

Public Document Pack

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

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

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Committee will be informed at this point in the meeting of any planning applications which have been deferred or withdrawn and so will not be discussed and determined at this meeting.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

The minutes relate to the meeting of the Planning Committee on 1 March 2017 (*copy to follow*).

3 **Urgent Items**

The Chairman will announce any urgent items that due to special circumstances will be dealt with under agenda item 16 (b).

4 **Declarations of Interests (Pages 1 - 2)**

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 **BO/16/03327/FUL - Oakcroft Nursery, Walton Lane, Bosham, PO18 8QB**
(Pages 3 - 19)
Variation of condition 2 and 21 from planning permission BO/16/01518/FUL – amendment to plans to allow alterations to proposed building and highways works.
- 6 **CC/16/02949/FUL - The Corn Exchange, Baffins Lane, Chichester, West Sussex, PO19 1UD** (Pages 20 - 37)
Change of use of part of ground floor from office (B1a) to cafe (A3) together with provision of roof and wall vents to east elevation.
- 7 **CC/16/02950/LBC - The Corn Exchange, Baffins Lane, Chichester, West Sussex, PO19 1UD** (Pages 38 - 45)
Internal and external alterations to facilitate use as A3 restaurant / cafe including lightweight removable partitions for WC and kitchen areas, extraction equipment and associated vents on rear (east) elevation and roof.
- 8 **CH/16/02894/FUL - Plot J, Pond Farm, Newells Lane, West Ashling, Chichester, West Sussex, PO18 8DF** (Pages 46 - 53)
Variation of Condition 2 of planning permission CH/12/00458/COU – to make the temporary permission permanent.
- 9 **EWB/16/03473/FUL - Site Adjacent To Papua, West Bracklesham Drive, Bracklesham, PO20 8PH** (Pages 54 - 62)
Change of use of land to residential garden and erection of 1.2m fence to southern boundary.
- 10 **SY/16/03287/FUL - Tides Reach, 127 East Beach Road, Selsey, PO20 0HA**
(Pages 63 - 73)
Extension and conversion of existing detached dwelling into 2 no. detached dwellings.
- 11 **WE/16/03454/COU - Land Adjacent To Westbourne Gypsy Site, Cemetery Lane, Woodmancote, Westbourne, West Sussex** (Pages 74 - 114)
Change of use of land to a private gypsy and traveller caravan site consisting of 2 no. pitches each would comprise 1 no. mobile home, 1 no. touring caravan, 1 no. utility building and associated works.
- 12 **SDNP/17/00336/CND - Ilex House, Upperfield, Easebourne, GU29 9AE** (Pages 115 - 125)
Variation of condition 1 amendment to approved plans and removal of conditions 3, 6, 8, 9, 10, 14 and 16 from planning permission SDNP/16/01717/FUL.
- 13 **SDNP/16/05377/FUL - Petworth Downs Golf Course, London Road, Petworth, West Sussex, GU28 9LX** (Pages 126 - 132)
Change of use from golf clubhouse and office to office (B1A).
- 14 **Policy and Procedure Update** (Pages 133 - 211)
The Planning Committee is asked to note 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.
- 15 **Schedule of Planning Appeals, Court and Policy Matters** (Pages 212 - 223)
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 **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 (agenda item 3) 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

17 **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. The open proceedings of this meeting will be audio recorded and the recording will be held for one year by the district council. A copy of the recording will also be retained in accordance with the council's information and data policies. If members of the public make 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 contact the contact for this meeting at 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. 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
DOM Domestic Application (Householder)
ELD Existing Lawful Development
FUL Full 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
CLOSED Case Closed
CRTACT Court Action Agreed
CRTDEC Hearing Decision Made

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

Chichester District Council

Planning Committee

Wednesday 29 March 2017

Declarations of Interests

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 are set out in the attached agenda report

The interests therein are disclosed by each member in respect of planning applications or other items in the agenda which require a decision where the council or outside body concerned has been consulted in respect of that particular planning application or item

Declarations of disclosable pecuniary interests, personal interests, prejudicial interests or predetermination or bias are to be made by members of the Planning Committee or other members who are present in respect of matters on the agenda or this meeting

Personal Interests - Membership of Parish Councils

The following members of the Planning Committee declare a personal interest by way of their membership of the parish councils stated below in respect of the items on the schedule of planning applications where their respective parish councils have been consulted:

- Mr J F Elliott – Singleton Parish Council (SE)
- Mr R J Hayes - Southbourne Parish Council (SB)
- Mrs J L Kilby – Chichester City Council (CCC)
- Mr G V McAra - Midhurst Town Council (MI)
- Mr S J Oakley – Tangmere Parish Council (TG)
- Mr R E Plowman – Chichester City Council (CC)
- Mrs L C Purnell – Selsey Town Council (SY)

Personal Interests - Membership of West Sussex County Council

The following members of the Planning Committee declare a personal interest by way of their membership of West Sussex County Council in respect of the items on the schedule of planning applications where that local authority has been consulted:

- Mrs J E Duncton - West Sussex County Council Member for the Petworth Division
- Mr G V McAra - West Sussex County Council Member for the Midhurst Division
- Mr S J Oakley - West Sussex County Council Member for the Chichester East Division

Personal Interests - Chichester District Council Representatives on Outside Organisations and Membership of Public Bodies

The following members of the Planning Committee declare a personal interest as Chichester District Council appointees to the outside organisations or as members of the public bodies below in respect of those items on the schedule of planning applications where such organisations or bodies have been consulted:

- Mr G A F Barrett - Chichester Harbour Conservancy
- Mr T M E Dunn – South Downs National Park Authority
- Mr R Plowman – Chichester Conservation Area Advisory Committee

Personal Interests – Chichester City Council Representatives on Outside Organisations and Membership of Public Bodies

The following member of the Planning Committee declares a personal interest as a Chichester City Council appointees to the outside organisations stated below in respect of those items on the schedule of planning applications where that organisation has been consulted:

NONE

Personal Interests – West Sussex County Council Representatives on Outside Organisations and Membership of Public Bodies

The following member of the Planning Committee declares a personal interest as a West Sussex County Council appointees to the outside organisations stated below in respect of those items on the schedule of planning applications where that organisation has been consulted:

- Mrs J E Duncton – South Downs National Park Authority

Parish: Bosham	Ward: Bosham
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BO/16/03327/FUL

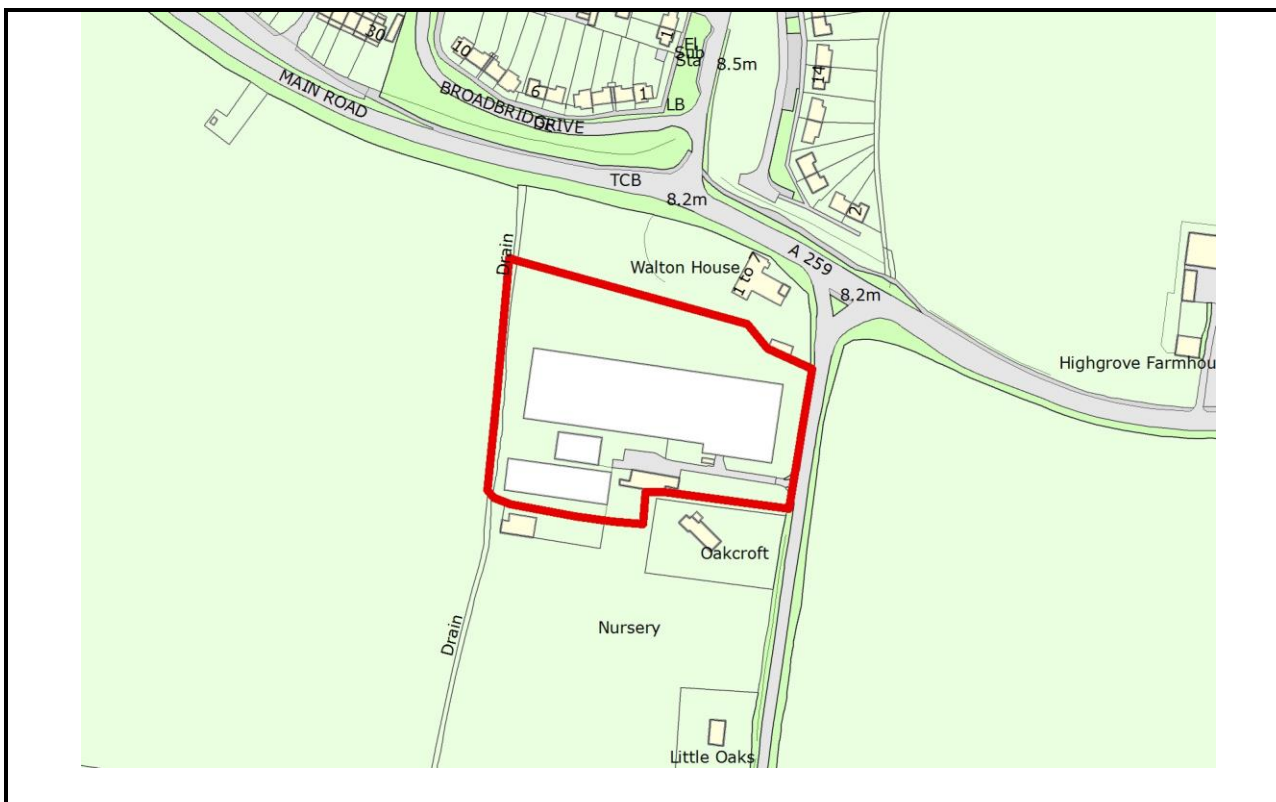
Proposal Variation of condition 2 and 21 from planning permission BO/16/01518/FUL-amendments to plans to allow alterations to proposed building and highway works.

