



Minutes of the meeting of the **Planning Committee** held in Committee Rooms, East Pallant House on Wednesday 29 March 2017 at 9.30 am

**Members Present:** Mrs J Kilby (Vice-Chairman), Mr G Barrett, Mrs J Duncton, Mr M Hall, Mr L Hixson, Mr G McAra, Mr S Oakley, Mr R Plowman, Mrs C Purnell and Mrs P Tull

**Members not present:** Mr M Dunn, Mr J F Elliott and Mrs J Tassell

**In attendance by invitation:**

**Officers present:** Miss J Bell (Development Manager (Majors and Business)), Mr A Frost (Head of Planning Services), Miss N Golding (Principal Solicitor), Miss L Higenbottam (Democratic Services), Mr D Price (Principal Planning Officer), Mrs F Stevens (Principal Planning Officer) and Mr T Whitty (Development Management Service Manager)

#### 166 **Chairman's Announcements**

The Chairman welcomed everyone to the meeting and drew attention to the emergency evacuation procedure which was displayed on the screens. He introduced the officers present and announced that item 11 had been withdrawn from the agenda and would be deferred to the next meeting. Mr Frost clarified that the applicant's agent had failed to provide officers with updated plans detailing the location of the proposed pitches.

Apologies were noted from Mr M Dunn, Mr J F Elliott and Mrs J Tassell.

#### 167 **Approval of Minutes**

##### **RESOLVED**

That the minutes of the meeting held on 1 March 2017 be approved and signed by the Chairman as a correct record.

#### 168 **Urgent Items**

The Chairman advised that there were no urgent items.

169 **Declarations of Interests**

Mr Barrett declared a personal interest in respect of application BO/16/03327/FUL as a Chichester District Council appointed member of Chichester Harbour Conservancy.

Mrs Duncton declared a personal interest in respect of application BO/16/03327/FUL as a member of West Sussex County Council.

Mrs Duncton declared a personal interest in respect of application CC/16/02949/FUL as a member of West Sussex County Council.

Mrs Duncton declared a personal interest in respect of application EWB/16/03473/FUL as a member of West Sussex County Council.

Mrs Duncton declared a personal interest in respect of application SDNP/17/00336/CND as a West Sussex County Council appointed member of the South Downs National Park Authority.

Mrs Duncton declared a personal interest in respect of application SDNP/16/05377/FUL as a West Sussex County Council appointed member of the South Downs National Park Authority.

Mrs Duncton declared a disclosable pecuniary interest in relation to application SDNP/16/05377/FUL as her husband is the applicant. Mrs Duncton withdrew to the public seating area and did not participate in the debate.

Mrs Kilby declared a personal interest in respect of application CC/16/02949/FUL as a member of Chichester City Council.

Mrs Kilby declared a personal interest in respect of application CC/16/02950/LBC as a member of Chichester City Council.

Mr McAra declared a personal interest in respect of application BO/16/03327/FUL as a member of West Sussex County Council.

Mr McAra declared a personal interest in respect of application CC/13/02949/FUL as a member of West Sussex County Council.

Mr McAra declared a personal interest in respect of application EWB/16/03473/FUL as a member of West Sussex County Council.

Mr Oakley declared a personal interest in respect of application BO/16/03327/FUL as a member of West Sussex County Council.

Mr Oakley declared a personal interest in respect of application CC/13/02949/FUL as a member of West Sussex County Council.

Mr Oakley declared a personal interest in respect of application EWB/16/03473/FUL as a member of West Sussex County Council.

Mr Plowman declared a personal interest in respect of application CC/16/02949/FUL as a member of Chichester City Council.

Mr Plowman declared a personal interest in respect of application CC/16/02949/FUL as a Chichester District Council appointed member of Chichester Conservation Area Advisory Committee.

Mr Plowman declared a personal interest in respect of application CC/16/02950/LBC as a member of Chichester City Council.

Mr Plowman declared a personal interest in respect of application CC/16/02950/LBC as a Chichester District Council appointed member of Chichester Conservation Area Advisory Committee.

Mrs Purnell declared a personal interest in respect of application SY/16/03287/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:

**170 BO/16/03327/FUL - Oakcroft Nursery, Walton Lane, Bosham, PO18 8QB**

Miss Bell drew attention to the agenda update sheet detailing additional representation from Bosham Parish Council withdrawing their objection. She clarified that the proposed angle of the cycle path onto Walton Lane provided the best possible orientation and adequate visibility. Miss Bell acknowledged that if the path were located on public highway a greater width would be required but in the proposed location a 1.8m width was acceptable.

