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A meeting of **Planning Committee** will be held in Committee Rooms - East Pallant House on **Wednesday 19 September 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 19.09.2018

ITEM 3 - URGENT ITEMS

The final judgement of the court in relation to Breach Avenue, Southbourne will be discussed in Part II, under Item 12.

ITEM: 5

APPLICATION NO: EWB/18/00753/OUT

This application has been WITHDRAWN from the agenda

ITEM: 6

APPLICATION NO: 18/01024/REM

COMMENT:

Applicant name: Mrs Aaron Wright on behalf of Barratt David Wilson Homes

Additional consultation comments (summarised)

Westhampnett Parish Council

The Parish Council has no outstanding objections.

Southern Water

Southern Water would have no objection to the proposal as long as the waste water pumping station/compound is designed to Sewers for Adoption standards with a Type 3 pumping station/compound.

The tanker movements are calculated to be approximately four to five per day (31 expected for a week) on the completion of the 300 units. There was a miscalculation on the information submitted by the consultant so hopefully this clarifies this situation with regards to 20+ movements within a 24 hour period.

Officer comment

The recommendation to approve the planning applications for the strategic pipeline was agreed by WSCC Planning Committee on 11 September. The works are due to start in early 2019.

WSCC Highways

There is a desire line from the development to the right of way (Stocks Lane) and that crossing movements will most likely occur irrespective of whether a formal crossing is provided.

Based on the current speed limit on Madgwick Lane, visibility splays of 1.5 by 160 metres would be required at the proposed pedestrian crossing point. This could be reduced to 120m if a 40mph speed limit is installed. The speed limit reduction is dependent upon the making of a Traffic Regulation Order, the provision for which is made in the s106 for the outline planning permission but would still need to be subject to a formal consultation process.

Based on a very basic assessment, the most optimal location (where the splay crosses the smallest area of landscaping and where the greatest splays can be achieved) for a crossing point would likely be to the west of Stocks Lane and the existing field gate access serving the site at present.

Some planting would be allowed in the visibility splay providing this does not obstruct the sightlines for crossing pedestrians. It would be accepted not to have the crossing point delivered until the neighbouring phase of development comes forward. A temporary barrier may be required.

I would be very reluctant to take a contribution where the detail is not known. The split delivery of a crossing improvement raises various other issues in terms of co-ordination. I'd be much happier with a condition requiring a scheme to be submitted at a later date and for the delivery of this to lie entirely with the developer, that's if a scheme is deliverable.

I see no reason why a solution cannot be investigated in good time to enable the landscaping scheme to be progressed this winter/spring

Officer comment

While it is not currently safe to provide a formal link as discussed in the report (paragraphs 6.6 and 8.31), officers and consultees recognise that there is a clear desire to use this route.

It may be possible to secure a more informal connection, if the speed limit along Madgwick Lane is reduced to 40mph. The final position and details of this crossing point, and its effect on the Ride landscaping require further review.

The developer has proposed a contribution for the works within the highway, with the provision of the footway leading to the crossing point to be delivered by the developer. Officers and WSCC Highways are concerned about this delivery mechanism and the timing. A condition is instead recommended to secure the details of the crossing point and its implementation, as set out below. During the assessment of the details under this condition, a balance will need to be struck between optimising visibility splays, minimising travel distances and securing robust landscaping, specifically by carefully considering the position of hedging along the road edge of the Ride to avoid visibility splays.

CDC Environmental Health (Contaminated Land and Air Quality)

A management plan is requested to show how the pumping station is to be managed in normal circumstances and in the event of an emergency. It is also requested that the tanker visits do not take place overnight if possible. The noise of the pumping station connection to the pipeline should not be an issue.

Officer comment

The pumping station is to be designed and constructed to Sewers for Adoption standards and relevant technical consents and operated and managed by Southern Water as part of their statutory functions. A condition is recommended to minimise tanker activity at unsociable hours.