Site Oakcroft Nursery Walton Lane Bosham PO18 8QB

Map Ref (E) 481472 (N) 104923

Applicant St Wilfrid's Hospice (South Coast) Projects Ltd

RECOMMENDATION TO PERMIT



	NOT TO SCALE	<p>Note: Do not scale from map. For information only. Reproduced from the Ordnance Survey Mapping with the permission of the controller of Her Majesty's Stationery Office, Crown Copyright. License No. 100018803</p>
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1.0 Reason for Committee Referral

Parish Objection - Officer recommends Permit

2.0 The Site and Surroundings

2.1 The application site extends to 1.1 hectares and comprises a redundant complex of former nursery buildings accessed off the western side of Walton Lane at a point approximately 90m south of its junction with the A259. The majority of the buildings on site were in a state of disrepair and have since been demolished to make way for the approved St Wilfred's Hospice on the site. A peripheral belt of vegetation serves to screen the site from wider views.

2.2 The northern boundary of the site is flanked by Walton House, a substantial Edwardian property which has been converted into seven flats. To the south of the site lies a large detached dwellinghouse, Oakcroft. Bordering the rear (western) boundary is a large, flat arable field which extends 350m westward to Delling Lane, from where views of the site are available. Similar farmland is located on the eastern side of Walton Lane, with long views towards the site possible from various points on both the A259 and Chequer Lane, a minor road that runs parallel to Walton Lane approximately 400m to the east of the site.

2.3 For the purposes of the Development Plan the site lies within countryside located between the northern and southern boundaries of Bosham Village and Broadridge Settlement Areas respectively. The site is also located within the Chichester Harbour Area of Outstanding Natural Beauty (AONB), the northern boundary of which is formed by the A259.

3.0 The Proposal

3.1 Full planning permission was granted on 11 December 2015 for the demolition of redundant glasshouses and associated buildings, and the construction of a new hospice, stores, café, shops, offices, parking and landscaping, together with a new footway to the A259 (15/01507/FUL).

3.2 The application is for a variation of conditions 2 and 21 from planning permission BO/16/01518/FUL - amendments to plans to allow alterations to proposed building and highway works.

3.3 In relation to Condition 2, minor amendments to the consented scheme are required mainly because of engineering requirements to enable the construction works to be carried out but also as a result of other operational requirements of the Hospice itself.

3.4 The revised plans show proposed changes as follows:

- o The Hayloft building is shown with a raised ridge height to allow the incorporation of Mechanical and Engineering (M&E) plant within the roof space and the achievement of the required acoustic rating in condition 24. These changes provide 180m² of additional second floor useable space including a staircase set against a reduction in the size of the basement by 25m² and the removal of the external staircase.
- o For engineering and construction reasons, the original building configuration and design requires change. The main entrance is now reduced in height with a change in materials to contemporary boarded with slate and zinc roofs. This change provides a clear transition with the Sussex Barn and Granary Building vernacular.
- o The coffee shop area has been extended south with additional glazing.
- o Another ward kitchen is required with better accessibility. These changes have necessitated internal changes to the rooms and a slight increase in the height of the low rise Stables building on its south east side.

- o Due to changes to the external circulation arrangements to accommodate refuse vehicles the oxygen store and refuse storage compounds have been redesigned.
- o The generator previously located in the basement has been relocated to the external generator building and an additional disabled w/c and welfare facility space added for volunteers. The external generator now meets the acoustic requirements of planning condition 24.
- o The roof void in the Granary Building has been utilised to provide approximately 150m2 of additional storage space.
- o For construction reasons various door and window positions have been changed including window modules along the courtyard corridors and dormers added to the chapel to allow the reuse of stained glass from the existing Donnington Hospice, and
- o Various internal reconfigurations to the main kitchen ward facilities and main entrance.
- o The car park layout has been amended to the north service road and surface material changed to block paving from tarmacadam for better permeability for surface water discharge. The car park amendments have been the subject of significant negotiation by officers and are now considered acceptable by Waste Services as a low wall has been removed to allow waste lorries to turn on site and the oxygen store has been rotated by 90 degrees to ensure a sufficient distance between the oxygen store and the reversing waste lorry to prevent damage occurring. The diesel refuelling point has also been moved to prevent accidental damage.
- o Alterations to the pedestrian and cycle access from Walton Lane to provide steps and ramped access instead of just a ramp.

3.5 In relation to Condition 21, the applicant has stated that minor alterations are required to the external access arrangements to accommodate wider refuse vehicles within the site. The alterations proposed to the off-site highway works, at the site access with Walton Lane, comprise:

- o modification of the dropped kerb/tactile arrangement on the northern and southern side of the A259
- o alterations to the pedestrian and cycle access to the site, comprising the introduction of a set of steps for pedestrians and the alignment of the cycle ramp, now brings users into the highway at an angle, as opposed to straight on.

These alterations are shown on the highway plan 2014-2404-003 Rev F.

4.0 History

15/01507/FUL

PER

Demolition of existing redundant glasshouses and associated buildings. Construction of new hospice with 18 bedroom inpatient unit and day hospice with associated external stores, cafe, shop, offices car parking and landscaping. New section of footway linking site to the A259 together with associated enhancements to pedestrian crossing facilities.

16/01518/FUL	PER	Variation of condition 6 (part) of planning permission BO/15/01507/FUL. Removal of the need for a further badger survey which shall (i) be submitted to the Local Planning Authority for approval prior to development commencing; and (ii) be carried out no earlier than one month prior to the commencement of the development. This would be achieved by allowing consent for the sett to be demolished under supervision of Ecologist at an earlier date.
16/01985/DOC	DOCDEC	Discharge of conditions 3, 4 and 11 from planning permission BO/15/01507/FUL.

5.0 Constraints

Listed Building	NO
Conservation Area	NO
Countryside	YES
AONB	YES
SPA or Zone of Influence	YES
Strategic Gap	NO
Tree Preservation Order	NO
South Downs National Park	NO
EA Flood Zone	
- Flood Zone 2	NO
- Flood Zone 3	NO
Historic Parks and Gardens	NO

6.0 Representations and Consultations

6.1 Bosham Parish Council

No objection to the variation of condition 2 or the amendments to the building. Object to any variation of condition 21 and would expect all off site highway works to be carried out in their entirety prior to the use of the development. Reiterate concerns expressed in objection to Planning Application 15/01505/FUL in that consider the east bound junction of Walton Lane with the A259 has insufficient width to accommodate the large lorries which already use Walton Lane without impeding the progress of traffic turning off the A259 into Walton Lane. Chichester Contract Services have already pointed out their vehicles are larger than the 10m used in the swept path analysis.

6.2 CDC Conservation and Design

No objection. Reduced height of corner entrance feature provides better relationship with adjacent barn element, breaking up the massing of the elevations enhancing overall appearance of group of agricultural type buildings. Light spillage to be kept to a minimum.

