

Public Document Pack

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A meeting of **Planning Committee** will be held in Committee Rooms, East Pallant House on **Wednesday 7 February 2018 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

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Agenda Update Sheet

Planning Committee
Wednesday 7 February 2018

ITEM: 7

APPLICATION NO: BO/17/00664/FUL

COMMENT:

Addendum to report:

Paragraph 2.2 should state that the raised walkway is around the western and southern boundary of plot 2.

Additional comments have been received from Bosham Parish Council and a third party.

Parish Council:

If CDC's Emergency Planning Officer is now satisfied that the escape arrangements are acceptable, subject to conditions, then we confirm Bosham Parish Council withdraws its objection.

2 no. third party letters of objection (from one objector) have been received stating:

- a) The raised platform did not fall into disrepair
- b) The raised walkway is not solely for the purposes of escape in the event of a flood
- c) The raised walkway, including the gate and platform, lie within common parts of the estate and not just for the use of plot 1.
- d) The walkway provides access for the occupiers of plot 2 to the foreshore
- e) A condition should be amended to provide plot 2 with an alternative.

The representation is accompanied by a plan showing the common parts within the development, an extract from the deeds of transfer and a letter from Verisona Law confirming that the occupier of plot 2 has the right to use the common parts of the development, including the raised walkway in line with the deeds of transfer to access the foreshore. This is in addition to the access rights over the pathway running to the west of the boatshed.

RECOMMENDATION

The additional representations received from the third party appear to demonstrate that the occupier of plot 2 has a legal right of way over the escape path which is the subject of the application. However, it remains that the reason the escape path was required by a

planning condition was in the interests of public safety in the event of a flood. The path is not required in the interests of the amenities of the occupiers of the dwellings or to provide access to the foreshore. Officers are satisfied that the application proposes an improved approach to the management of public safety in the event of a flood and it would not be reasonable to require the maintenance of the escape path in the interests of amenity. Therefore, the rights of access the occupiers of plot 2 have over the escape path, and the impact of the change upon any rights of access to the foreshore are a private civil matter between the occupiers of the dwellings and the management company responsible for the common land.

The recommendation therefore remains to permit.

ITEM: 8

APPLICATION NO: SDNP/17/06138/FUL

COMMENT:

Economic Development Officer:

The Economic Development Service has no objections to this change of use. This application retains the building for commercial use and will help to prevent deterioration of this area, in terms of visual impact, at this prominent site, on the main road in Midhurst.

ITEM: 10

SCHEDULE OF OUTSTANDING CONTRAVENTIONS

COMMENT:

Additional information

Performance Indicators – CDC Area only

Time taken to acknowledge complaints = 82.14%

ITEM: 11

6. Court and other matters

High Court Challenge of Inspector's Decision Letter dated 2nd November 2017 regarding Land at Breach Avenue, Southbourne.

Application logged 12th December 2017. Supplementary Statement of Grounds, requested by the Court, to be issued and served on 7th February 2018. Awaiting Court's permission to proceed with claim.