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## Appeal Decision

Site visit made on 13 June 2025

**by Diane Cragg DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 7 July 2025

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**Appeal Ref: APP/L3815/W/25/3363606**

**Meadow View Stables, Monk's Hill, Westbourne, West Sussex PO10 8SX**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
  - The appeal is made by Mr F Wickens against the decision of Chichester District Council.
  - The application ref is WE/24/02458/FUL.
  - The development proposed is described as 'construction of shared utility building as an alternative four detached utility buildings approved under 20/00785/FUL and 14/04206/FUL'.
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### Decision

1. The appeal is allowed, and planning permission is granted for the demolition of existing day room and construction of 1 no. shared utility building (alternative to utility building approved under WE/14/04206/FUL) at Meadow View Stables, Monk's Hill, Westbourne, West Sussex PO10 8SX subject to the conditions set out in the attached schedule.

### Applications for costs

2. An application for an award of costs has been made by the appellant. That application is the subject of a separate Decision.

### Preliminary Matters

3. The development is described on the application form as per the banner heading above. However, the description on the officer report and decision notice refers only to the removal of the utility building required to facilitate the development. This reflects the description used when publicising the application and the evidence of both parties. Consequently, I have determined the appeal on this basis and my decision above reflects this change.
4. The Council's emerging local plan, the Chichester Local Plan 2021-2039: Proposed Submission (ELP) has reached an advanced stage. Its Policies therefore carry some weight although the wording might still change.
5. There is concern that the proposed accommodation would be tantamount to a new dwelling. There is no evidence before me that the proposed development would be a dwelling occupied independently. I must consider the development applied for, which is a shared utility building to serve an existing traveller site. Even if the structure is not built or used as proposed, or if there is a material change of use in the future to create an independent dwelling, then a separate grant of planning permission would be required, and the building would be at risk of enforcement action if such permission is not granted.

## Main Issue

6. Having regard to the above, the main issue is the effect of the proposed development on the character and appearance of the area.

## Reasons

7. The appeal site is a traveller site with permitted use<sup>1</sup> for the stationing of 4 static caravans together with related touring caravans, amenity buildings and hardstanding. Within the site not all the static caravans granted as part of the 2023 planning permission are in place and the approved amenity buildings for these plots have not been constructed. The static caravan, subject of the 2016 permission, is sited parallel with the front site boundary. It has an amenity building or day room constructed of brick and render with a pitched tiled roof and a footprint of about 30 square metres. The existing structure, together with two wooden sheds sited alongside, sits broadly at right angles to the static caravan.
8. The appeal site is not significantly beyond the built form of the village and the recreation ground with its parking to the road frontage, play equipment and boundary fencing adds some features to the village entrance that have an urbanising influence on the village edge. Nevertheless, in combination the mainly open and spacious grassed area of the recreation space, the grass verges and mature hedges and trees adjacent to Monk's Hill, and the limited built form on the approach to the village provide an attractive street scene with a predominantly rural character and appearance that contributes to the rural setting of Westbourne.
9. The appeal site boundary with Monk's Hill is delineated by hedging and trees which continue along the side of the access road into the traveller's site. The hedges and trees contribute to the rural character of the area and provide effective screening of the static caravan adjacent to the front boundary and there are only glimpses of the existing associated amenity building when passing the site.
10. The proposed utility building would replace the existing structure and would be a shared amenity space for the extended family within the site to use together. In terms of the space requirements for such accommodation I am referred to the withdrawn document 'Designing Gypsy and Traveller Sites.' However, I have not been provided with a copy of the document and as the document is withdrawn, I can have little regard to it. Even so, I note that the Council acknowledges that amenity buildings are typical features of traveller sites and should include a kitchen and bath/shower room.
11. The amenity buildings approved as part of the 2023 planning permission are said to provide for storage and space for a washing machine, therefore individually these would not appear to provide for the facilities that would be expected in an amenity building. Furthermore, the appellant has clarified the extended family's needs and there is no reason to conclude that rooms provided within the proposed building would be beyond those necessary to support these.
12. Although a larger footprint, the scale and height of the proposed utility building would not be incompatible with the proportions of the mobile homes within the site. The structure would be well screened in the landscape and there would be very limited views of it from Monk's Hill. Furthermore, the building would be seen in the