6.3 Chichester Harbour Conservancy

No objection. As the proposed change in height to Hayloft building being made to meet noise attenuation measures required by Condition 24, no comments to make to the change. On the main building and the coffee shop area extension - recommend the use of natural boarding such as cedar. Changes to the main entrance building will not make the building more intrusive in the wider landscape. The small increase in ridge height will not make the stables accommodation more intrusive in the AONB landscape. Conservancy wish to see all existing planting and trees protected and retained as indicated on Drawing number LLD938/02.

6.4 Natural England

No comment

6.5 WSCC Strategic Planning Consultation

No objection is raised to the proposed variation of condition.

West Sussex County Council (WSCC), in its capacity as the Local Highway Authority (LHA) has previously provided comment in respect of consultation BO/16/03327/FUL, in which it was recommended that the condition was not discharged. It has been brought to the attention of the LHA by the Local Planning Authority that consent is sought to vary the condition, not discharge. As such, the following report considers the proposal variations and comments contained in this response supersede those previously provided.

Condition 2

The variation of this condition relates to changes within the site. These primarily relate to the configuration of the building, although some modification to the internal circulation is proposed. Comment from Chichester Contract Services is noted, in that the design vehicle used for internal tracking is not of the same length as vehicles used to undertake servicing. Turning within the site is provided, however, this is constrained by the building line and site boundary to the north of the site. Notwithstanding, it would still be possible to turn a slightly longer vehicle with a multi-point manoeuvre. As such, the proposed variation will not have a material impact on the operation of the highway. No objection is raised to the variation of condition 2.

Condition 21

The Applicant has indicated that the variation of condition 21 seeks alteration to the off-site access arrangements in order to accommodate wider vehicles. Having reviewed existing plan 2014/2404/003 Rev E and the new plan 2014/2404/003 Rev F, there appears to be no geometrical change to the off-site highway modifications. Lane widths, road alignment and footway widths are consistent between the two plans. Access has been assessed as part of the original consent, including a Road Safety Audit of the off-site highway improvements, and the access is considered to be in accordance with paragraph 32 of the National Planning Policy Framework.

Modification of the dropped kerb/tactile arrangement on the northern and southern side of the A259 has been included. Through the Section 278 Agreement, it will be necessary to ensure that the crossing is aligned and widths are consistent, to ensure the safety of visibly impaired users.

It is noted that the pedestrian and cycle access to the site has also been modified. A set of steps have been introduced, and the alignment of the ramp now brings users into the highway at an angle, as opposed to straight on. The LHA have no objection to this arrangement, and would be subject to further safety auditing through Stage 2 of the audit process at detailed design.

6.6 Chichester Contract Services

The vehicle size used by the applicants is incorrect. The vehicles are wider and longer than that used by the applicant in the swept path analysis. Concern is raised over the location of the oxygen store and the proximity of the wall/fence to the turning area.

Further comments: Vehicles have not changed in length or width but the guidance now includes the vehicles safety arms which are 1m in length. These are foldable so can be folded in during transit. To clarify the vehicles are 10m in length with safety arms stowed away and 11m when deployed. Transport manager confirmed the drivers are responsible for deciding if the arms need to be folded in. Would be happy to accept the plans detailing the movement of a 10m long vehicle so this area of concern is overcome. Concerns still raised over location of fence and positioning of the oxygen store.

Concern raised that at the back of parking space 81 there appears to be a diesel filling point for the generator giving 2 fuel sources in close proximity to the rear of the freighter on the current plan. Suggest moving the oxygen store to the location of car parking space 81 then adding a parking space next to space 81 then carryout a swept path analysis to see if this would work.

Further comments: Following the submission of further revised plans showing the relocation of the diesel filling point for the generator further to the west, the reorientation of the oxygen store by 90 degrees and the removal of a low wall to allow the refuse vehicles to turn, no objections are raised.

7.0 Planning Policy

The Development Plan

7.1 The Development Plan for the area comprises the Chichester Local Plan: Key Policies 2014-2029 and all made neighbourhood plans. The Bosham Neighbourhood Plan was made on 22 November 2016 and forms part of the Development Plan against which applications must be considered.

7.2 The principal planning policies relevant to the consideration of this application are as follows:

Chichester Local Plan: Key Policies 2014-2029

Policy 1: Presumption in Favour of Sustainable Development
Policy 2: Development Strategy and Settlement Hierarchy
Policy 3: The Economy and Employment Provision
Policy 6: Neighbourhood Development Plans
Policy 8: Transport and Accessibility
Policy 9: Development and Infrastructure Provision
Policy 38: Local and Community Facilities
Policy 39: Transport, Accessibility and Parking
Policy 40: Sustainable Design and Construction
Policy 43: Chichester Harbour Area of Outstanding Natural Beauty (AONB)
Policy 45: Development in the Countryside
Policy 50: Development and Disturbance of Birds in Chichester and Langstone Harbours
Special Protection Areas

Bosham Neighbourhood Plan:

Policy 1: The Settlement Boundary
Policy 4: Community Facilities
Policy 9: Transport and Highways

National Policy and Guidance

7.3 Government planning policy now comprises the National Planning Policy Framework (NPPF), paragraph 14 of which states:

7.4 At the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking:

For decision-taking this means unless material considerations indicate otherwise:

- Approving development proposals that accord with the development plan without delay; and
- Where the development plan is absent, silent or relevant policies are out-of-date, granting planning permission unless any adverse impacts of doing so would significantly or demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies in (the) Framework indicate development should be restricted.

7.5 Consideration should also be given to paragraph 17 (Core Planning Principles), and paragraphs 109-119 (Conserving and enhancing the natural environment).

7.6 The aims and objectives of the Chichester in Partnership Community Strategy 2016-2029 which are relevant and material to the determination of this planning application are:

- Maintain low levels of unemployment in the district
- Support local businesses to grow and become engaged with local communities
- Promoting and developing a dementia friendly district
- Encourage and support people who live and work in the district and to adopt healthy and active lifestyles

- Coordinate and promote services that help those living with low level mental health conditions
- Protect and support the most vulnerable in society including the elderly, young, carers, families in crisis and the socially isolated
- Increase the number of volunteers and trustees in the community/voluntary sector
- Support and empower communities and people to help themselves and develop resilience
- Support communities to meet their own housing needs
- Encourage partner organisation to work together to deliver rural projects and ensure that our communities are not isolated
- Support and promote initiatives that encourage alternative forms of transport and encourage the use of online services
- Promote and increase sustainable, environmentally friendly initiatives in the district
- Influence local policies in order to conserve and enhance the qualities and distinctiveness of our area

8.0 Planning Comments

8.1 The main issues arising from this proposal are the impact of the proposed alterations on:

- o The character of the AONB
- o Neighbouring properties
- o The highway network

Assessment

The impact of the proposed alterations on the character of the AONB

8.2 The approved hospice would have a floor area of 4900m² and a footprint of 3520m². The design rationale is based on a number of linked single and 2 storey elements with the overall approach based on a theme of a range of traditional farm buildings. These comprise:

- (i) The two storey 'Sussex Barn', set back from but parallel to Walton Lane - 11m high with a hipped plain clay tile roof and timber boarded elevations, comprising the entrance to the facility and accommodating the day hospice, café and treatment rooms at ground floor with offices and meeting rooms above;
- (ii) The two storey 'Granary Barn', parallel to the southern boundary - 11m high with a hipped, plain tile roof above brick and flint walls, comprising treatment rooms and storage at ground floor with offices above;
- (iii) The 'Hay Loft', a more contemporary two storey structure located parallel to the northern boundary - 8.8m high with a curved, standing seam metal roof with vertical timber boarding to its elevations, comprising a kitchen and various staff facilities at ground floor with offices and training above;
- (iv) The 'Stables', a range of single storey buildings on the western (rear) part of the site - 5.6m high with a mixture of pitched slate and zinc roofs above brick and stone elevations, accommodating the 18 in-patient rooms together with various communal facilities, treatment rooms and storage;
- (v) A number of small ancillary buildings and structures providing storage for waste, medical gas and maintenance equipment would be located along the northern boundary of the site;

- (vi) 84 car parking spaces would be distributed around the building in 3 locations close to the sites northern, southern and eastern boundaries.

