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A meeting of **Planning Committee** will be held in Committee Rooms, East Pallant House on **Wednesday 14 March 2018 at 9.30 am**

MEMBERS: Mrs C Purnell (Vice-Chairman), Mr R Hayes (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 - 8)



Agenda Update Sheet

Planning Committee
Wednesday 14 March 2018

ITEM: 7

APPLICATION NO: EWB/17/01259/FUL

COMMENT:

Additional consultee comments

WSSC Highways (further comments)

The swept path diagram outlines that a 5.7m long car towing a 6m boat could navigate the access onto the slipway. In highways terms this demonstrates that the arrangement would be workable. The LPA may wish to refer to advice of the Foreshore Officer for more detailed guidance on whether this is appropriate for the manoeuvres required by boat users and for guidance on whether these measurements are indicative of the likely vehicle/boat sizes using this facility.

With regards to representations regarding vehicles parking at the top of the slipway opposite the boat shed and providing obstructions, this is publicly maintainable highway. Therefore parking that occurs on the public highway in a dangerous position on road or obstructing free passage of highway could be dealt with as an offence under Section 22 Road Traffic Act 1988 and Section 137 Highways Act 1980 (respectively). Both of these acts are enforceable by Sussex Police.

The Chichester District Council carpark sign to the south of the existing access may require relocation; this is to allow sufficient space for the access to be moved.

The District Parking Officer may wish to comment on the placement of the food van, which appears to be positioned in a disabled parking bay as this would remove a disabled parking bay from public use, although this has been an existing practise, it is an amenity consideration.

CDC Health and Safety Manager

I can see from the plan that the customers of Billy's will be fairly well contained in the new seating area which is certainly an improvement on the open seating area they currently have. However, I am concerned that when the bi-fold doors are left open in the summer that the public would use that side of the building as the main entrance and exit to the premises – this will significantly increase the volume of pedestrian activity in the area

where vehicles and watercraft (on trailers) will be crossing. Additionally, I'm sure the owners of Billy's would be tempted to put tables and chairs to the outside of the new extension (effectively on the pavement) – a condition preventing this would be a very good idea.

The other concern relates to the point that the Foreshores Officer has made regarding trailers being further towards the slope, where the gradient is greater, and that control could be lost (particularly when being used by inexperienced persons). Signage or markings on the road could possibly assist users but physical controls in terms of the design itself would be more reliable - the single control measure of relying on people to act in a particular way to ensure their safety is always weak and should be avoided. I'm aware that the foreshores staff have previously found it difficult to manoeuvre the tractor to be able to attach the bucket (used for stone clearance from the slipway on a daily basis in the summer) and they've had to use a second member of staff to act as a banksman to protect the public. I don't know whether this planning application makes that any worse but it's a shame that the application hasn't been used as an opportunity for all parties involved to design-out such safety issues.

Additional Conditions

No seating or other paraphernalia associated with the use of the Café shall be sited outdoors in the area edged in red on Drawing 10057-DPA-03 Rev A.

Reason: In the interests of the safety of users of the café and the slipway.

Notwithstanding the approved plans, no development shall commence on site until details of the positioning and orientation of the catering van have been submitted and agreed in writing by the Local Planning Authority. Thereafter, when stationed on the site, the catering van shall only be positioned and orientated in the agreed position.

Reason: In the interests of the safety of users of the café and the slipway.

Notwithstanding the approved plans, no development shall commence on site until details of the proposed gate have been submitted and agreed in writing by the Local Planning Authority. Thereafter, the development shall be undertaken in strict accordance with the approved details.

Reason: In the interests of the safety of users of the café and the slipway.

ITEM: 8

APPLICATION NO: SB/17/02596/FUL

COMMENT:

The plan provided on page 69 of the agenda does not show the extent of the application site correctly. The plan is shown correctly below.



An amended site plan has been submitted to show the provision of the required three parking spaces, and an amended floor plan has been provided to show the proposed bathroom window.

Amendment to recommendation

Permit with S106 and amendments to conditions 2 and 9 as stated below.

2) The development hereby permitted shall not be carried out other than in accordance with the approved plans: 11138-1B, 001.A and 002.A.

Reason: To ensure the development complies with the planning permission.

9) No part of the development hereby permitted shall be first occupied until vehicular parking spaces have been provided in accordance with drawing no. 11138-1B. Thereafter the vehicle parking shall be retained for that purpose in perpetuity.

Reason: To provide adequate on-site car parking space for the development.

