Minutes of the meeting of the **Planning Committee** held in Committee Rooms - East Pallant House on Wednesday 12 October 2016 at 9.30 am

Members Present: Mr R Hayes (Chairman), Mrs C Purnell (Vice-Chairman), Mr G Barrett, Mr M Cullen, Mrs J Duncton, Mr M Dunn, Mr J F Elliott, Mr M Hall, Mr L Hixson, Mrs J Kilby, Mr S Oakley, Mr R Plowman, Mrs J Tassell and Mrs P Tull

Members not present: Mr G McAra

In attendance by invitation:

Officers present all items: Mrs S Archer (Enforcement Manager), Mr C Bartlett (Principal Planning Officer), Mr J Bushell (Principal Planning Officer), Mr A Frost (Head of Planning Services), Mrs L Grange (Housing Delivery Manager), Mr D Henly (Senior Engineer (Coast and Water Management)), Miss L Higenbottam (Democratic Services) and Mr T Whitty (Development Management Service Manager)

79 Chairman's Announcements

The Chairman welcomed everyone to the meeting. He drew attention to the emergency evacuation procedure which was displayed on the screens and introduced the officers present.

Apologies were noted from Miss N Golding and Mr G McAra.

The Committee were informed that planning application SDNP/16/03667/FUL had been withdrawn from the agenda.

80 Approval of Minutes

RESOLVED

That the minutes of the meeting held on 14 September 2016 be approved and signed by the Chairman as a correct record.

81 Urgent Items

The Chairman advised that there were no urgent items.

82 **Declarations of Interests**

Mr Barrett declared a personal interest in respect of planning applications WW/16/02212/FUL, BO/16/02667/DOM and BI/16/01809/FUL as a Chichester District Council appointed member of the Chichester Harbour Conservancy.

Mrs Duncton declared a personal interest in respect of planning applications WW/16/02212/FUL, TG/16/00444/FUL, CC/15/04201/FUL, BI/16/01809/FUL and BX/16/01196/FUL as a member of West Sussex County Council.

Mr Dunn declared a personal interest in respect of planning application BX/16/01196/FUL as a Chichester District Council appointed member of the South Downs National Park Authority.

Mrs Kilby declared a personal interest in respect of planning application CC/15/04201/FUL as a member of Chichester City Council.

Mr Oakley declared a personal interest in respect of planning applications WW/16/02212/FUL, TG/16/00444/FUL, CC/15/04201/FUL, BI/16/01809/FUL and BX/16/01196/FUL as a member of West Sussex County Council. Mr Oakley also declared a personal interest in respect of planning application TG/16/0044/FUL as a member of Tangmere Parish Council.

Mr Plowman declared a personal interest in respect of planning application CC/15/04201/FUL as a member of Chichester City Council. Mr Plowman also declared a personal interest in respect of planning application CC/15/04201/FUL as a Chichester District Council appointed member of Chichester Conservation Area Advisory Committee.

Mrs Purnell declared a personal interest in respect of planning application SY/16/02444/FUL as a member of Selsey Town Council.

(To listen to the speakers and full debate of the planning applications follow the link to the online audio recording).

Planning Applications

The Committee considered the planning applications together with an agenda update sheet at the meeting detailing observations and amendments that had arisen subsequent to the dispatch of the agenda.

During the presentations by officers of the applications, members viewed photographs, plans, drawings, computerised images and artist impressions that were displayed on the screen.

RESOLVED

That the Planning Committee makes the following decisions subject to the observations and amendments below:

83 **WW/16/02212/FUL - Court Barn, Rookwood Lane, West Wittering, Chichester, West Sussex, PO20 8QH**

Mr Bartlett introduced this application referring to an amendment to the description of the planning application as detailed in the agenda update sheet. The application proposed a change of use to allow materials storage.

The following members of the public addressed the Committee:

- Mr J Boys – Objector
- Mr B Hull – Agent

Mr Bartlett, Mr Frost and Mr Whitty replied to points made during the Committee's debate:

- With regard to members concerns over the hours of operation on site officers had negotiated with the applicant to amend the times of use with the revised times agreed as 07.30 – 18.00 on weekdays and 08.00 – 13.00 on Saturdays
- Concerns regarding the colour and siting of the outside storage unit could be addressed via a suitable condition
- That an additional condition could, if considered necessary, be added to prevent the use of fork lift trucks on site

Recommendation to **delegate to officers** to require details including plans to show the appearance and siting of storage unit with amended conditions 4 (landscape scheme) and 9 (outside storage) then **permit** agreed**.**

84 **TG/16/00444/FUL - Land North East Of Tangmere Military Aviation Museum, Gamecock Terrace, Tangmere, West Sussex**

Mr Bartlett introduced this application by reference to the site location plan, site layout and site elevations. He explained that together with the previously permitted scheme the proposal would provide a total of 166 dwellings with an additional 2265 square metres of open space including 400 square metres of Local Equipped Area for Play (LEAP). Inclusive of the previously permitted scheme this addition would bring the total open space for the site to 3564 square metres.