8.3 The proposed alterations to the approved development are not considered to significantly alter the impact of the proposed development on the AONB to the extent that the changes would warrant a refusal of planning permission. The changes are minor in nature and although involve the enlargement of some areas of the hospice, the proposed enlargement is modest and required to allow for some reconfiguration of the building and the incorporation of plant.

8.4 In addition, some of the proposed alterations are considered to lessen the impact on the AONB, for example, by reducing the dominance of the main entrance building due to a reduction in its height and alterations to the materials).

The impact of the proposed alterations on neighbouring properties

8.5 There are no neighbouring properties to the east or west of the site. There are properties to the north and south of the proposed development but these are a sufficient distance (separated by the proposed car parking and some boundary screening) to remain unaffected by the proposed limited changes to the approved scheme.

The impact of the proposals on the highway network

8.6 West Sussex County Council (WSSC) Strategic Planning has raised no objection to the proposed alterations to the approved scheme under condition 2. With regard to condition 21, the WSSC Highway Officer has confirmed that the lane widths, road alignment and footway widths remain as previously granted. No objection is raised to the proposed modification of the dropped kerb/tactile arrangement on the northern and southern side of the A259 and the modification of the pedestrian and cycle access to the site. Through the Section 278 Agreement, the off-site modifications will be subject to further safety auditing through Stage 2 of the audit process at detailed design.

8.7 Bosham Parish Council object to any variation of condition 21 and would expect all off site works to be carried out in their entirety prior to the use of the development. Whilst the comments raised by the Parish Council are noted, the proposed alterations to condition 21 relate to a modification of the dropped kerb/tactile arrangement on the northern and southern side of the A259 and a modification to the cycle ramp accessing the site and the provision of steps for pedestrians. The application is not to discharge condition 21 and neither is the applicant seeking to alter the timescale for completing the off-site works or the relationship between the completion of the offsite highway works and the use of the development.

8.8 The original concerns regarding the access arrangements raised by the Parish Council when the application for the Hospice was approved are noted, but this application does not seek to fundamentally alter the approved plans at the Junction with Walton Lane and therefore whilst noted, the comments are not considered relevant to the consideration of this application. With regard to the off-site access arrangements, the WSSC highway officer has confirmed these details were assessed as part of the original consent, including a Road Safety Audit of the off-site highway improvements, and the access is considered to be in accordance with paragraph 32 of the National Planning Policy Framework.

8.9 Contract Services raises no objection to the vehicle tracking movements as the guidance has changed since the original application and the guidance now includes the

dimensions for the vehicle including the foldaway arms and mirrors. The waste vehicle tracking movements are acceptable.

8.10 The applicant has rotated the oxygen store by 90 degrees to allow more space between the waste vehicle tracking and the oxygen store, has relocated the diesel refuelling point away from the refuse vehicle turning point and removed the low wall opposite the refuse vehicle turning area to allow for the refuse vehicle to turn. No objections to the amended plans have been received from Contract Services.

Significant Conditions

8.11 As this is a variation of condition application for conditions 2 and 21 of planning permission BO/16/01518/FUL, the original conditions for permission BO/16/01518/FUL will be applied. The time limit is to remain as per the extant permission. There are no new significant conditions.

Conclusion

8.12 The proposal for alterations to plans relating to planning permission BO/16/01518/FUL would not result in any landscape, environmental, highway or amenity concerns. The alterations to the approved plans are not considered significant when viewed within the context of the original approved plans and are largely required for operational reasons. Based on the above, it is considered the proposal complies with development plan policies 1, 2, 3, 6, 8, 9, 38, 39, 40, 43, 45 and 50 and therefore the application is recommended for approval.

Human Rights

8.13 In reaching this conclusion the Human Rights of the applicants and nearby occupiers have been taken into account when reaching this recommendation and it is concluded that the recommendation to permit is justified and proportionate.

RECOMMENDATION: PERMIT subject to the following conditions and informatives:-

1) The development hereby permitted shall be begun before the expiration of 3 years from 11th December 2015.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

2) The development hereby permitted shall be carried out in accordance with the approved plans:

Topographical survey Rev C, PL100A, 101G, 102E, 103F, 104D, 105D, 106C, 107C, 108B, 109B, 110A, 111A, 112, 113A; Existing Massing Models (NE, SE and W), Proposed Massing Models (NE Rev A, SE Rev A and W Rev A); Visual representations 1 and 2.

Lizard Landscape: LLD938/01 Rev 03, 02 Rev04, 03Rev02.

RGP: 2014-2404-001 Rev H, 2014-2404-002 Rev F, 2014-2404-004 Rev G, 2014-2404-005 Rev D, 2014-2404-006 Rev D, 2014-2404-007 Rev D.

Delta Green: 16012-DG-ZZ-EX-DR-E/6316-S2-P2, 6317-S2-P2, 6318-S2-P2, 6319-S2-P2.

Reason: For the avoidance of doubt and in the interests of proper planning.

3) Notwithstanding any details submitted **no development shall commence** until a full schedule of all materials and finishes and samples of such materials and finishes to be used for external walls and roofs of the building(s) have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved schedule of materials and finishes unless otherwise agreed in writing by the Local Planning Authority.

Reason: To enable the Local Planning Authority to control the development in detail in the interest of amenity and to ensure a development of visual quality. It is considered necessary for this to be a pre-commencement condition as such details need to be taken into account in the construction of the development and thus go to the heart of the planning permission.

4) **No development shall commence**, until a Construction and Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved CEMP shall be implemented and adhered to throughout the entire construction period unless any alternative is agreed in writing by the Local Planning Authority. The CEMP shall provide details of the following:

- (a) the anticipated number, frequency and types of vehicles used during construction,
- (b) the provision made for the parking of vehicles by contractors, site operatives and visitors,
- (c) the loading and unloading of plant, materials and waste,
- (d) the storage of plant and materials used in construction of the development,
- (e) the erection and maintenance of security hoarding,
- (f) the provision of road sweepers and/or wheel washing facilities to mitigate the impact of construction upon the public highway
- (g) measures to control the emission of dust and dirt during construction, to include where relevant sheeting of loads, covering and dampening down stockpiles
- (h) measures to control the emission of noise during construction,
- (i) details of all proposed external lighting to be used during construction and measures used to limit the disturbance of any lighting required. Lighting shall be used only for security and safety,
- (j) appropriate storage of fuel and chemicals, in bunded tanks or suitably paved areas, and
- (k) waste management including prohibiting burning.

Reason: These details are necessary pre-commencement to ensure the development proceeds in the interests of highway safety and in the interests of protecting nearby residents from nuisance during all stages of development and to ensure the use of the site does not have a harmful environmental effect.

5) **Development shall not commence** until a scheme to deal with contamination of land and/or controlled waters has been submitted to and approved in writing by the Local Planning Authority (LPA). Unless the local planning authority dispenses with any such requirement specifically in writing the scheme shall include the following, a Phase 1 report carried out by a competent person to include a desk study, site walkover, production of a site conceptual model and human health and environmental risk assessment, undertaken in accordance with national guidance as set out in DEFRA and the Environment Agency's Model Procedures for the Management of Land Contamination CLR11.

Reason: In the interests of amenity and to protect the health of future occupiers of the site from any possible effects of land contamination in accordance with local and national planning policy.

6) If the Phase 1 report submitted identifies potential contaminant linkages that require further investigation then **no development shall commence** until a Phase 2 intrusive investigation report has been submitted to and approved in writing by the LPA detailing all investigative works and sampling on site, together with the results of the analysis, undertaken in accordance with BS 10175:2011+A1:2013 - Investigation of Potentially Contaminated Sites - Code of Practice.

The findings shall include a risk assessment for any identified contaminants in line with relevant guidance.

Reason: In the interests of amenity and to protect the health of future occupiers of the site from any possible effects of land contamination in accordance with local and national planning policy.

7) If the Phase 2 report submitted identifies that site remediation is required then **no development shall commence** until a Remediation Scheme has been submitted to and approved in writing to the Local Planning Authority detailing how the remediation will be undertaken, what methods will be used and what is to be achieved. Any on going monitoring shall also be specified. A competent person shall be nominated by the developer to oversee the implementation of the Remediation Scheme. The report shall be undertaken in accordance with national guidance as set out in DEFRA and the Environment Agency's Model Procedures for the Management of Land Contamination CLR11. Thereafter the approved remediation scheme shall be fully implemented in accordance with the approved details.

