



Appeal Decision

Site visit made on 17 April 2025

by **R Lawrence BSc (Hons), PGDip (TP), MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 29 April 2025

Appeal Ref: APP/Y9507/W/24/3351792

14 Station Road, Liss, Hampshire GU33 7DT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a failure to give notice within the prescribed period of a decision on an application for planning permission
 - The appeal is made by Mr James Elliot against South Downs National Park Authority.
 - The application Ref is SDNP/24/00781/FUL.
 - The development proposed is the change of use from ground floor commercial to mixed use ground-floor dwelling and commercial.
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Decision

1. The appeal is allowed and planning permission is granted for the change of use from ground floor commercial to mixed use ground-floor dwelling and commercial at 14 Station Road, Liss, Hampshire GU33 7DT in accordance with the terms of the application SDNP/24/00781/FUL, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 24.14SR.P03 (proposed floor plans), 24.14SR.P04 (proposed elevations) and 24.14SR.P05 (location and block plan).

Background and main issues

2. The appeal has been made against the failure of the Council to give notice of its decision within the prescribed time period. However, the Council's statement of case sets out that, had it been within its power to determine the application, it would have granted planning permission subject to conditions.
3. Whilst there are no matters in dispute, the Council's statement identifies the key issue for the proposal. I also note that the site lies within a Conservation Area. Accordingly, I consider the main issues in this case to be:
 - the effect of the proposal on the viability and vitality of Liss Village Centre and,
 - whether the proposal would preserve or enhance the character or appearance of the Liss Conservation Area.

Reasons

Viability and vitality of the village centre

4. The appeal site is centrally located within Liss, which is identified as a larger village within the settlement hierarchy. It is positioned on a road with a mix of commercial and residential properties, directly opposite the village centre car park. The appeal property contains a commercial premises at ground floor, with a residential unit above.
5. The proposal is for the change of use of the ground floor, to include a mixed use of commercial and residential. The additional residential floorspace would provide an extension to the existing residential unit at first floor. Policy SD37 of the South Downs Local Plan 2019 (SDLP) together with Liss 16 of the Liss Neighbourhood Plan 2017 (NP) recognise the importance of retaining commercial units within settlements and village centres, in the interests of the vitality and viability of the village/town centres.
6. The proposal would retain an active shop frontage, and the reduction in commercial floor area would be relatively modest. From the information before me, the reduced commercial floor area would continue to provide a suitable space for businesses to operate from.
7. Whilst I note that the objection from the Parish Council in respect of the lack of marketing, my attention has not been drawn to any policy requirement for marking information for this type of application, which would retain the majority of the commercial floorspace.
8. Overall, there is no evidence that the proposal would result in any adverse effect on the vitality and viability of Liss Village Centre, accordingly, the proposal would accord with Policy SD37 of the SDLP and Liss 16 of the NP.

Conservation Area

9. The appeal site lies within the Liss Conservation Area, which is significant for the architecture and historical interest of the cottages and terraces within it. The statutory duty under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires me to pay special attention to the desirability of preserving or enhancing the character or appearance of the CA.
10. The existing building features painted cream render with white brick detailing and is located in a row of buildings of a similar appearance. No operational development, or significant physical or structural changes are proposed. The proposal would retain an active shop frontage.
11. Accordingly, the proposal would preserve the character and appearance of the Conservation Area in accordance with Policy SD15 of the LP, together with Policies 9 and 17 of the NP. These policies, taken together and insofar as relevant, require development to preserve or enhance the special architectural or historic interest, character or appearance of the Conservation Area.

Other Matters

12. In addition to the main issues raised above, interested parties have also commented on the lack of toilet/bathroom facilities for the commercial use and the need to install a new water connection. The Council has advised that it does not consider the absence of toilet facilities to be a planning issue. The absence of facilities appears to be an existing position, and my attention has not been drawn to any policy requirement for their provision. In respect of a water connection, there is

no information to suggest that it would not be possible to provide a new connection. As such, these matters have not been determinative.

Conditions

13. The Council has suggested a plan numbers condition in the event of my allowing the appeal. I am satisfied that this, together with a time limit condition, are required in the interests of certainty.

Conclusion

14. For the reasons given above, I conclude that the development would accord with the development plan as a whole, and material considerations do not indicate a decision should be made other than in accordance with the development plan. The appeal is therefore allowed and planning permission is granted.

R Lawrence

INSPECTOR