

Mr & Mrs Edward and Beth Bagshaw
c/o Mrs Elizabeth Lawrence
Elizabeth Lawrence Ltd
Woodend
Water Lane
Storrington RH20 3LY

Our Ref:
Contact
Officer:
Tel. No.:

SDNP/23/04901/FUL

Janet Mullen

Via Planning Information

8th January 2024

Dear Sir/Madam

TOWN AND COUNTRY PLANNING ACT 1990
Town and Country Planning (Development Management Procedure) (England)
Order 2015

Applicant: Mr & Mrs Edward and Beth Bagshaw
Proposal: Proposed sheep barn and associated hard-standing.
Location: Nessfield Farm, Lower Bordean Farm Lane, Bordean, Petersfield,
Hampshire, GU32 1ER,

Please find enclosed the Decision Notice in relation to the above application. If you are acting as an Agent please ensure that a copy is given to the applicant. **Before proceeding, please read the following important information which affects this Notice.**

Failure to comply with any conditions may invalidate the permission and may result in enforcement action. Some conditions may require further details or samples to be submitted for approval. Other conditions may contain timescales or stages against which compliance should be obtained and before works are commenced. Most categories of permission also require a fee for each request for discharge of condition/s, further details of which are set out in the attached information sheet.

*The South Downs National Park Authority has adopted the Community Infrastructure Levy Charging Schedule, which will take effect from 01 April 2017. **This application is liable for Community Infrastructure Levy and will be subject to the rates set out in the Charging Schedule** (<https://www.southdowns.gov.uk/planning/planning-policy/community-infrastructure-levy/>). If you have any questions, please contact*

Yours faithfully

MIKE HUGHES

Interim Director of Planning
South Downs National Park Authority



Working in Partnership



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GRANT OF PLANNING PERMISSION

In pursuance of its powers under the above mentioned Act, the South Downs National Park Authority as the Local Planning Authority hereby **GRANTS** Planning Permission for the above development in accordance with the plans and particulars submitted with your application received on 21st November 2023.

This permission is subject to the following conditions:-

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The materials used in the construction of the development hereby approved shall be as detailed within the permitted application particulars and shall be retained permanently as such, unless prior written consent is obtained from the Local Planning Authority to any variation.

Reason: To safeguard the appearance of the building and the character of the area.

3. Development shall proceed in accordance with the measures set out in Section 7 and 8 of the EIA report by South Downs Ecology (November 2023).

Reason: To protect and enhance biodiversity in accordance with the Habitat and Species Regulations 2017, Wildlife and Countryside Act 1981, NERC Act, NPPF and Policy CP21 of the East Hants Local Plan

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, re-enacting or modifying that Order) the building hereby permitted shall be used only for agricultural purposes as defined in Section 336(1) of the Town and Country Planning Act, 1990 and if at any time the building ceases to be used or required for such purpose it shall be removed and the land re-instated in accordance with details for such restoration, including a timeframe, which shall be submitted to, and agreed in writing by, the Local Planning Authority. Restoration shall be carried out in accordance with the agreed details.

Reason: To ensure that the building is used for agricultural purposes only since it lies within a rural area to which restrictive planning policies apply and where only that development needed to meet the essential requirements of the locality is normally permitted and to secure its removal if no longer required for agricultural purposes.

5. Prior to the commencement of the development hereby permitted, details of additional tree planting on the northern boundary to ensure the character of the footpath to the north is retained, shall be submitted to and approved in writing by the Local Planning Authority. All such work as may be approved shall then be fully implemented in the first planting season, following commencement of the development hereby permitted and completed strictly in accordance with the approved details. Any plants or species which within a period of 5 years from the time of planting die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a satisfactory development and in the interests of amenity and landscape character.

6. 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".

Reason: For the avoidance of doubt and in the interests of proper planning.

INFORMATIVE NOTES

These are advice notes to the applicant and are not part of the planning conditions:

Crime and Disorder Implications

It is considered that the proposal does not raise any crime and disorder implications.

Human Rights Implications

This planning application has been considered in light of statute and case law and any interference with an individual's human rights is considered to be proportionate to the aims sought to be realised.

Equality Act 2010

Due regard has been taken of the South Downs National Park Authority's equality duty as contained within the Equality Act 2010.

Proactive working

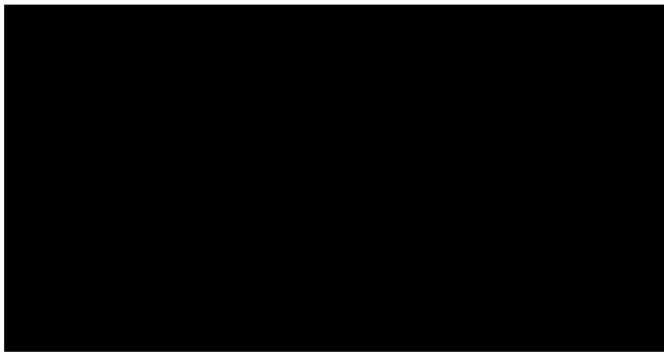
In reaching this decision the local planning authority has worked with the applicant in a positive and proactive way, in line with the NPPF.

Plans Referred to in Consideration of this Application

The application has been assessed and recommendation is made on the basis of the following plans and documents submitted:

Plan Type	Reference	Version	Date Received	Status
Plans -	Site Plan		20.11.2023	Approved
Plans -	GF Plan, East/South/North	2023/09/01	20.11.2023	Approved
Plans -	Location Plan/Roof/East Elevation	2023/09/02	20.11.2023	Approved
Plans -	Block/Site Layout	2023/09/03	20.11.2023	Approved
Plans -	Block/Site Layout, Landscape	2023/09/03	20.11.2023	Approved

Reasons: For the avoidance of doubt and in the interests of proper planning.



NOTES TO APPLICANTS / AGENTS

Fees for discharge of planning conditions

Fees apply for the submission for any consent, agreement or approval that are required by a planning condition. The fee chargeable is £145 per request or £43 where the related permission was for extending or altering a dwelling house or other development in the curtilage of a dwelling house. **The fee is payable for each submission made regardless of the number of conditions it is seeking to discharge.**

A fee is payable for conditions related to planning permissions and reserved matter applications only. A fee is not required for conditions attached to listed building consents and conservation area consents.

The requirement to make this charge is set out in [Fees for planning applications - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/planning-conditions-fee)

You may wish to use the standard form to accompany your submission, or set out your requests in writing, clearly identifying the relevant planning application and condition(s) which you seek to discharge or seek approval for. Forms & guidance notes are available on the National Planning Portal website, <https://www.planningportal.co.uk/applications>

Non Material Amendments

There is an application form for the submission of Non Material Amendments to approved plans. Forms & guidance notes are available on the National Planning Portal website, <https://www.planningportal.co.uk/applications>

The fee chargeable is currently £293 per request, or £43 where the related permission was for extending or altering a dwelling house or other development in the curtilage of a dwelling house.

Appeals to the Secretary of State

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

If you want to appeal against your local planning authority's decision then you must do so within **6 months** of the date of this notice.

Appeals must be made on a form obtainable from the Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, BRISTOL, BS1 6PN, Telephone Number: [REDACTED] from the Planning Inspectorate website: <https://www.gov.uk/appeal-planning-decision>

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

As from 6 April 2010 if an enforcement notice has been served in the previous 2 years you will have only 28 days in which to lodge the appeal following the refusal. Equally, if an enforcement notice is served after the refusal it will truncate the period for lodging the appeal against the refusal of planning permission to 28 days after the enforcement notice has been served.

Purchase Notices

If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.