1no. Third party objection

One additional third party representation has been received, re-starting concerns about the construction and height of the fence to the equestrian land, impact of the development on the equestrian business and the height and proximity of the houses to the eastern boundary.

Officer comment

These matters have been dealt with in the main report, including in paragraphs 6.13 and 8.26

Amended and additional conditions

Condition 2 (plans) has been amended to include the plan references within the text as follows:

Location and site plans: PL-01A, PL-02L, PL-03H, PL-04N, PL-09G, PL-10B, PL-10D (colour), PL-11F, PL-12F, PL-13F, PL-14F, PL-16E, PL-17C

Dwelling plans and elevations: PL-101 REV A, PL-102 REV A, PL-103 REV A, PL-104 REV A, PL-105 REV A, PL-106 REV A, PL-107 REV A, PL-108 REV A, PL-109 REV A, PL-110 REV A, PL-111 REV A, PL-112 REV A, PL-113 REV A, PL-114 REV A, PL-115 REV A, PL-116 REV A, PL-117 REV A, PL-118 REV A, PL-119 REV A, PL-120 REV A, PL-121 REV A, PL-122 REV A, PL-123 REV A, PL-124 REV A, PL-125 REV A, PL-126 REV A, PL-127 REV A, PL-128 REV A, PL-129 REV A, PL-130 REV A, PL-131 REV A,

PL-132 REV A, PL-133 REV A, PL-134 REV A, PL-135 REV A, PL-136 REV A, PL-137 REV A, PL-138 REV A, PL-139 REV A, PL-140 REV A, PL-141 REV A, PL-142 REV A, PL-143 REV A, PL-144 REV A, PL-145 REV A, PL-146 REV A, PL-147 REV A, PL-148 REV A, PL-149 REV A, PL-150 REV A, PL-151 REV A, PL-152 REV A, PL-161 REV A, PL-162 REV A

Streetscenes and sections: PL-06C

Garages and utility buildings/structures: PL-07, PL-158, PL-159, PL-160, PL-163, PL-164, PL-32B

Shared driveway plan: SD-01E

Soft landscaping plans: BDWS21109 11G-SHEETS 1-16

Tree protection plans: BDWS21109-03C 1 of 3, 2 of 3 and 3 of 3

Play area plan: BDWS21109 20 REV B

Access to sport and green infrastructure area plan: 041.0041.008A

Drainage sections: BDWS21109 92

Environmental Management and Mitigation plan: FIGURE 1 REV A

An additional condition is proposed to secure details of a pedestrian crossing point from the northern part of the site to the bridleway opposite. This condition has been added following further discussions with WSCC Highways.

5) Prior to the implementation of the approved landscaping scheme within the proposed ride in the north western part of the site (which should take place during the first planting season after the commencement of development) and notwithstanding the crossing point marked on the approved plans, full details of a facility for pedestrians to safely cross Madgwick Lane, both to and from the adjacent bridleway, shall be submitted to and agreed in writing by the Local Planning Authority, in conjunction with the highway authority. Thereafter, the scheme as approved shall then be implemented and completed in full, prior to the occupation of any dwelling within Phase 2 of the David Wilson Homes element of the scheme, as indicated on the phasing plan PL-10B dated October 2017, or as subsequently amended and agreed.

Reason: To provide a route for pedestrians to access the bridleway to the north of the site in accordance with sustainable travel and green infrastructure policies and the approved parameter plan.

Condition 7 (bins) has been changed to an implementation condition rather than to require submission of additional details, as the details provided are considered acceptable.

7) No dwelling hereby permitted shall first be occupied until the bin and recycling storage and collection points associated with that dwelling are provided in accordance with the details on approved plan PL-11F and the following schedule:

1no 140ltr waste and 1no 140ltr recycling bin for all 1 bed and 2 bed dwellings

1no 240ltr waste and 1no 240ltr recycling bin for all 3 bed and 4 bed dwellings

The provisions shall thereafter retained as approved.