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<sup>1</sup> By virtue of planning permissions granted at appeal in 2016 and 2023.

context of the site's use and the proposal would not appear prominent or out of place or detract from the rural setting of Westbourne. Even when taken in combination with the other approved structures within the site, I am satisfied that the proposed building would not look harmfully out of place.

13. The boundaries of the South Downs National Park are a significant distance from the appeal site to the east and north. The appeal site does not add to the experience of the National Park with the site's immediate surroundings providing an effective buffer in this regard.
14. I conclude that the proposed development would not detract from the character and appearance of the area. The proposal would accord with Policies 45 and 48 of the Chichester Local Plan 2014 – 2029 (LP) and Policy P1 of the ELP where these policies seek to ensure that proposals meet an essential need, are well related to groups of buildings and do not adversely impact on the rural character of the area.
15. Policy 33 of the LP refers to new residential development and is not relevant to the consideration of the development before me. There is also reference in the evidence to Policy OA3 of the Westbourne Neighbourhood Plan 2017 to 2029, but this is not one of the policies on which the Council relies in this appeal. In any case the proposal accords with this policy as far as it seeks to ensure, in terms of gypsy and traveller pitches, that sufficient amenity space is provided for residents.

### **Other Matters**

16. The appeal site is within the 5.6 km zone of influence of the Chichester and Langstone Harbour Special Protection Area. The Council has confirmed that as the development does not include any overnight accommodation the need for a Habitat Regulation Assessment is screened out.

### **Conditions**

17. I have considered the proposed conditions in line with the advice contained at paragraph 57 of the National Planning Policy Framework and taken into consideration the responses of internal consultees. Both parties have had the opportunity to comment on the conditions.
18. In addition to the standard time limit condition, I have included a plans condition for certainty. Details of materials are necessary to ensure that the development has a satisfactory appearance (condition 3). Condition 4 is required to ensure that the development has regard to the existing ecological value of the site and condition 5 is necessary to protect nesting birds. Condition 6 is necessary to prevent separate occupation of the utility building and to ensure that the proposed development provides for the amenity needs of the occupiers of the traveller pitches within the site.

### **Conclusion**

19. For the reasons set out above, I conclude that the proposal accords with the development plan. Therefore, the appeal is allowed.

*Diane Cragg,*

INSPECTOR

### **Schedule of Conditions:**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the following approved plans: 2410FW\_RO\_000, 2410FW\_RO\_101, 2410FW\_RO\_102, 2410FW\_RO\_003.1 REV.001.
3. Notwithstanding any details submitted no development/works shall commence above slab level until a full schedule of all materials and finishes to be used for external walls and roofs of the utility building have been submitted to and approved in writing by the Local Planning Authority (LPA). The development shall be carried out in accordance with the approved schedule of materials and finishes.
4. The construction of the utility building shall not proceed above slab level until details of a scheme showing any external lighting intended for installation and the siting and design of bat and bird boxes and hedgehog nesting boxes shall have been submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented prior to the occupation of the utility building and thereafter retained.
5. No vegetation clearance shall take place between 1st March and 31st August inclusive, unless preceded by a nesting bird survey undertaken by a competent ecologist no more than 48 hours prior to clearance. If nesting birds are present, an appropriate exclusion zone will be implemented and monitored until the chicks have fledged. No works shall be undertaken within exclusion zones while nesting birds are present.
6. The utility building hereby permitted shall only be used for purposes incidental to the use of the traveller pitches within the appeal site and shall not be occupied at any time as a permanent means of habitable accommodation.