Recommendation to **permit** agreed.

**171 CC/16/02949/FUL - The Corn Exchange, Baffins Lane, Chichester, West Sussex, PO19 1UD**

Miss Bell explained that the officer presentation for items six and seven would be given together with two separate votes being taken on the recommendations. She

drew attention to the agenda update sheet detailing additional representations from Chichester City Councillor Anne Scicluna in respect of noise disturbance. During the presentation members were shown plans detailing the internal layout of the restaurant area, the service access from New Town and staff/customer access from Baffins Lane. Miss Bell explained that the extract flue on the roof of the building had been significantly reduced and officers were now satisfied with the proposed matt black finish.

The following members of the public addressed the Committee:

- Mr M Jennings – Objector
- Mr A Earl – Objector
- Mr K Mitchelson – Objector
- Mr P White – Agent
- Mrs P Dignum – Chichester District Council member for Chichester South Ward

Miss Bell clarified points made during the Committee's debate including:

- In response to concerns that a restaurant would fundamentally change the interior of the listed building, that the HBA had found the proposed internal and external changes acceptable
- In response to concerns that construction work timings were not specified, that the Construction Management Plan would be amended to include the Council's standard hours of construction limitation
- In response to concerns that refuse collection timings were not specified, condition six would be amended to include appropriate hours of collection and to require collection from East Street
- In response to concerns that opening hours could be extended, that condition nine would restrict the hours of opening to the public or use from 7.00am until 7.30pm Monday to Sunday
- In response to concerns regarding deliveries, that officers were satisfied that the proposed Service Management Plan included acceptable provisions and that a condition to prevent deliveries between 8.00am and 9.00am was proposed
- In response to concerns regarding high levels of noise and food odours, that the Environmental Health officer was satisfied with the proposed odour extraction mitigation
- In response to suggestions that further marketing of the site was required, that the site had already been marketed comprehensively for two years for A1, A2 and B1 use without firm interest
- In response to concerns that there were too many cafes and restaurants in Chichester, that give the central location, competition between traders was not a land use planning consideration for the Committee

Mr Frost reminded members that a refusal of permission would require the committee to identify serious planning harm that could not be addressed by conditions.

Recommendation to **permit** agreed.

172 **CC/16/02950/LBC - The Corn Exchange, Baffins Lane, Chichester, West Sussex, PO19 1UD**

Recommendation to **permit** agreed.

(The Committee adjourned for a short break).

173 **CH/16/02894/FUL - Plot J, Pond Farm, Newells Lane, West Ashling, Chichester, West Sussex, PO18 8DF**

Mr Whitty drew attention to the agenda update sheet detailing a correction to the recommendation on page 52 of the agenda pack which should read 'defer for S106 then permit.' He outlined amendments to condition three to accord with the terms of the planning application and to ensure satisfactory planning of the area. Mr Whitty explained that the application sought to vary an earlier temporary permission to allow permanent occupancy. He drew attention to condition three which would require additional screening.

The following members of the public addressed the Committee:

- Mr C Archer – Chidham and Hambrook Parish Council
- Dr A Murdoch - Agent

Mr Whitty clarified points made during the Committee's debate including:

- That the bridleway provides access to land beyond the application site
- That other temporary pitches in the vicinity of the site were not related to the application site
- That in response to concerns about the future use of the site if the pitches were removed, that it would be unreasonable to require removal of the stable blocks or hard standing
- That in response to concerns that the application site boundary was relatively small compared to other similar sites, that the application plans reflected those the subject of the earlier appeal

Recommendation to defer for section 106 then **permit** agreed.

174 **EWB/16/03473/FUL - Site Adjacent To Papua, West Bracklesham Drive, Bracklesham, PO20 8PH**

Mrs Stevens drew attention to the agenda update sheet detailing additional concerns from the Parish Council in relation to the reduction in the width of the footpath, the extent of land turned into garden and prevention of future emergency access. She also noted two additional representations received. Mrs Stevens confirmed that WSCC Highways had no interest in the land and the land was not registered. To date there had been no claims to the land following advertisement via a notice in the local newspaper.

