

Public Document Pack

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A meeting of **Planning Committee** will be held in Committee Rooms - East Pallant House on **Wednesday 16 January 2019 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 and Mrs P Tull

SUPPLEMENT TO AGENDA

Part 1

15 **Agenda Update Sheet** (Pages 1 - 6)

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Agenda Update Sheet

Planning Committee
Wednesday 16th January 2019

ITEM: 5

APPLICATION NO: 18/02818/FUL

Additional consultation comments

Natural England (summarised)

No objection - The number of bedrooms only comes into play once a net increase in number of dwellings has been determined. In this case, it's the same dwelling, so I would agree that a financial contribution to the Bird Aware Strategy is not necessary.

Please take this as Natural England's updated view, ie that the proposal would not result in a likely significant effect on any European sites, and therefore that mitigation in the form of a financial contribution is not necessary, and neither is an Appropriate Assessment.

WSSC Parking Manager

Whilst not aware of any concerns raised from this particular road, parking within the entire area surrounding the hospital has been the source of much comment/complaint over the years and it is clear that the parking demands of hospital staff as well as students (in addition to other visitors etc) do not sit well with local residents. Put simply, there is not enough road space to cater for all of these demands and what road space there is (in my view) is not of a sufficient design standard to cater for the levels of parking we see. On that basis alone, I would have serious concerns over any new application/development that added to the existing on-street pressures. In some regards, if CDC were to support an application that potentially added more vehicles to the currently unrestricted roads, this could be viewed by many as going directly against what WSSC and the hospital are currently trying to promote – which is less car use/parking in the area in the long term.

My team is currently designing proposals for a parking scheme to cover this entire area and hope to consult on these in the coming weeks. So if these were to come into force (potentially mid-way through 2020 should all of the necessary approvals be achieved), the parking situation could be better managed. Hypothetically, if we had a scheme in place and we had a new HMO approved within it, we would be able to limit the number of permits issued to it and therefore people would see that we were at least managing the impacts of development.

It might be seen as more joined up, if CDC were to defer making decisions on applications such as this until it was known for certain whether a parking scheme was coming into force – just a thought. We would know this by around Autumn 2019.

CDC Housing (Summarised)

I understand you have a planning application in for Mr & Mrs Day, who own and manage 22 Peacock Close as a House in Multiple Occupation. They came to the Council voluntarily to join the Accreditation scheme that we run, which is a scheme in which the landlords provide quality and safe accommodation in the district and run it to a standard above the minimum standard. In fact, Mr & Mrs Day have gone over and above the Accreditation scheme standards, without any word from us and have provided all the necessary documentation to ensure safety in an unusually organised and prompt fashion, eg electrical report, gas safety certificate, improved EPCs, floor plans – digital etc, which is over and above current legal requirements.

The spec of their houses is in the top 5% in the district and they tend to have working professionals who can afford accommodation at the high end of the market. In saying that, I cannot guarantee that there will not ever be any issues, as there is with any owner, occupiers etc, I feel assured that if any issues arose and they were made aware, they would manage it in a timely and professional manner. Maybe a condition of the licence could be that they provide the neighbours with their contact details in case any issues arise in the future.

I can recommend the management and occupation of the property.

Additional third party comments

Two additional third party letters of objection has been received outlining the following concerns;

- a) No consideration has been given to the issue of parking in residential areas,
- b) The applicant has not said not all residents have cars, he has said 'Across the Franchise Network, only 35% of tenants own a car and store it at the property'. Which is clearly a very different thing,
- c) As I sit here now 3 cars are parked on the drive, which means 50% of the tenants own a car and regularly 4 car are parked on the drive,
- d) No consideration has been given to the likely fact that we will end up with 7 cars at this property, with 3 looking for on-street parking,
- e) The original planning application was for resident 2, 3 and 4 bed houses, not 6 or 7 bedroom houses,
- f) No permission to become a 6 bedroom house in the first place,
- g) There are only 3 places to park on the property, the parking provision map, shows 4 parking spaces in the layby. These are for visitors staying less than 24 hours as stated by the Richmond Park Management Company, they are not permanent spaces belonging to a homeowner. Parking on the pavement causes problems for all, especially when emergency access is required.
- h) The conservatory is deemed the communal area, it has no sound proofing.
- i) This is a commercial development in a quiet residential 'Close'. The existing problems with the other communal houses in the road will be amplified.

Recommendation

Officers note that the WSCC Parking Manager states that whilst there is an issue with parking in the wider highway network around the hospital, there is no known concern about parking on the application street. Officers consider that, having regard to the advice of the Parking Manager and that of the Highways Authority (that the proposal provides adequate off-street parking due to its sustainable location) it would not be reasonable to refuse planning permission on the basis of lack of parking. The proposed WSCC scheme to manage parking pressures in the locality is noted and may in the future resolve parking issues within the wider locality, however it would not be reasonable to hold the application in abeyance until the scheme is progressed, particularly based on the advice received from WSCC about the existing parking situation in Peacock Close and the level of off-street parking provided within the application site. Therefore the recommendation remains to permit.

ITEM: 8

APPLICATION NO: SDNP/18/02930/FUL

Amendment to applicant details: Fineline Joinery Ltd, Lucking Bros Limited, North Street, Petworth, GU28 9NH

Amendment to condition 3 - Noise Levels.

