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A meeting of **Planning Committee** will be held in Committee Rooms, East Pallant House on **Wednesday 12 July 2023 at 9.30 am**

MEMBERS: Mr S Johnson (Chairman), Mr J Cross (Vice-Chairman), Mr R Bates, Mr D Betts, Mr R Briscoe, Mr J Brookes-Harmer, Ms B Burkhart, Mrs H Burton, Mrs D Johnson, Mr H Potter, Ms S Quail, Mrs S Sharp and Mr C Todhunter

## AGENDA

### 1 **Chairman's Announcements**

Any apologies for absence which have been received will be noted at this stage.

The Planning Committee will be informed at this point in the meeting of any planning applications which have been deferred or withdrawn and so will not be discussed and determined at this meeting.

### 2 **Approval of Minutes** (Pages 1 - 28)

The minutes relate to the meeting of the Planning Committee on 25 May 2023 and 14 June 2023.

### 3 **Urgent Items**

The chairman will announce any urgent items that due to special circumstances will be dealt with under agenda item 17 (b).

### 4 **Declarations of Interests** (Pages 29 - 30)

Details of members' personal interests arising from their membership of parish councils or West Sussex County Council or from their being Chichester District Council or West Sussex County Council appointees to outside organisations or members of outside bodies or from being employees of such organisations or bodies.

Such interests are hereby disclosed by each member in respect of agenda items in the schedule of planning applications where the Council or outside body concerned has been consulted in respect of that particular item or application.

Declarations of disclosable pecuniary interests, personal interests and prejudicial interests are to be made by members of the Planning Committee in respect of matters on the agenda or this meeting.

PLANNING APPLICATIONS - AGENDA ITEMS 5 TO 13 INCLUSIVE  
Section 5 of the Notes at the end of the agenda front sheets has a table showing how planning applications are referenced.

- 5 **NM/22/02191/OUT - Charmans Field Marsh Lane Runcton West Sussex**  
(Pages 31 - 79)  
Outline planning application (with all matters reserved except access) for the development of up to 94 residential dwellings, new access from Lagness Road, public open space, landscaping, sustainable urban drainage and associated works including new footway and cycleway links.
- 6 **BO/23/00595/FUL - Five Elms Stumps Lane Bosham Chichester West Sussex PO18 8QJ** (Pages 81 - 102)  
Demolition of existing 1 no. dwelling and garage and erection of replacement dwelling and garage and amendments to site levels and additional planting. (Variation of conditions 2 and 16 of permission 22/02531/FUL).
- 7 **BO/21/00620/FUL - Burnes Shipyard Westbrook Field Bosham PO18 8JN**  
(Pages 103 - 153)  
Development comprising the demolition of existing B2 use shipyard buildings and structures and the erection of 3no. replacement C3 dwellings with access, parking, landscaping and associated works
- 8 **CC/23/00600/FUL - Duke And Rye St Peters Market Formerly St Peters Church West Street Chichester West Sussex PO19 1QU** (Pages 155 - 175)  
Variation of conditions 4 and 16 of Planning Permission CC/98/00156/FUL (Change of use to A3 (food and drink) licensed premises) to i) vary condition 4 to allow later last orders up to 11.30pm on Fridays, Saturdays and Bank Holiday Mondays so as to align with the Premises License; and ii) vary condition 16 to control the timing and volume of amplified music.
- 9 **CC/22/03201/LBC - Duke And Rye St Peters Market West Street Chichester West Sussex PO19 1QU** (Pages 177 - 186)  
Replacement of broken/missing glass within leaded light windows; proposed DOFF cleaning technique for external stonework; replacement of external stonework and partial replacement of timber floor.
- 10 **CC/21/03421/FUL - The Old Church Whyke Road Chichester PO19 8HA**  
(Pages 187 - 202)  
Change of use of from (B1) Office se to Residential Use as a single dwelling.
- 11 **LX/23/01104/FUL - Land South West of Willets Way Willetts Way Loxwood West Sussex** (Pages 203 - 233)  
5 no. residential dwellings, vehicular and pedestrian access and hard and soft landscaping
- 12 **SY/22/02481/FUL - 36 Beach Road Selsey West Sussex PO20 0LU** (Pages 235 - 246)  
Erection of shed (retrospective) and change of use to gym for business, with associated access.
- 13 **SDNP/22/02474/FUL - Jays Farm Bignor Down Bignor West Sussex RH20 1PQ** (Pages 247 - 264)  
Conversion and alterations to an agricultural building to form a dwelling with associated landscaping
- 14 **Chichester District Council Schedule of Planning Appeals, Court and Policy Matters** (Pages 265 - 280)  
The Planning Committee will consider the monthly schedule updating the position with regard to planning appeals, litigation and recent planning policy publications or pronouncements.