The following members of the public addressed the Committee:

- Mr B Reeves – East Wittering and Bracklesham Parish Council
- Mr B Allsop – Objector
- Mr S Grant - Applicant

Mr Whitty clarified points made during the Committee's debate including:

- Reducing the width of a section of the path would retain adequate emergency access to the beach as other sections of the path already narrow down
- In response to concerns regarding the impact on the visual amenity of the site, that condition four would require softening by landscaping
- That the effect on access to a culvert was not a consideration in this case as the application did not involve an additional building or dwelling
- In response to a suggestion that officers discuss maintenance of the land with the Parish Council, that the Committee's remit was to consider the planning merits of the proposal before them

Miss Golding reminded the Committee that the law allows any person to apply for planning permission on another person's land subject to correct certification. In relation to this application if the landowner came forward they would be entitled to claim back the land. Miss Golding explained that the Committee's only concern should be that the applicant had demonstrated correct procedure.

Mr Whitty also reminded the Committee that they should not be concerned by either the potential added value to the applicant's land or the applicants risk in relation to registering the land as neither were material planning considerations. He explained that enclosures of this nature are not uncommon and if refused the applicant could exercise their right to erect a two metre fence without planning permission.

Recommendation to **permit** agreed.

**175 SY/16/03287/FUL - Tides Reach, 127 East Beach Road, Selsey, PO20 0HA**

Miss Stevens drew attention to the agenda update sheet detailing an amendment to the recommendation which should read 'defer for section 106 then permit'. She explained that the applicant had now confirmed in writing their agreement to Pagham Harbour mitigation by way of an appropriate financial contribution. The Committee were shown maps detailing which sections of the application site fall within flood zones two and three.

The following member of the public addressed the Committee:

- Miss B Bramwell - Applicant

Members discussed how the application would fit into the current street scene. She also clarified that there will be internal and external staircases.

Recommendation to defer for section 106 then **permit** agreed.

(The Committee adjourned for a short break).

176 **WE/16/03454/COU - Land Adjacent To Westbourne Gypsy Site, Cemetery Lane, Woodmancote, Westbourne, West Sussex**

This item was withdrawn from the agenda.

177 **SDNP/17/00336/CND - Ilex House, Upperfield, Easebourne, GU29 9AE**

Mr Price drew attention to the agenda update sheet detailing an additional condition 'approved plans' to ensure the development is carried out in accordance with the plans listed under the heading 'plans referred to in consideration of this application'.

Members had no questions.

Recommendation to **permit** agreed.

178 **SDNP/16/05377/FUL - Petworth Downs Golf Course, London Road, Petworth, West Sussex, GU28 9LX**

Due to her earlier declaration of a disclosable pecuniary interest Mrs Duncton withdrew to the public seating area and did not participate in the debate.

Mr Price provided a brief introduction explaining that the application was before the Committee due to Mrs Duncton's interest.

Mr Price clarified that if agreed, as detailed in condition one, permission would be for B1 office use only.

Recommendation to **permit** agreed.

179 **Policy and Procedure Update**

(Mrs Duncton returned to the Committee table).

Mr Whitty provided an update on the work of the Planning Task and Finish Group 2016 following recommendations made to Cabinet in December 2016.

**Pre-Application Charging Scheme**

Cabinet had agreed to adopt the revised Pre-Application Advice Charging Scheme with effect from 1 February 2017. As a result the duty officer service had been increased to include one afternoon per week. There are also additional 30 minute pre-bookable slots for planning surgeries on a Tuesday and Thursday. In addition officers now provide informal pre-application advice within a two to three week timescale. Mr Whitty clarified that where a Housing Association proposes to build solely affordable housing there will continue to be no charge for pre-application advice. Mr Frost explained that adjustment to the scheme may be required for Community Land Trusts.

## **Use and Discharge of Planning Conditions**

Cabinet had agreed to a revised format for decisions on planning applications with effect from 1 February 2017. The new decision notice provides the key information at the top of the page in a much clearer format. Since January 2017 Planning Committee agenda reports have included the full wording of conditions. Mr Whitty explained that Cabinet added a requirement to review in 12 months. This will be discussed at a future Committee meeting.

## **Historic Environment Strategy and Action Plan**

Mr Whitty explained that the Historic Environment Strategy had been adopted by the council. Members wished to give their thanks to Lone Le Vay for an excellent piece of work.

### **RESOLVED**

The Committee noted the changes to the Pre-Application Advice Charging Scheme, the new procedures in relation to the use and discharge of planning conditions and the adoption of the Historic Environment Strategy and Action Plan.

## **180 Schedule of Planning Appeals, Court and Policy Matters**

Mr Whitty drew attention to the agenda update sheet outlining legal proceedings authorised for Barn North of Hunston Dairy Farm and 37 North Street, Midhurst on 22 March 2017.

### **RESOLVED**

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

## **181 Consideration of any late items as follows:**

There were no late items.

The meeting ended at 12.42 pm

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CHAIRMAN

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Date: