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JOHN WARD

Head of Finance and Governance Services

Contact: Katherine Davis or Lisa Higenbottam
Email: kdavis@chichester.gov.uk or
lhigenbottam@chichester.gov.uk

East Pallant House
1 East Pallant
Chichester
West Sussex
PO19 1TY
Tel: 01243 785166
www.chichester.gov.uk



A meeting of **Planning Committee** will be held in Committee Rooms, East Pallant House on **Wednesday 15 November 2017 at 9.30 am**

MEMBERS: Mr R Hayes (Chairman), Mrs C Purnell (Vice-Chairman), Mr G Barrett, Mrs J Duncton, Mr M Dunn, Mr J F Elliott, Mr M Hall, Mr L Hixson, Mrs J Kilby, Mr G McAra, Mr S Oakley, Mr R Plowman, Mrs J Tassell, Mrs P Tull and Mr D Wakeham

SUPPLEMENT TO AGENDA

Agenda Update Sheet (Pages 1 - 6)



Agenda Update Sheet

Planning Committee
Wednesday 15 November 2017

ITEM: 5

APPLICATION NO: BX/17/00898/REM

AMENDMENT TO CONDITIONS

Delete condition 6 (acoustic barrier)

Condition 6 is a duplicate of condition 4 and therefore not required.

Additional condition (external lighting)

No development shall commence until a detailed lighting scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the type and design of the lighting, the level of illumination and the details of any light spill mitigation measures. The scheme shall also set out how the design of the lighting complies with the Institute of Lighting Engineers (ILE) guidance notes for the Reduction of Light Pollution. The scheme approved by the Local Planning Authority shall be fully implemented prior to first occupation in accordance with the approved details. The works and scheme shall thereafter be retained, in accordance with the approved details.

Reason: This is required pre-commencement to ensure suitable lighting for occupiers whilst still protecting the appearance of the area, the environment and local residents from light pollution and in the interests of preserving the nature conservation interests of the area. The lighting is also required in the interest of public safety and for the prevention of crime.

ITEM: 6

APPLICATION NO: CC/16/03791/OUT

AMENDMENT TO REPORT

S106 Agreement – Page 60-61

Para 8.53 - second bullet point:

- Close the access track from Madgwick Lane to the playing fields to vehicular use before first occupation of any house on the phase 2 site. From first occupation of Phase 2 the playing pitches, sports pavilion and associated car parking spaces will only be accessed by car from the Phase 2 site via a safeguarded route to be provided through Phase 2.
- Provide one further senior sports playing pitch (football) (in addition to the pitch to be provided for Phase 1 of the SDL) and a cricket pitch - delivery linked to occupation of 100th dwelling on Phase 2. Provide associated permanent Sports Pavilion as replacement for the approved temporary changing facilities. This Sports Pavilion shall include changing facilities in accordance with Sport England guidelines plus attendant parking and shall be provided on the Phase 2 site with details of associated management and maintenance thereafter.

Fifth bullet point:

- Green Infrastructure. Minimum width of Lavant Valley Linear Greenspace footpath and cycle path shall be 3 metres not 3.7 metres.

AMENDMENT TO CONDITIONS – 5, 23 and 25

5) No development shall take place until a scheme for the provision and management of a 10 metre wide buffer zone from the top of the bank alongside the River Lavant (or such other distance as may be agreed in writing by the Local Planning Authority in consultation with the Environment Agency), has been submitted and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed in writing by the Local Planning Authority. The buffer zone shall be free from built development including lighting, formal hard-surfaced/tarmac footpaths, domestic gardens and formal landscaping; and will form a vital part of a green infrastructure provision. The scheme shall include:

- plans showing the layout and extent of the buffer zone;
- details of the proposed planting scheme;
- details demonstrating how the buffer zone will be protected during development and managed/maintained over the longer term including adequate financial provision and bodies responsible for ongoing management as part of a detailed management plan.

Reason: In order to protect the biodiversity and ecological value of the habitat adjacent to the river course and to ensure that the detailed design of the buffer scheme is appropriate, in accordance with paragraphs 109 and 118 of the National Planning Policy Framework.

23) Before construction commences of the superstructure of any dwelling hereby permitted a scheme for the protection of the development from external noise shall be submitted to and be approved in writing by the Local Planning Authority. The development shall be implemented strictly in accordance with the approved scheme and maintained in perpetuity thereafter.

The scheme shall ensure that as a minimum the following limits are not exceeded in any of the corresponding locations upon completion of the development:

Location	Noise Index	Limit (dBA)
Bedroom	Day LAeq, 16h	35
	Night LAeq, 8h	30
	Night LAmax, F	45
Living Rm	Day LAeq, 16h	35

(The above noise limits are based on windows in bedrooms and living rooms being closed and do not apply to the Goodwood Motor Racing Circuit Historic Racing Category 1 event days.

Day refers to the period 07:00 to 23:00

Night refers to the period 23:00 to 07:00)

The scheme shall include plans, drawings and a description of the site, the mitigation measures, the building construction and layouts and specific measures for each property to ensure that the limits set out above are not exceeded.

Reason: To protect the health and wellbeing of occupants from any significant adverse impacts due to noise in the environment.

Note:

The means by which the developer will achieve the above limits is at their discretion but it is expected that they will include, although not exclusively, any individual or combination of the following measures:

- (i) Barriers to obstruct the transmission pathway;
- (ii) Appropriate site design and layout to mitigate noise;
- (iii) Choice of building materials and building elements resistant to the passage of sound for the source in question;
- (iv) A building layout designed so that the sensitive habitable rooms face away from the most noise sensitive façade;
- (v) Use of acoustically insulated glazing with acoustic ventilators.