Reason: In the interests of amenity and to protect the health of future occupiers of the site from any possible effects of contaminated land in accordance with local and national planning policy.

8) **No development shall commence** until plans of the site showing details of the existing and proposed ground levels, proposed finished floor levels, levels of any paths, drives, garages and parking areas and the proposed completed height of the development and any retaining walls have been submitted to, and approved in writing by, the Local Planning Authority. The details shall clearly identify the relationship of the proposed ground levels and proposed completed height with adjacent buildings. The development thereafter shall be carried out in accordance with the approved details.

Reason: To ensure that a satisfactory relationship results between the new development and adjacent buildings and public areas. It is considered necessary for this to be a pre-commencement condition as these details relate to the construction of the development and thus go to the heart of the planning permission.

9) **No development shall commence** until details of the proposed overall site wide surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The design should follow the hierarchy of preference for different types of surface water drainage disposal as set out in Approved Document H of the Building Regulations and the SUDS Manual produced by CIRIA. Winter ground water monitoring to establish highest annual ground water levels and Percolaton testing to BRE 365, or similar approved, will be required to support the design of any Infiltration drainage. The surface water drainage scheme shall be implemented as approved unless any variation is agreed in writing by the Local Planning Authority. No building shall be occupied until the complete surface water drainage system serving that property has been implemented in accordance with the approved surface water drainage scheme.

Reason: The details are required pre-commencement to ensure that the proposed development is satisfactorily drained with all necessary infrastructure installed during the groundworks phase.

10) Notwithstanding any details submitted, **no development shall commence** until details of a system of foul drainage of the site have been submitted to, and approved in writing by the Local Planning Authority. Any variance in the approved details must be agreed in writing with the Local Planning Authority prior to the commencement of any development in relation to the foul drainage of the site. Thereafter all development shall be undertaken in accordance with the approved details and no occupation of any of the development shall take place until the approved works have been completed. The foul drainage system shall be retained as approved thereafter.

Reason: To ensure adequate provision for drainage. It is considered necessary for this to be a pre-commencement condition as such details need to be taken into account in the construction of the development and thus go to the heart of the planning permission.

11) **No development shall commence** on the site until a written scheme of archaeological investigation of the site; has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include; a schedule for the investigation, the recording of findings and subsequent publication of results. Thereafter the scheme shall be undertaken by an appropriately qualified archaeologist fully in accordance with the approved details, unless any variation is first submitted to and agreed in writing by the Local Planning Authority.

Reason - The site is potentially of archaeological significance. It is considered necessary for this to be a pre-commencement condition as these details need to be agreed prior to the construction of the development and thus go to the heart of the planning permission.

12) Notwithstanding the information contained in the application and approved plans **no development comprising the construction of the superstructure of any building hereby permitted shall commence** unless and until details of screen walls and/or fences have been submitted to and approved by the Local Planning Authority and no buildings shall be occupied until such screen walls and/or fences associated with them have been erected. Once erected they should be maintained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of amenity.

13) Notwithstanding any information submitted with the application **no development comprising the construction of the superstructure of any building hereby permitted shall commence** unless and until details of a scheme setting out the means of illuminating the buildings' exteriors, access roads, parking areas and other external areas has been submitted to and approved by the Local Planning Authority. For the avoidance of doubt the scheme shall include details of the means of limiting levels of illumination between the hours of 23:00 and 07:00. The development shall thereafter not be carried out other than in accordance with the approved works.

Reason: In the interests of amenity.

14) **No development comprising the construction of the superstructure of any building hereby permitted shall commence** unless and until details of all proposed ventilation and filtration systems have been submitted to and approved by the Local Planning Authority. For the avoidance of doubt the detail shall make provision for:

- all cooking smells, noxious fumes or vapours from the premises to be disposed of by means of a suitable duct terminating at a point at least 1m above the roof ridge of the premises. The duct shall be free from any obstruction such as a plate, cowl or cap, or any other deflection at its termination point and with a designed efflux in excess of 12m/sec.
- the maintenance and management scheme of the ventilation and filtration systems.
- the arrangement of such systems such that their operation is ensured during periods when the preparation and/or cooking of food is taking place on the premises.

The use of the development hereby permitted shall not be carried on unless and until the approved systems have been installed in their entirety and thereafter maintained in accordance with the manufacturers recommendations.

Reason: To suppress odours in the environment and ensure the safe use of the site does not have any significant adverse impact on the occupants of residential property.

15) **No development comprising the construction of the superstructure of any building hereby permitted shall commence** unless and until the means of disposal and storage of waste arising from the premises has been submitted to and approved in writing by the Local Planning Authority. Once approved the disposal and storage of waste shall not be carried out other than in accordance with the agreed measures.

Reason: To ensure proper provision for refuse disposal.

16) Notwithstanding the information contained in the application and approved plans **no development comprising the construction of the superstructure of any building hereby permitted shall commence** unless and until there has been submitted to and approved by the Local Planning Authority a scheme of landscaping, which shall include a planting plan and schedule of plants noting species, plant sizes and proposed numbers/densities. In addition, all existing trees and hedgerows on the land shall be indicated including details of any to be retained, together with measures for their protection in the course of development. The scheme shall including seeding with a Native British Wildflower Flora mix appropriate to the soil and climate of the site and shall make particular provision for the conservation and enhancement of biodiversity on the application site. The scheme shall be designed to achieve levels of shelter/windbreak, shade and drought resistance to accord with the expected climate changes during the design life of the development.

Reason: In the interests of amenity and of the environment of the development and to comply with the Natural Environment and Rural Communities Act 2006.

17) **No part of the development hereby permitted shall be first occupied** until the road(s), footways, and parking areas serving the development have been constructed, surfaced and drained in accordance with plans and details that shall first have been submitted to and approved in writing by the Local Planning Authority.

Reason: To secure satisfactory standards of access for the proposed development.

18) **No part of the development hereby permitted shall be first occupied** until visibility splays of 2.4 metres by 43 metres have been provided at the proposed site vehicular access onto Walton Lane in accordance with plans and details that shall first have been submitted to and approved in writing by the Local Planning Authority. Once provided the splays shall thereafter be maintained and kept free of all obstructions over a height of 0.6 metre above adjoining carriageway level or as otherwise agreed.

Reason: In the interests of road safety.

19) **No part of the development hereby permitted shall be first occupied** until the vehicle parking and turning spaces have been constructed in accordance with the approved plan. These spaces shall thereafter be retained for their designated use.

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

20) **The use of the development hereby permitted shall not commence** unless and until the off-site highway works shown in application drawing 2014/2404/003 Rev F have been carried out in their entirety.

Reason: To encourage and promote sustainable transport and in the interests of road safety for non-motorised users.

21) **No part of the development hereby permitted shall be first occupied** until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority in consultation with West Sussex County Council as the Local Highway Authority. The Travel Plan once approved shall thereafter be implemented as specified within the approved document and in accordance with the agreed timescales. The Travel Plan shall be completed in accordance with the latest guidance and good practice documentation as published by the Department for Transport or as advised by the Highway Authority.

Reason: To encourage and promote sustainable transport.

22) **The use of the development hereby permitted shall not commence** on the site unless and until a scheme which specifies the provisions to be made for the control of noise emanating from all fixed plant associated with the development has been submitted to, and approved in writing by the Local Planning Authority. The noise mitigation scheme shall be implemented and maintained in accordance with the approved details and shall not be altered without the prior written approval of the Local Planning Authority.

Reason: To ensure that a satisfactory relationship results between the new development and adjacent buildings and public areas. It is considered necessary for this to be a pre-commencement condition as these details relate to the construction of the development and thus go to the heart of the planning permission.

23) The development shall not be carried out other than in accordance with:

- the recommendations set out at Section 6 of the submitted Preliminary Ecological Appraisal dated May 2015 accompanying application 15/01507/FUL
- the ecological enhancement set out at Section 7 of the above report; and
- the recommendations of the Councils Environment Officer in respect of nesting birds as set out in her consultation response to application 15/01507/FUL dated 18 June 2015
- the stick and camera survey, set out in the Bdager Sett Monitoring Report (26th February 2016) accompanying application 15/01507/FUL

Reason: In the interests of the ecology of the site and its surroundings.