- 15 **South Downs National Park Authority Schedule of Planning Appeals, Court and Policy Matters** (Pages 281 - 284)  
The Planning Committee will consider the monthly schedule updating the position with regard to planning appeals, litigation and recent planning policy publications or pronouncements.

- 16 **Planning appeal APP/L3815/W/23/3322020 - Land North of Highgrove Farm, Bosham - (LPA ref. BO/21/00571/FUL)** (Pages 285 - 363)  
The Planning Committee are asked to consider the attached report and support the proposed recommendations set out at 2.1;

**2.1 That the Planning Committee:**

- i) notes the information within the report,
- ii) agrees to contest appeal APP/L3815/W/23/3322020, in respect of the:
  - Lack of financial contribution of the scale envisaged in draft Policy T1 of the Local Plan 2021-2039: Proposed Submission to enable the Council to secure the identified A27 highway improvements
  - Lack of infrastructure provision (affordable housing, nitrate mitigation land, recreation disturbance mitigation, public open space including equipped play area, allotments, community hall, mini football pitch, landscape buffer to east and north boundaries, shared use pedestrian/cycle link to/from site into Barnside, travel plan and travel plan monitoring, traffic regulation order contribution, highway improvements to local walking and cycling facilities) until a S106 Legal Agreement is agreed,
  - Likely significant effects upon the Chichester Harbour and Solent Maritime SACs, by reason of a lack of suitable nitrates mitigation scheme resulting in discharge of nitrates into Chichester Harbour, contrary to section 63 of the Habitat Regulations 2017, acknowledging that it will be for the Inspector (as the competent authority) to undertake his own HRA and then consult with Natural England as part of the appeal process,
  - Lack of up-to-date and comprehensive bat survey information, which results in the decision maker being unable to conclude that the development will not have a likely significant effect upon the Singleton and Cocking Tunnels SAC, contrary to section 63 of the Habitat Regulations 2017, acknowledging that it will be for the Inspector (as the competent authority) to undertake his own HRA and then consult with Natural England as part of the appeal process, and

iii) agrees to dispute the appellant's evidence on housing supply if it differs materially from the Council's position.

- 17 **Consideration of any late items as follows:**

The Planning Committee will consider any late items announced by the Chairman at the start of this meeting as follows:

- a) Items added to the agenda papers and made available for public inspection
- b) Items which the chairman has agreed should be taken as matters of urgency by reason of special circumstances to be reported at the meeting

## 18 Exclusion of the Press and Public

There are no restricted items for consideration.

### NOTES

1. The press and public may be excluded from the meeting during any item of business whenever it is likely that there would be disclosure of exempt information as defined in section 100I of and Schedule 12A to the Local Government Act 1972
2. The press and public may view the agenda papers on Chichester District Council's website at [Chichester District Council - Minutes, agendas and reports](#) unless these are exempt items.
3. This meeting will be audio recorded and the recording will be retained in accordance with the council's information and data policies. If a member of the public makes a representation to the meeting they will be deemed to have consented to being audio recorded. By entering the committee room they are also consenting to being audio recorded. If members of the public have any queries regarding the audio recording of this meeting please liaise with the contact for this meeting detailed on the front of this agenda.
4. Subject to the provisions allowing the exclusion of the press and public, the photographing, filming or recording of this meeting from the public seating area is permitted. To assist with the management of the meeting, anyone wishing to do this is asked to inform the chairman of the meeting of his or her intentions before the meeting starts. The use of mobile devices for access to social media is permitted but these should be switched to silent for the duration of the meeting. Those undertaking such activities must do so discreetly and not disrupt the meeting, for example by oral commentary, excessive noise, distracting movement or flash photography. Filming of children, vulnerable adults or members of the audience who object should be avoided. [Standing Order 11.3 in the Constitution of Chichester District Council]
5. Subject to Covid-19 Risk Assessments members of the public are advised of the following;
  - a. Where public meetings are being held at East Pallant House in order to best manage the space available members of the public are in the first instance asked to listen to the meeting online via the council's committee pages
  - b. Where a member of the public has registered a question they will be invited to attend the meeting and allocated a seat in the public gallery
  - c. You are advised not to attend any face-to-face meeting if you have symptoms of Covid-19.
6. How applications are referenced:
  - a) First 2 Digits = Parish
  - b) Next 2 Digits = Year
  - c) Next 5 Digits = Application Number
  - d) Final Letters = Application Type