25) No part of a phase of the development shall be first occupied until covered and secure cycle parking spaces and refuse and recycling bin provision for that phase have been provided in accordance with plans and details submitted to and approved by the Local Planning Authority.

Reason: To provide alternative travel options to the use of the car in the interests of sustainable transport and refuse and recycling provision in accordance with adopted standards.

ITEM: 9

APPLICATION NO: E/17/02419/FUL 129A Third Avenue

FURTHER CONSULTATION RESPONSES:

The Parish Council have withdrawn their objection stating;

'Please accept my apologies for the delay in responding at its meeting on 26th October 2017 the comments from the planning officer were noted and on a proposal by the Chairman, in light of the planning officers explanation and recommendation it was RESOLVED to withdraw our objection'.

The wording of condition 12 has also been corrected as follows;

Notwithstanding the provisions of Part 1 Schedule 2 of the Town and Country Planning ((General Permitted Development) (England) Order, 2015 (or any Order revoking, re-enacting or modifying that Order) no window(s), door(s) or other openings shall be inserted into the walls and roofs of the building without a grant of planning permission.

ITEM: 10

APPLICATION NO: FU/17/04131/FUL

FURTHER CONSULTATION RESPONSE:

The application site lies within the outer consultation buffer for a High Pressure Gas Line that lies to the south of the application site. As a result the Health and Safety Executive (HSE) and Southern Gas have been consulted.

Health and Safety Executive

HSE does not advise, on safety grounds against the granting of planning permission in this case.

It is recommended that Southern Networks should be consulted to check whether the proposal would affect the gas line.

ADDITIONAL SUPPORTING INFORMATION HAS BEEN RECEIVED FROM THE AGENT

Email dated 9.11.17:

- Mr Brazil would be happy to reduce the size of the proposed tanks to suit the reduced and current proposal
- The use is for the breeding of horses as set out in his previous letter [letter dated August 2017]

AMENDMENT TO RECOMMENDATION:

The comments from HSE advise that Southern Gas Networks should be consulted to check whether the proposal would affect the pipeline. To date no response has been received from Southern Gas Networks and therefore the recommendation is amended to read:

Permit subject to no objection being received from Southern Gas Networks by 7 December 2017.

Item: 15

APPLICATION No: SDNP/16/03326/FUL Garden to 1 Stone Pit Cottages

FURTHER REPRESENTATIONS

2 Further third party comments:

Storage of construction plant, machinery and materials on this relatively small site – may lead to use of highway for such purposes

Potential for obstruction of footpath during construction phase

Potential presence of protected species (Great Crested Newts) on adjacent site

AMENDMENT TO CONDITIONS

Amendment to Condition 10 (Construction and Environmental Management Plan) to require details of temporary protection to existing track surface during construction and details of traffic management and safety of other path users during deliveries:

No development shall commence, including any works of demolition, until a Construction and Environmental Management Plan (CEMP) has been submitted to and approved in writing by the SDNPA. Thereafter the approved CEMP shall be implemented and adhered to throughout the entire construction period unless any alternative is agreed in writing by the SDNPA. The CEMP shall provide details of the following:

- (a) the anticipated number, frequency and types of vehicles used during construction,
- (b) the provision made for the parking of vehicles by contractors, site operatives and visitors,
- (c) the loading and unloading of plant, materials and waste,
- (d) the storage of plant and materials used in construction of the development,
- (e) the erection and maintenance of security hoarding,
- (f) the provision of road sweepers and/or wheel washing facilities to mitigate the impact of construction upon the public highway
- (g) measures to control the emission of dust and dirt during construction, to include where relevant sheeting of loads, covering and dampening down stockpiles
- (h) measures to control the emission of noise during construction,
- (i) details of all proposed external lighting to be used during construction and measures used to limit the disturbance of any lighting required. Lighting shall be used only for security and safety,
- (j) appropriate storage of fuel and chemicals, in bunded tanks or suitably paved areas, and
- (k) waste management including prohibiting burning.
- (l) the hours of operation in relation to construction and deliveries
- (m) The means of temporary protection to the surface of the track during the construction phase of the development;
- (n) the details of traffic management and safety of other path users during construction deliveries (including appropriate signage)

Reason: These details are necessary pre-commencement to ensure the development proceeds in the interests of highway safety and in the interests of protecting nearby residents from nuisance during all stages of development and to ensure the use of the site does not have a harmful environmental effect.

ADDITIONAL INFORMATIVES

Wildlife and Countryside legislation

Your attention is drawn to the provisions of the Countryside and Rights of Way Act 2000 and Wildlife and Countryside Act 1981 (as amended) and in particular to Sections 1 and 9. These make it an offence to:

- kill or injure any wild bird,
- damage or destroy the nest of any wild bird (when the nest is being built or is in use),
- damage or destroy any place which certain wild animals use for shelter (including all bats and certain moths),
- disturb certain wild animals occupying a place for shelter (again, all bats and certain moths).

The onus is therefore on you to ascertain whether such birds, animals or insects may be nesting or using the tree(s), the subject of this consent, and to ensure you do not contravene the legislation. This may, for example, require delaying works until after the nesting season for birds. The nesting season for birds can be considered to be March to September. You are advised to contact Natural England for further information (tel: 0845 601 4523).

Potential presence of protected species

The developer's attention is drawn to the possibility of the presence of a protected species on adjoining land. It is advised that the developer adopt a precautionary approach and erect exclusion fencing along the common boundary with 1 and 2 Stone Pit Cottages. If necessary, further advice should be obtained from Natural England or from GOV.UK at: <https://www.gov.uk/guidance/great-crested-newts-surveys-and-mitigation-for-development-projects>