24) The development shall not be carried out other than in accordance with the sustainable construction measures set out in Section 9 of the submitted Design and Access Statement.

Reason: To achieve a sustainable form of development.

25) The construction of the development and associated works shall not take place on Sundays or Public Holidays or any time otherwise than between the hours of 0700 hours and 1800 hours Mondays to Fridays and 0800 hours and 1300 hours on Saturdays.

Reason: In the interests of residential amenity.

26) The development hereby permitted shall not be used other than as a hospice providing care to both in and outpatients. Any associated facilities and activities, including administration, fund raising, family support and the proposed cafeteria and shop shall not be provided or carried out other than in a capacity that is ancillary to the primary hospice use. For the avoidance of doubt the development shall not be used for any purpose within Class C2 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 accord with the terms of the application and to ensure the use of the building does not have a harmful environmental effect in the interests of amenity.

27) Deliveries by commercial deliveries to and the collection of waste from the development hereby permitted shall not take place other than within the hours of 07.00 and 18.00 hours Monday to Friday (excluding Bank Holidays), and not at any other time unless in the case of an emergency.

Reason: To accord with the terms of the application and to ensure the use of the site does not have any significant adverse noise impact on the occupants of residential property and the surrounding environment.

28) The rating level of the noise emitted from all plant and equipment at the site shall not exceed a level of 30dB LAeq, 1 hr between 07.00 and 23.00 hours during the day and 25dB LAeq, 15 mins between 23.00 and 07.00 at night, at any time post construction and in the absence of any essential maintenance, as determined at the boundary of the nearest residential properties at Oakcroft to the south and Walton House to the north. The measurements and assessment shall be made according to British Standard 4142:2014 or any subsequent revision, accepting that a surrogate measurement position may be selected to determine noise output closer to the plant and equipment in question to predict noise incident at the same receiver locations.

Reason: To protect noise levels in the environment and ensure the use of the site does not have any significant adverse noise impact on the occupants of residential property.

29) All hard and soft landscape works shall be carried out in accordance with the approved details and in accordance with the recommendations of the appropriate British Standards or other recognised codes of good practice. **These works shall be carried out in the first planting season after practical completion or first occupation of the development,** whichever is earlier, unless otherwise first agreed in writing by the Local Planning Authority. Any trees or plants which, within a period of 5 years after planting, are removed, die or become seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To ensure the provision and establishment of a reasonable standard of landscape in accordance with the approved designs.

INFORMATIVES

1) With regard to condition 5, the Statement should set out in detail how the level of parking provision will, throughout the course of the construction phase of the development, be sufficient to prevent vehicles parking on the public highway in the vicinity of the site. Where it cannot be demonstrated that adequate on-site provision can be made, the Statement must set out the means and location of any off site parking, which should be clear of the public highway.

2) For further information and technical guidance regarding the requirements of this condition 6 you should contact the District Council's Environmental Protection Team (01243 785166).

3) With regard to condition 10 the design of the scheme should follow the hierarchy of preference for different types of surface water drainage disposal systems as set out in Approved Document H of the Building Regulations and the SUDS Manual produced by CIRIA. Winter groundwater monitoring to establish highest annual ground water levels and Percolation testing to BRE 365 or similar approved, will be required to support the design of any infiltration drainage.

4) With regard to condition 11 the applicant is advised that the developer will need to enter into a formal agreement with Southern Water to provide the necessary sewerage infrastructure required to service this development.

5) With regard to condition 13 you are advised that:

The Local Planning Authority is unlikely to approve any such scheme unless it has been designed with reference to agreed national standards for outdoor lighting. Such standards include an appropriate Lighting Guide published by the Chartered Institution of Building Services Engineers (CIBSE) (See their Factsheet 7: Environmental Considerations for Exterior Lighting: <http://www.cibse.org/knowledge/cibse-lighting-factfile/lighting-factfile-7-design-and-assessment-of-exterior>); and, in particular 'Guidance Notes for Reduction of Light Pollution', Institution of Lighting Engineers (ILE) www.britastro.org/dark-skies/pdfs/ile.pdf

6) With regard to condition 14 you are advised that:

- a. Prior to the installation of the ventilation system for the disposal and treatment of cooking odours from the premises, the applicant should submit certification from a member of the Heating and Ventilating Contractors Association, or other suitably qualified person, to the Planning authority, confirming that the proposed system will satisfy the requirements of Conditions 14.
- b. Prior to the commencement of the use hereby approved, the applicant should, following the testing of the installation, submit certification from a member of the Heating and Ventilating Contractors Association, or other suitably qualified person, to the Planning Authority, confirming that the installation meets its design specification.

7) With regard to condition 19 you are advised that the Plan should, amongst other things, include details of: the provision and means of physically demarcating an area of the car park that is to be prioritised to be used by staff leaving and arriving during night time hours; practices to be implemented in terms of external storage and waste disposal areas/receptacles; the approach to be taken to the use of emergency vehicles at the site; on-going measures to encourage the adoption of neighbourly practices by members of staff.

8) With regard to conditions 18 and 20 you are advised that it will be necessary to enter into a legal agreement with the Highway Authority in respect of the necessary works within and adjoining the highway.

For further information on this application please contact Claire Coles on 01243 534734.

Agenda Item 6

Parish: Chichester	Ward: Chichester South
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CC/16/02949/FUL

Proposal Change of use of part of ground floor from office (B1a) to cafe (A3) together with provision of roof and wall vents to east elevation.


Site The Corn Exchange Baffins Lane Chichester West Sussex PO19 1UD

Map Ref (E) 486308 (N) 104725

Applicant Mr Tom West (Seaward Properties Ltd)

RECOMMENDATION TO PERMIT



	<p>NOT TO SCALE</p>	<p>Note: Do not scale from map. For information only. Reproduced from the Ordnance Survey Mapping with the permission of the controller of Her Majesty's Stationery Office, Crown Copyright. License No. 100018803</p>
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1.0 Reason for Committee Referral

Red Card: Cllr Dignum - Exceptional level of public interest.

2.0 The Site and Surroundings

2.1 The application site comprises the ground floor of a three storey Grade II listed building at the corner of Baffins Lane and New Town Road within the Chichester Conservation Area. The building is the former Corn Exchange and has a lawful use as B1 commercial offices at ground to second floor level. The ground and first floors are vacant and the second floor is occupied by a firm of architects.

2.2 The site is located within the Settlement Boundary, but is located outside the designated Primary and Secondary retail frontages; the Grade II* Corn Exchange fronting East Street is located in the primary Retail Frontage and abuts the site to the north. To the west of the application site is a frontage of primarily office and retail uses. To the south of the application site are residential properties in New Town. To the east of the application site are the rear of residential properties along St Johns Street.

3.0 The Proposal

3.1 The application proposes the change of use of 369 sq metres of the ground floor south suite from office use (Class B1) to restaurant / café use (Class A3), with provision of roof and wall vents to the eastern elevation, and an internal flue terminating at roof level. Internal partitions would sub-divide the cooking and WC facilities and office on the eastern side of the building, and a seating area for 150 covers would be provided on the western side of the building.

4.0 History

02/00857/LBC	PER	Fix dome type CCTV camera on ornamental bracket to corner of The Corn Exchange building at 8m above path level with metal conduits fixed to wall for control cables.
02/00864/REG3	PER	Fix dome type CCTV camera on ornamental bracket to corner of The Old Corn Exchange buildings at 8m above path level with metal conduits fixed to wall for control cables.
04/01944/ADV	PER	1 no. hanging sign approximately 700 x 400mm.
04/01946/LBC	PER	1 no. hanging sign approximately 700 x 400mm.
15/01362/FUL	WDN	A change of use for ground floor only from office (B1) to restaurant / cafe (A3).
15/01363/LBC	WDN	Associated alterations to facilitate a change of use for the ground

		floor only from office (B1) to restaurant / cafe (A3).
15/01365/FUL	REF	Proposed new glazed canopy over replacement door.
15/01366/ADV	PER	3 no. brass plaque fascia signs.
15/01368/FUL	PER	Insertion of four new doors and modification of the two existing doors to the west elevation and one new door into the east elevation, all at ground level.
15/01370/ADV	REF	4 no. hanging signs.
15/01371/LBC	PER	Insertion of four new doors and modification of the two existing doors to the west elevation and one new door into the east elevation, all at ground level. Internal alteration including the provision of ramps.
15/02763/ADV	PER	2 no. hanging signs.
15/02798/LBC	PER	Refurbishment, internal alterations, removal of office partitioning, installation of a new lift, 2 no. hanging signs and 3 no. brass plaque fascia signs.
15/03558/LBC	PER	Internal additions/alterations to the second floor.
15/03820/FUL	PER	Addition of 2 no. air conditioning fan units to the rear at ground floor level.
15/04199/LBC	PER	Addition of 2 no. air conditioning fan units to the rear at ground floor level.