ITEM: 9

APPLICATION NO: WH/17/03466/FUL

COMMENT:

Amendment to recommendation

The Recommendation is amended to:

DELEGATE DECISION TO OFFICERS TO RESOLVE OUTSTANDING ISSUES RELATING TO NOISE AND A27 TRAFFIC IMPACTS AND THEN DETERMINE

Further consultations responses

Highways England (Further Comments received 02.03.2018)

We have now been through the additional information provided by the consultants and unfortunately Highways England is still not satisfied with the information provided. The outstanding issues, which the applicant and his consultants will need to address are outlined below.

The Goodwood Parking and Assessment Strategy (June 2017) justified that an additional 222 spaces would be required at the site, 155 of which are associated with the Bognor TLC Bus or Central Bognor Bus Service. Whereas, the assessment put forward in “TN03 Proposed Car Park at Rolls-Royce Motor Cars, Westhampnett - Transport Addendum” and “TN04 Proposed Car Park at Rolls-Royce Motor Cars, Westhampnett - Highways England Addendum” justifies an additional 200 spaces approximately at the site, 90 of which are “new” trips from Bognor Regis as a result of withdrawal of the Bognor TLC shuttle bus, with TN04 assessing that this increase will result in an increase of just 0.4% of the Average Annual Daily Flow for the A27.

Highways England is concerned that:

- The impact of the proposed development on the A27 has not been properly assessed (the additional trips from Bognor Regis would impact the A27 Bognor Road Roundabout and A27 Portfield Roundabout, and Highways England does not consider that assessing the percentage impact is a robust assessment of the development’s impact as the significance of percentage impact is higher where road capacity is already stretched, which it already is at these locations; and
- While the application is for an additional 492 spaces, the information provided only provides justification for circ 200-222 spaces at most – i.e. the proposals will increase the supply of spaces to almost 300 spaces over and above the existing number of parked cars. Highways England is concerned that this change from limited parking to an overprovision of parking will either result in employees transferring from sustainable modes to driving with more spaces being available, or will allow the workforce to be expanded, both of which would result in more cars on the network, including the Strategic Road Network (SRN).

Therefore:

- A capacity and safety assessment of the impact of the proposed development on the A27 Bognor Road Roundabout and A27 Portfield Roundabout junctions should be undertaken to demonstrate that the level of traffic increase can be accommodated to result in a nil detriment situation, and where it cannot be, appropriate mitigation should be identified for two assessment years to include:
 - Year of Opening; and
 - Either the end of the Local Plan or 10 years after Year of Opening, whichever is later.

This should include assessment of the additional 90 “new” vehicles from Bognor Regis as well as a sensitivity test for the overprovision of parking (equating to 270 vehicles as a minimum), with the postcode data referenced in the Travel Plan used for trip distribution purposes to calculate how many of these trips would use the A27 junctions; and

- With regard to the Construction Traffic management Plan, Highways England requests that wording is added restricting HGV movements to and from the site during the weekday peak hour periods i.e. 0800-0900 hours and 1700-1800 hours).

As such, our position is still that there is insufficient information provided on which to base an informed decision in relation to the potential impacts of the proposals on the SRN, and until such time as the above information has been provided to enable Highways England to obtain a clear view of the impacts of this proposal on the SRN, our informal advice is that this application should not be approved because of the potential for harm to the SRN.

I trust that the above is of assistance and please note I have taken the opportunity to copy this email to the applicant’s consultants for further consideration and reply. This email does not constitute a formal recommendation from Highways England. We will provide formal recommendation later when we can be confident that the application is in its final form.

CDC – Environmental Health (Noise)

The responsibility for the design and running of the car park to prevent or minimise unacceptable impacts remains with Rolls Royce.

I would expect that they undertake additional work around the matters mentioned in my previous memo to inform the decision process. This would include examining the use and impact of the existing car park on the residential premises in Wealden Drive. I would be prepared to meet to observe the use with representatives of the applicant but they would need to record events and report their observations independently to inform the planning process.

Any findings of this should be applied to the proposed site to inform design and operation. This is an iterative process. Therefore, should the findings of that work indicate that further mitigation is needed to allow the use between 6:30 to 07:00 then potential design measures to be considered should include the circulation of the vehicles and the effectiveness of a second acoustic barrier.