Noise levels generated by the dust extraction system shall not exceed representative background levels as established in section 3.6 of the Noise Assessment produced by Acoustic Associated Sussex Ltd (14.05.2018) minus 5dB(A) at any time. **For the avoidance of doubt the representative background noise level minus 5dB(A) is 47 dB(A).**

Reason: To safeguard the amenities and living conditions of occupiers of nearby residential properties.

ITEM: 9

APPLICATION NO: SDNP/18/03743/FUL

COMMENT:

Amended Description:

Retrospective change of use of an outbuilding to an exercise studio for commercial purposes.

Amended Conditions:

1. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987, as amended, and the Town and Country Planning (General Permitted Development) Order 2015, or in any other statutory instrument amending, revoking and re-enacting the Order, the building hereby permitted shall be used as an exercise studio and for no other purpose (including any other purpose in Class D2 only of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended by the Town and Country Planning (Use Classes) (Amendment) (England) Order 2005 or in any provision equivalent to that Class in any other statutory instrument revoking and re-enacting that Order).
Reason: To ensure the use of the building does not have a harmful environmental effect in the interests of amenity/in the interests of protecting the character of the area/in the interests of protecting residential amenity.
2. The use of the outbuilding as a commercial exercise studio shall only be operated by the occupiers of March House, Oaklands Lane, West Lavington.
Reason: To ensure the use of the building does not have a harmful environmental effect in the interests of amenity/in the interests of protecting the character of the area/in the interests of protecting residential amenity.
3. At no time shall the outbuilding be used as an exercise studio other than between the hours of 09:00 and 13:00 Monday to Saturday and at no time on Sunday, bank and other public holidays.
Reason: To safeguard the amenities of neighbouring properties.
4. At no time shall the maximum number of clients at any exercise class exceed 8 persons.

Reason: To safeguard the amenities of neighbouring properties and in the interests of road safety.
5. Within 3 months of the date of the approval of the planning permission the parking spaces and turning area shown in drawing number 20434-104 must be provided and shall thereafter be retained for their designated use. At no time shall any car parking associated with the use of the outbuilding as an exercise studio take place other than within the designated car parking area shown on drawing number 20434-104.

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

ITEM: 10 - Contraventions List

SCHEDULE OF OUTSTANDING CONTRAVENTIONS

1. Statistics as at 31st December 2018

Case Numbers:	CDC	SDNP cases remaining on CDC system until closed	SDNP case1	Total
On hand as at last report:	261	2	126	387
Cases received since last report:	95		24	119
Cases closed since last report:	106		38	144
Current number of cases on hand:	250	2	112	362
“On hand” includes cases awaiting compliance with an EN or the decision of an appeal/application	62		37	99

2. Performance Indicators are for CDC area only as this information is not available for cases within the South Downs National Park:

a. Time taken to initial visit from date of complaint:

Low within 20 days (203 Cases)	96.19%
Medium within 10 days (60 Cases)	96.67%
High with 2 days (17 Cases)	100%

b. Time taken to notify complainants of action decided from date of complaint:

Low within 35 days (202 Cases)	98.51%
Medium within 20 days (63 Cases)	92.06%
High within 9 days (17 Cases)	94.12%

4. Notices Served.

<u>Notices Served:</u>	1 Oct – 31 Dec 18		Total in FY 2018/19	
	CDC	SDNP	CDC	SDNP
Enforcement Notices	7	1	32	10
Breach of Condition Notices			5	1
Stop Notices				
Temporary Stop Notices			1	
Section 215 Notices	1		2	
Section 225A Notices				
High Hedge Remedial Notices				
Tree Replacement Notice				
Total	8	1	40	11

ITEM: 11 - Schedule of Planning, Appeals, Court and Policy Matters

Update in respect of the appeal decision for 17/00929/FUL Brick Bat Farm, Mouteys Lane, Funtington, Chichester, West Sussex, PO18 8AA – Demolition of barn, removal of mobile home and erection of 1 no. dwelling.

The appeal was dismissed by the Planning Inspectorate as reported to the Planning Committee on the 19 December 2018 (Agenda Item 15, Page 190). Within the Inspectors decision it was stated that both parties agreed the Council could not demonstrate a 5 Year Housing Land Supply. The Council had not agreed this position and officers wrote to the Planning Inspectorate to request that the decision be reviewed and corrected. The Planning Inspectorate have replied and advised the following:

You are of course correct in that the Council's appeal submissions do not include an agreement that it is unable to demonstrate a five year housing land supply. The first sentence of decision paragraph 20 is therefore incorrect; please accept my sincere apologies for this, and for any misunderstandings it may cause in the future. It goes without saying that this mistake carries no weight at all in terms of the Council's actual housing land supply.

Please be assured that we take all mistakes seriously; they 'feed' into performance management and we will look to see what lessons can be learned for future casework.

Part 5 of the Planning and Compulsory Purchase Act 2004 (as amended) allows us to issue a Correction Notice to correct certain types of errors in decisions; namely minor typographical and drafting errors. The corrected decision, superseding the original decision, has full legal status and carries a fresh date. However, this provision does not extend to corrections which materially alter the reasoning. With this in mind, I am afraid we are unable to reissue the decision in this case.