The following member of the public addressed the Committee:

- Mr R Collett - Applicant

Mr Bartlett, Mr Frost and Mr Whitty replied to points made during the Committee's debate including:

- With regard to members concerns about the practical effects of open space being adjacent to the windows of adjoining residential dwellings, a path and buffer planting would be situated between the dwellings and the open space
- With regard to members concerns over the size of the open space, the open space proposed would be 1299 square metres over the required provision (inclusive of an equipped play area and benches)

- The space for a community hall illustrated on the original plans has now been allocated for community open space
- Concern over the detail of the boundary treatments would be addressed in the conditions
- That an additional condition would be added to ensure maintenance provision of the sustainable urban drainage system (SuDS) proposals and the open space

Recommendation to **permit** with additional conditions (a) boundary treatments for the open space, (b) amendment of conditions to secure details of maintenance of the open space and the SuDS agreed.

85 **SY/16/02444/FUL - 83 Hillfield Road, Selsey, PO20 0LH**

Mr Bartlett introduced this application referring to a number of minor amendments to the report as detailed in the agenda update sheet. The purpose of the application being a variation of condition 2 of permission SY/15/02214/FUL.

The following member of the public addressed the Committee:

- Ms O St-Amour – on the applicants behalf

Members had no clarification questions.

Recommendation to **permit** agreed.

86 **CC/15/04201/FUL - Providence Works, Lyndhurst Road, Chichester, West Sussex, PO19 7PF**

Mr Bartlett introduced this application by reference to the site location plan, floor plans and site elevations. As outlined in the agenda update sheet proposed reason for refusal number 4 was withdrawn. The application proposed the demolition of existing structures, construction of 4 no. dwellings and associated landscape works.

Mr Bartlett referred to comments received from the Council's Economic Development team following the publication of the agenda update sheet which expressed concern about the proposal in relation to the applicants marketing of the site for commercial use.

The following members of the public addressed the Committee:

- Mr M Darby – Supporter
- Mrs J Ratledge – Supporter
- Mr P Clements – Applicant
- Mrs P Dignum – Chichester District Council Member

Some members referred to the Local Plan Policy which advises that applications such as these should demonstrate evidence of marketing for alternative commercial use before a change of use to housing will be considered. Some members

suggested the opportunity should be taken to utilise the site for additional housing stock in a sustainable city location.

In relation to refuse storage and collection, members were advised that Lyndhurst Road, the proposed collection point for refuse bins requires a 65 metre walk from plot 1 (35 metres longer than guidance suggests). However, Chichester Contract Services were consulted and had raised no objection to the proposal.

In relation to flood risk the Environment Agency had raised no objections. Mr Whitty explained that the agent had not provided a sequential test and that therefore Policy 42 is relevant which requires the consideration of other sites if there is a risk of flooding.

Mr Frost advised members of the importance of due consideration of the relevant Development Plan Policies.

In a vote members did not support the officer recommendation to refuse. A proposal was put forward by Mrs Tull to permit the application based on the following reasons:

- Lack of previous flooding on the site
- This is not a significant employment site

Mr Plowman seconded the proposal.

Recommendation to **permit** (contrary to officer recommendation) with appropriate conditions agreed.

(Mrs Duncton left the meeting and did not return for the remainder of the meeting.)

87 **BO/16/02667/DOM - Glebe House, Walton Lane, Bosham, Chichester, West Sussex, PO18 8QB**

Mr Whitty introduced this application referring to a number of minor corrections as detailed in the agenda update sheet. The purpose of the application being alternative proposals to approval BO/16/00397.

Mr Plowman asked for clarification of the use of the neighbouring building shown during the officer presentation slides. Mr Whitty explained that the building in question was an outbuilding with no windows facing out onto the site.

Recommendation to **permit** agreed.

88 **BI/16/01809/FUL - Field North West Of The Saltings, Crooked Lane, Birdham, West Sussex**

Mr Bushell introduced this application by reference to the site plans and a number of photographs. The purpose of the application was to vary the ‘pre-commencement’ requirement of conditions 3, 5, 6, 8, 13, 20 and 21 of planning permission BI/13/01391/FUL. Additional minor changes to conditions 6, 8 and 13 were indicated

on the agenda update sheet. Mr Bushell explained that the application had been submitted in order to enable a material start to be made on the development of 15 affordable homes for which planning permission expired at the end of November. The proposed works constituting a material start in this instance were a pegging out of the site access road and/or the erection of site perimeter boundary fencing. The Committee were advised that the application was not an opportunity to re-visit the principle of housing development on the site which had already been approved and was only to consider the variations to the conditions proposed.

The Chairman welcomed Mr Dominic Henly, Senior Engineer and Mrs Linda Grange, Housing Delivery Manager to answer questions and provide clarification.

The following members of the public addressed the Committee:

- Mr R Bird – Birdham Parish Council
- Mr A Wilson – Objector
- Mr D Williams – Objector
- Mr D Barrett – Objector
- Miss S Poulter – On behalf of the applicant

Mr Bushell, Mr Frost, Mr Henly and Mr Whitty replied to points made during the Committee's debate:

- With regard to members concerns regarding the amendments, officers advised as follows:
    - The addition of 'no development will take place other than the erection of boundary fencing and/or the pegging out of the access road' to conditions 6, 8, 13 would allow the development to commence before the planning permission expired by carrying out some minor material works. This did not mean that the developer would not have to meet all the requirements of the existing conditions on the extant 2013 permission. In particular the requirements of the surface water drainage condition (6) would still need to be addressed and approved by the Council before any other aspects of the approved development (save for the pegging out/boundary fencing) were carried out.
    - The laying of a temporary surface – creating a haul road - to access the site would be added to condition 15 (construction management). Officers further clarified that as with all applications it was the developers responsibility to ensure that they had obtained the correct permission/s to enter land in order to carry out works.
- With regard to members concerns about mud being deposited on Crooked Lane from construction traffic, a wheel washing condition had been included as part of the requirements of the Construction Management Plan.
- Officers were aware of the high level water table in Birdham. Percolation testing and winter groundwater monitoring was required by condition 6 to inform the final surface water drainage strategy.
- Boundary treatment will consist of a combination of close boarded fencing to the housing plots and post and rail fencing around the site perimeter. The perimeter of the housing site would also be enclosed by a landscaping belt.

Members discussed whether there was a need for the surface water drainage to be agreed prior to development to ensure appropriate drainage of surfaces and access roads and to prevent potential flooding issues on the highway. Mr Henly explained that the proposed variations to condition 6 meant that the Council would still maintain full control over the surface water drainage provisions at the site and were acceptable. Because of the minor nature of the works being applied for to commence the development, it would be possible for the developer to make any necessary changes to the pegging out and/or movement of the fencing in order to satisfy the drainage requirements.

Mr Frost advised members that the Government is currently reviewing the way conditions are used by planning authorities to ensure they are entirely necessary and that they are sufficiently flexible to not frustrate the carrying out of development. Having already granted planning permission for the site the Committee should look for solutions to assist the applicant. Ultimately responsibility still rested with a developer to ensure that all requirements of planning conditions were addressed.

Recommendation to **Defer for Section 106** then **Permit** agreed subject to the amendments to conditions 6, 8 and 13 as set out in the update sheet and amendments to condition 15 to (a) require a temporary surface to access the site, and (b) align the trigger for submission of details with revised condition 6.

(Mr Oakley left the meeting and did not return for the remainder of the meeting.)

89 **BX/16/01196/FUL - J W Blunden And Sons, Halnaker, Boxgrove, Chichester, West Sussex, PO18 0NQ**

Mr Whitty introduced this application by reference to site photographs. The purpose of the application was to redevelop the coal yard to provide 1 no. dwelling and 5 no. tourist accommodation units.

The following members of the public addressed the Committee:

- Mr M Bish – Boxgrove Parish Council
- Mr R Dollamore - Agent

Mr Frost and Mr Whitty replied to points made during the Committee's debate including that:

- There was inadequate evidence to justify the proposed residential dwelling
- A condition could be added to restrict the use of the tourist units to holiday occupation only
- There was no evidence that the site had been marketed for employment use and so the need for tourist accommodation was presently outweighed by the loss of employment land.
- With regard to the site's inclusion in the Boxgrove Neighbourhood Plan the Neighbourhood Plan was at an early stage of preparation and had little weight at this stage

Members thought that there was a need for additional tourist accommodation in the district. Some members also felt there was a need for smaller properties in village locations within the district.

Members asked for consideration to be given to the level of flint work given the rural setting of the site.

In a vote members did not support the officer recommendation to refuse. A proposal was put forward by Mr Dunn to permit the application based on the proposal being a desirable semi commercial development in a village environment providing much needed tourist accommodation with minimal impact on employment use

Mrs Tassell seconded the proposal.

Permit (contrary to officer recommendation) with the following conditions:

1. Restricting tourism lets to holiday use only

2. Requiring tourist units to be available for first use prior to occupation of the main dwelling

90 **SDNP/16/03667/FUL - Dunreyth Alpacas, Adsdean Park Road, Adsdean, Funtington, West Sussex, PO18 9DN**

This item was withdrawn from the agenda.

91 **Schedule of Outstanding Contraventions**

The Committee considered and noted the schedule of outstanding contraventions.

92 **Schedule of Planning Appeals, Court and Policy Matters**

The Committee considered and noted the schedule of planning appeals, court and policy matters.

Mr Cullen requested an update on CH/14/00181/CONMHC, Field West of Five Oaks, Newells Lane, Chichester, West Sussex. Mrs Archer advised that she had carried out a site inspection on 29 September 2016 which will result in prosecution for failure to comply.

Members thanked Mrs Archer for her continued efforts.

93 **Consideration of any late items as follows:**

There were no late items.

The meeting ended at 1.41 pm

CHAIRMAN

Date: