is February 2017. Counsel instructed.

Prosecutions		
Site	Breach	Stage
Nell Ball Farm (Mr & Mrs Cozens-Smith)	Breach of Enforcement Notices x 3	First court hearing at Worthing Magistrates' Court on 7 October 2016. Defendant has requested an adjournment, now awaiting a new court date. New court date: 6 January 2017.

Prosecutions		
Site	Breach	Stage
1 The Quell Cottages	Breach of Listed Bulding Consent and Planning permission	Prosecution in progress against the owners and building Project Manager. Court date provided: 6 January 2017.

7. POLICY MATTERS

NONE