#### Application Type

**ADV** Advert Application  
**AGR** Agricultural Application (following PNO)  
**CMA** County Matter Application (eg Minerals)  
**CAC** Conservation Area Consent  
**COU** Change of Use  
**CPO** Consultation with County Planning (REG3)  
**DEM** Demolition Application

#### Committee report changes appear in bold text. Application Status

**ALLOW** Appeal Allowed  
**APP** Appeal in Progress  
**APPRET** Invalid Application Returned  
**APPWDN** Appeal Withdrawn  
**BCO** Building Work Complete  
**BST** Building Work Started

**DOM** Domestic Application (Householder)  
**ELD** Existing Lawful Development  
**FUL** Full Application  
**GVT** Government Department Application  
**HSC** Hazardous Substance Consent  
**LBC** Listed Building Consent  
**OHL** Overhead Electricity Line  
**OUT** Outline Application  
**PLD** Proposed Lawful Development  
**PNO** Prior Notification (Agr, Dem, Tel)  
**REG3** District Application – Reg 3  
**REG4** District Application – Reg 4  
**REM** Approval of Reserved Matters  
**REN** Renewal (of Temporary Permission)  
**TCA** Tree in Conservation Area  
**TEL** Telecommunication Application (After PNO)  
**TPA** Works to tree subject of a TPO  
**CONACC** Accesses  
**CONADV** Adverts  
**CONAGR** Agricultural  
**CONBC** Breach of Conditions  
**CONCD** Coastal  
**CONCMA** County matters  
**CONCOM** Commercial/Industrial/Business  
**CONDWE** Unauthorised dwellings  
**CONENG** Engineering operations  
**CONHDG** Hedgerows  
**CONHH** Householders  
**CONLB** Listed Buildings  
**CONMHC** Mobile homes / caravans  
**CONREC** Recreation / sports  
**CONSH** Stables / horses  
**CONT** Trees  
**CONTEM** Temporary uses – markets/shooting/motorbikes  
**CONTRV** Travellers  
**CONWST** Wasteland  
**CLOSED** Case Closed  
**CRTACT** Court Action Agreed  
**CRTDEC** Hearing Decision Made  
**CSS** Called in by Secretary of State  
**DEC** Decided  
**DECDET** Decline to determine  
**DEFCH** Defer – Chairman  
**DISMIS** Appeal Dismissed  
**HOLD** Application Clock Stopped  
**INV** Application Invalid on Receipt  
**LEG** Defer – Legal Agreement  
**LIC** Licence Issued  
**NFA** No Further Action  
**NODEC** No Decision  
**NONDET** Never to be determined  
**NOOBJ** No Objection  
**NOTICE** Notice Issued  
**NOTPRO** Not to Prepare a Tree Preservation Order  
**OBJ** Objection  
**PCNENF** PCN Served, Enforcement Pending  
**PCO** Pending Consideration  
**PD** Permitted Development  
**PDE** Pending Decision  
**PER** Application Permitted  
**PLNREC** DC Application Submitted  
**PPNR** Planning Permission Required S64  
**PPNREQ** Planning Permission Not Required  
**REC** Application Received  
**REF** Application Refused  
**REVOKE** Permission Revoked  
**S32** Section 32 Notice  
**SPLIT** Split Decision  
**STPSRV** Stop Notice Served  
**STPWTH** Stop Notice Withdrawn  
**VAL** Valid Application Received  
**WDN** Application Withdrawn  
**YESTPO** Prepare a Tree Preservation Order