Any changes to these provisions or collection points as a result of the phasing of the build shall be first agreed in writing by the Local Planning Authority.

Reason: To ensure the adequate provision of onsite facilities in the interests of general amenity and encouraging sustainable management of waste.

The wording has been clarified for condition 8 (electric car charging)

8) No dwelling hereby permitted with an electric car charging facility shall first be occupied until the electric car charging facility associated with that dwelling as shown on the approved plan PL-11F has been provided in working order. These facilities shall thereafter be retained.

Reason: To encourage electric vehicle use in accordance with the Council's sustainable transport aims.

An additional condition is advised to secure the delivery of the allotments and supporting facilities in full:

No dwelling shall be occupied until a phasing plan for the provision of the allotments has been submitted to and approved in writing by the Local Planning Authority. The allotments shall thereafter be provided in their entirety, including the plots with clean topsoil, access and parking spaces, water points, toilet, boundary treatments and security features, in accordance with the details on the approved plans and the phasing plan.

Reason: To ensure the allotments are delivered in full and as soon as possible to benefit the community.

Missing word from condition 15 (unexpected contamination) added in the second sentence "**The** development shall not be first occupied until..."

An additional condition is recommended in response to the Environmental Health concerns about tanker access, which may include loud sudden noises such as reversing beeps, connecting equipment and opening/closing metal gates disturbing nearby residents at unsociable hours:

Vehicles servicing the pumping station shall only collect between the hours of 07:00 and 19:00 Monday to Saturdays and 09:00 and 17:00 Sundays unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the amenities of the nearby residents.

The proposed travel plan condition (number 6) is no longer required, as the submission and agreement of a travel plan is secured by the section 106 agreement attached to the outline planning permission.

ITEM: 7

APPLICATION NO: CH/18/00810/FUL

COMMENT:

Amendment to condition 2 (plans) to read;

2) The development hereby permitted shall not be carried out other than in accordance with the approved plans: 1710-01F; 1710-04B; 1710-05B; 1710-06B; 1710-07B; 1710-08B; 1710-09A; 1710-10A; 1710-13B; 1710-14B; 1710-16C; 1710-L01A; 1715-101C; W.083/2D.

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

The financial contribution to mitigate the impact of the new dwellings upon the Chichester and Langstone Harbour Special Protection Area has been received and the LPA are currently awaiting a signed copy of the Unilateral Undertaking. Therefore the recommendation remains to Defer for s106 and then Permit.

ITEM: 8

APPLICATION NO: FU/18/02187/FUL

COMMENT:

Description is amended to read: Change of use of land for permanent stationing of mobile home and equestrian business comprising the breeding of horses and dressage training.

ITEM: 9

APPLICATION NO: SDNP/17/03764/FUL

COMMENT:

Lodsworth Parish Council

Further comments received 11 September 2018.

Lodsworth Parish Council reviewed the planning application SDNP/17/03763/FUL at its meeting last night.

It was agreed that the Parish Council should withdraw its objection to the proposal of the new bridleway following the additional information it received in the email below. However if the application is permitted, it requests that a condition is included that the maintenance of the new trail will be the responsibility of the owners of the property. It would also like to request assurances that an on-going maintenance plan be put in place.

ITEM: 10

SCHEDULE OF PLANNING APPEALS, COURT AND POLICY MATTERS

CORRECTION - Page 128. 13 Parchment Street. Date of Public Inquiry is 30th October 2018.

UPDATE - Page 131; Court and other matters -

River Farm, Tillington – Application has been lodged for permission to appeal to the Court of Appeal and therefore any enforcement notice will be held in abeyance until the outcome of that application.

Breach Avenue, Southbourne – Judgement was handed down on 12th September 2018. The Council's challenge was dismissed. Council ordered to pay the first defendants costs but not the second defendant's costs.

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