Hard measures need to be complemented by operational, including behavioural change. I would expect that a noise management plan would be in place that, amongst other things, would include measures for:

- communication with the local community in the event of complaint
- marshalling of early morning traffic
- driver advice and information so they understand the need to keep sound levels to a minimum

I note also that they propose to install 10 electric vehicle charge points with infrastructure provision for a further 60. The commissioning of the remainder is dependent on demand. However, we would expect to see Rolls Royce try to promote the use of electric vehicles by commissioning the additional charge points so that there is always capacity to charge and in this way encourage employees and others to switch. They might also consider other offers within their travel plan including giving preference to those people with electric vehicles to park at the site; free charging for a given period on switching; giving parking preference to those people within Chichester and the six nearby villages for parking electric vehicles in addition to the car sharing.

This would not only assist reduce the noise of vehicles at the site but would also have the benefit of contributing to the reduction of local pollution levels within the Chichester area.

I would like to suggest that the following condition be attached to any permission given. We discussed the following options for a condition:

- assessing the use and frequency of the car parking spaces and if certain criteria were met then an additional phase of parking spaces would be converted to electric charge points so that there was always capacity; or
- a simple requirement for the initial provision of 10 spaces to be followed by further commissioning of 10 per year thereafter to the maximum of 60.

Rolls Royce have already indicated that they will make the provision in their travel plan but a condition in this way will ensure that the obstacles to use of electric vehicles are minimised. Therefore please can you attach an appropriate condition to any permission given.

The following condition is recommended in respect of a Noise Management Plan:

18) The use of the Rolls Royce car park hereby permitted shall not commence unless and until details of a Noise Management Plan, which shall include details of the ongoing measures and practices to be employed at the site in order to minimise any impacts upon the nearby residents, has been submitted to and been approved in writing by the Local Planning Authority. Once approved, the measures and practices outlined in the Plan shall be carried out in their entirety.

Reason: To avoid noise giving rise to significant adverse impacts on health and quality of life as a result of the new development.

Amendment to conditions

3) Notwithstanding any details submitted to the contrary final details of the form, appearance, colour and precise location of the proposed 3 metre high acoustic fence to be erected along the southern boundary of the site shall be submitted to and be approved in writing by the Local Planning Authority before the development commences. Once approved the acoustic fence shall be erected in the agreed position before the car park is first brought into use. **The barrier shall be retained throughout the life of the development.**

(Note: The barrier shall be designed to have a minimum surface density of 10 kg/m² and be imperforate.)

Reason: To ensure that the fencing is provided in a position and to a specification which protects residential amenity.

4) ~~Before work commences on~~ **first use of** the Rolls Royce Motor Cars car park hereby permitted a plan shall be submitted to and be approved in writing by the Local Planning Authority showing the zoned allocation of 144 car parking spaces on the west side of the site. The plan shall be accompanied by details of how the management of these spaces is to be carried out. Between 06:30 and 07:00 no car parking shall take place at the Rolls Royce Motor Cars car park other than within the 144 identified spaces. The use of the car park shall be carried out in accordance with the approved details.

Reason: To accord with the submitted noise mitigation strategy in the interests of protecting residential amenity.

Additional condition

19) The use of the Rolls Royce car park hereby permitted shall not commence unless and until 10 no. electric car charging points have been provided on the site and until a phasing delivery plan for an additional 50 no. electric car charging points has been submitted to and been agreed in writing by the Local Planning Authority.

Reason: In the interests of promoting sustainable means of transport and in the interests of amenity.

Planning Officer Comment

The two additional conditions and amended conditions are considered to be necessary. While officers continue to be supportive of the principle of this development, it is clear from the two additional consultation responses that there remain two limited technical issues which need to be fully resolved before any planning permission is issued. Officers are therefore recommending that the Recommendation on the application be amended to enable these outstanding matters to be addressed accordingly. This requires the final decision to be delegated to officers.

ITEM: 10

APPLICATION NO: WW/17/03316/FUL

COMMENT:

The application seeks to vary a condition on the outline permission for a building which has subsequently been constructed in accordance with the outline and reserved matters permission. Therefore the application will result in a new full planning permission, rather than an outline. The application number has therefore been amended to WW/17/03316/FUL.

Addendum to recommendation

Condition 2 as stated within the report limits the future letting/sale of the application building. This goes beyond the remit of a planning condition. Therefore condition 2 is amended to read:

2) 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 accommodation hereby permitted shall be restricted to use as ancillary accommodation to the existing dwelling known as Merston Cottage.

Reason: The site is in an area where a new dwelling would not normally be permitted except the demonstrable needs of the case.