5.0 Constraints

Listed Building	Grade II
Conservation Area	Chichester City
Rural Area	NO
AONB	NO
Tree Preservation Order	NO
South Downs National Park	NO
EA Flood Zone	

- Flood Zone 2	NO
- Flood Zone 3	NO
Historic Parks and Gardens	NO

6.0 Representations and Consultations

6.1 Chichester City Council

Objection:

1. The cafe would by virtue of its scale and associated level of activity, be severely detrimental to the amenities of local residents and the character of the Conservation Area.
2. The opening hours extend beyond those of existing commercial premises in this locality and introduce a level of noise and general disturbance from the movement of customers, staff, servicing and deliveries. The operation of extraction and air supply unit at normally quiet times and the resultant kitchen odours would adversely affect nearby residential properties.
3. Internal works and external changes to the east elevation of the building, including the introduction of a dormer vent in an unbroken roofline, to accommodate the proposed kitchen extraction equipment and air supply grills, are considered to be severely harmful to the character and appearance of this Grade II Listed building.

6.2 CCAAC

- Wrong place for such a large restaurant - a relatively quiet residential area where the increased noise and smells from such an establishment would prove a nuisance to the many local residents who would be affected.
- Waste produced by such large premises would also increase traffic movements associated with waste bins, almost certainly at unsociable hours.
- Also, another easting establishment just pushes the area closer to saturation point for the restaurant trade.
- The proposed dormer to house ventilation equipment mars the appearance of this elegant building and the whole scheme is detrimental to the nature of the Conservation Area.

6.3 WSCC Local Development Division

In terms of traffic movements, other than deliveries, I do not envisage there would be any significant increases in traffic movements as a result of the proposal. No concerns raised with accessibility to the site, given its central location most visitors would be by foot or cycle and the same would apply to staff. Therefore, from that perspective, the proposal is considered acceptable and is not contrary to paragraph 32 of the NPPF.

The applicant should provide further clarity on how deliveries will deliver to the site, the routes used and if this is likely to result in any of the surrounding roads being blocked. Some of the delivery times would be within the peak network times 08.00 to 09.00; these should be avoided where possible.

Further comments following additional information:

No objection

Satisfied with the proposed Service Management Plan and this answers my queries from a highway point of view.

6.4 CDC Historic Buildings Adviser

Support

The proposed 'dormer style' roof vent is modestly sized and has an industrial aesthetic; as such it is unlikely to cause harm to the significance of this listed building. The loss of fabric as a result of joist trimming should be kept to a minimum.

Further comments following additional information:

Support

The use of the building requires some compartmentalisation of the ground floor; this appears to have been done sensitively, confined to the rear where the southern stair tower already intrudes into the space and behind the line of the support columns. It would be preferable if one or two bays could be retained at full width, possibly through an open kitchen with low level partitions. On balance, it appears acceptable as proposed.

Ducting travels up the building on the outside of the service corridor. At ground and first floor levels, it is unlikely to interfere with any features and joist trimming should be kept to a minimum.

At second floor, path of the flue with respect trusses, should be clarified, which sit immediately south of the service corridor. These should not be disrupted and ducting will need to accommodate this. Please clarify.

Various options proposed in respect of the flue, owing to environmental health issues. This is unlikely to be of significant harm to significance, provided it is painted in a dark, matt colour and retains its industrial aesthetic. Public views are not wholly relevant to listed buildings. Sightlines around the building will mean there will be limited views of it and those available will be in the context of the service corridor between the buildings; thereby reducing its potential impact on the Conservation Area.

6.5 CDC Environmental Health Officer

The applicant has undertaken a comprehensive noise and odour assessment.

Odour

The abatement system is designed for a specific occupier. The granting of A3 could see the premises used for any cuisine. Either the nature of the cooking is conditioned, or the filtration system is designed to allow for any type of occupancy. To permit A3 would require an alteration to the design of the (odour) abatement equipment may affect pre-treatment and primary/secondary odour treatment. The extraction system discharges horizontally into the recirculating wake of the building. Expect the stack to discharge vertically, 1 metre above the ridge, with no restriction at the opening.

Should the applicant provide satisfactory information, the noise report will need to be updated to reflect the likely changes in sound produced.

Noise

The applicant should clarify the rating level as spectral information appears to relate to full octaves and not third octaves. Without this, it is unclear if there is any tonality. Recommend that the applicant comes forward with firm proposals to upgrade the resistance to the passage of sound; despite being commercial at first floor level, it is possible the current office will be affected by sound.

Request that the applicant review the proposal for the control of odour and sound produced.

Further comments following additional information:

Odour

The latest proposal is to:

- Double the number of pre-filters and carbon filters
- Increase the residence time from 0.2 seconds to 0.4 seconds.
- Exhaust waste gases vertically 150mm above the roof ridge (compared to a housed horizontal discharge).

The additional information includes an option appraisal from EAS, acoustic report, list of equipment components with manufacturer's data sheet and plan showing the ventilation system. Require a scaled plan and appropriate drawings. The specification sheet contains information on system components and makes reference to some of the characteristics. It does not contain necessary information (canopy overhang, whether the system will be a variable speed controller and characteristics under different speeds). It appears possible to install a system that would achieve the necessary requirements, but the applicant is yet to present the additional information.

The proposed exhaust to the ventilation system is 150mm above the roof ridge; this must be increased to 1 metre. An unrestricted cowl to prevent ingress of water is needed. No information on testing, commissioning, ongoing maintenance and replacement of filters.

Noise

Conditions are recommended in relation to noise and vibration, sound rating level and a scheme of sound insulation between the ground and first floor.

Further comments following additional information:

Odour

No objection to the proposal. It should be possible to secure development in the location without adversely affecting neighbours. Sufficient information is provided to show that the development could proceed in principle. A condition is recommended requiring the submission of a final scheme of odour control for approval by the authority.

6.6 CDC Economic Development

Support

The property has been extensively marketed for almost 2 years and during that time, has undergone extensive refurbishment. The proposed opening times of the café are constrained, considering the City centre location of the property, in order to ease some of the concerns of local residents. City centres all over the UK are changing, to remain economically viable. The opening times are now in line with many office users who offer flexible working patterns.

A consultation document - A Vision for Chichester - has been prepared by the Economic Development Team in consultation with other stakeholders, the purpose of which is to offer residents, visitors and businesses, a more connected City that is a place of opportunity for all. The retail experience, which includes cafes and restaurants, is an important part of this, as it encourages residents, visitors and businesses to the City. A public consultation for 'A Vision for Chichester' will start on 6th February.

6.7 CDC Planning Policy

No objection

Policy 26 (Existing Employment Sites) of the CDC Local Plan seeks to retain and safeguard employment sites for their contribution to the local economy. Planning permission will be granted for alternative uses on land or floorspace currently or previously in employment generating uses, where it has been demonstrated (in terms of evidence requirements) that the site is no longer required or is unlikely to be re-used or redeveloped for employment uses. Appendix E sets out appropriate marketing requirements.

Marketing evidence (commencing March 2015) has been submitted in support of the application. It may be considered that the marketing evidence submitted does not adhere precisely to the letter of the guidance, it is credible and robust. The site has not been made deliberately unviable and the proposal continues to retain B1 uses on part of the existing ground and upper floors. Taking account of further comments made by the marketing agent acting on behalf of the landlord, the premises appear to have been actively promoted in their entirety in order to find tenants for the property.

The marketing is considered adequate in terms of providing support for the proposals and compliance with policy 26. Therefore, no policy objection is raised to the proposal.

6.8 Chichester South Ward Member

One letter of objection from ward member for Chichester South:

- The cafe would by virtue of its scale and associated level of activity, be severely detrimental to the amenities of local residents and the character of the Conservation Area.
- The opening hours extend beyond those of existing commercial premises in this locality and introduce a level of noise and general disturbance from the movement of customers, staff, servicing and deliveries. The operation of extraction and air supply unit at normally quiet times and the resultant kitchen odours would adversely affect nearby residential properties.
- Internal works and external changes to the east elevation of the building, including the introduction of a dormer vent in an unbroken roofline, to accommodate the proposed kitchen extraction equipment and air supply grills, are considered to be severely harmful to the character and appearance of this Grade II Listed building.

6.9 18 Third Party Objection, including East Pallant Residents Association

- No notices posted on the building
- Introduction of proposed use will be detrimental to the Conservation Area
- Restaurant use will involve regular commercial traffic

- Environmental impacts on the surrounding area would be considerable in terms of odours, noise, loud music etc
- Already several restaurants/cafes within 100m radius
- Extract from the Boston Tea Party website gives false impression of what we can expect
- Type of development disastrous for the residents of Newtown
- Noise from emptying refuse bins late at night and early in morning (as early as 03.45), people leaving restaurant late in the evening, urinating, vomiting and being noisy
- Longer hours will be sought in future
- Alcohol consumption cause for concern
- Building has architectural merit and should house businesses that do not interfere with the integrity of the building
- Workers will be from outside Chichester and transient, not local
- Adverse impact on smaller cafes/ restaurants and negative effect on area with large café and 150 covers
- Council should not succumb to commercial pressures and compromise the quality of life for local residents
- Stated hours will in practice generate at least another hour of noise from clearing up/cleaning
- Offices are ideal complement to Conservation Area by attracting highly skilled personnel who live close by
- Site better used as internet café because of proximity to internet hub
- Large restaurant will contribute to noise/litter along rear service lane
- Refuse change of use to protect individuality of City
- Resident parking is limited Monday-Saturday; will exacerbate Sunday parking for residents
- Proposal would drastically alter balance of commercial and residential uses
- Music will be broadcast in restaurant, adding to noise.

6.10 1 Third Party Support

- This is a 'dead frontage' to the street being formerly offices and for the last two or three years, has been empty
- A cafe would add vitality and viability to this part of the city and draw people to the shops and businesses in Baffins Lane and Baffins Court

6.11 Applicant/Agent's Supporting Information

The applicant has submitted the following information in support of the application: Noise and Odour Assessment; Design and Access Statement; Heritage Statement and Service Management Plan. The Odour and Noise Assessment have been updated during the course of the application.

7.0 Planning Policy

The Development Plan

7.1 The Development Plan for the area comprises the Chichester Local Plan: Key Policies 2014-2029 and all made neighbourhood plans. There is no adopted neighbourhood plan for Chichester City at this time.

7.2 The principal planning policies relevant to the consideration of this application are as follows:

Chichester Local Plan: Key Policies 2014-2029

Policy 1: Presumption in Favour of Sustainable Development
Policy 2: Development Strategy and Settlement Hierarchy
Policy 3: The Economy and Employment Provision
Policy 10: Chichester City Development Principles
Policy 26: Existing Employment Sites
Policy 39: Transport, Accessibility and Parking
Policy 47: Heritage

National Policy and Guidance

7.3 Government planning policy now comprises the National Planning Policy Framework (NPPF), paragraph 14 of which states:

At the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking:

For decision-taking this means unless material considerations indicate otherwise:

- *Approving development proposals that accord with the development plan without delay; and*
- *Where the development plan is absent, silent or relevant policies are out-of-date, granting planning permission unless any adverse impacts of doing so would significantly or demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies in (the) Framework indicate development should be restricted.*

7.4 Consideration should also be given to paragraphs 17 (Core Planning Principles), 18, 19, 22, 23, 32, 126, 129, 131 to 134 of the National Planning Policy Framework (March 2012).

Other Local Policy and Guidance

7.5 The aims and objectives of the Chichester in Partnership Community Strategy 2016-2029 which are relevant and material to the determination of this planning application are:

- Maintain low levels of unemployment in the district
- Prepare people of all ages and abilities for the work place and support the development of life skills
- Develop a local workforce that meets the needs of local employers
- Support local businesses to grow and become engaged with local communities

8.0 Planning Comments

Assessment

8.1 The main issues arising from this proposal are:

- Principle of Development;

- Impact on Conservation Area and Grade II Listed Building;
- Impact on Amenity;
- Impact on Highway Network and Parking;
- Other Matters.

Principle of Development

8.2 The site is located within the settlement boundary where there is a general presumption in favour of sustainable development, in accordance with policies 1 and 2 of the Local Plan.

8.3 Policy 10 of the Adopted Local Plan, specifically criterion 3 of the policy, seeks to ensure that Chichester is protected and promoted as the main commercial focus for new retail, office, leisure and cultural activities. Paragraph 23 of the NPPF refers to the need to recognise town centres as the heart of communities and pursue policies that support their vitality and viability.

8.4 The site has a lawful use as B1 commercial office space, but is vacant at ground and first floor level. Local Plan policies 3 and 26 concerning economic development apply. The policies state that existing employment sites will be maintained in order to safeguard their contribution to the local economy. Permission for alternative uses must demonstrate that the site is no longer required for employment use (through the submission of evidence) and is unlikely to be redeveloped or re-used for employment uses. Appendix 5 E.2-E.6 inclusive of the Local Plan sets out criteria against which marketing evidence will be assessed. Paragraph 22 of the NPPF states there where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative land uses should be treated on their merits, having regard to market signals and the relative need for different land uses to support sustainable local communities.

8.5 The applicant has provided marketing evidence and a supporting statement by commercial marketing agents, FLUDE, dated 5 September 2016, in accordance with the requirements of policy 26 and Appendix E. The marketing commentary and evidence demonstrates that the site, comprising all three floors of the building, has been marketed for a two year period, commencing March 2015, following vacation of the previous office tenant in September 2014. The building has undergone refurbishment during this time, including installation of lifts and DDA compliant thresholds on the ground floor west elevation, to make it more attractive to future tenants. Photographic evidence of the building before and after the refurbishment is included.

8.6 The marketing campaign has targeted use class A2 tenants at ground floor level (office occupiers with an element of retail) - and B1 occupiers at upper levels, to reflect market demand. The applicant confirms that all three floors of the building have been viewed by interest parties. The marketing campaign has consisted of press notices in the Chichester Observer and Estates Gazette; online advertising on the FLUDE website and other commercial databases; mail shots to local, national and regional occupiers and commercial agents in Sussex, Hampshire, London and south-east England; a mail shot to 191 potential office occupiers in Chichester; telephone canvassing; site and marketing boards at the site (still on display); and an open evening for prospective business occupiers and commercial agents with 90 attendees, held on 28th April 2016, between 5-7pm. Details of the marketing particulars, press notices, mail shots web advertising and marketing boards are submitted with the application.

8.7 To date, there have been 16 interested parties and an inquiry log is submitted with the marketing strategy. The ground floor of the building as office accommodation has been discounted by interested parties for a number of reasons: lack of parking; preference for out of town accommodation; offers made on other office suites; extensions to lease on existing premises; better storage requirements needed. Whilst shorter and more financially attractive deals have been offered to tenants, to date, interest has been limited for ground floor offices in a central location. The marketing campaign has resulted in the letting of the top (second) floor of the building to an office occupier (architect) as there is a preference for first and second floor offices by prospective tenants.

8.8 The consultee responses from Economic Development and Planning Policy support the proposed change of use. The proposal would retain this part of the building for a commercial purpose and result in 30 jobs created. The building has been vacant in excess of 2 years and marketed since March 2015, and has undergone £1 million refurbishment during this period to try and attract tenants. The marketing is considered to be credible and robust. The site has not been made deliberately unviable and the proposal retains B1 use on the upper floors of the building. The use as a restaurant at the southern end of the ground floor would enhance the city's existing entertainment and leisure economy, and the vitality of this part of the City Centre. The proposal therefore complies with policies 3, 10 and 26 of the Local Plan, and paragraphs 18-22 of the NPPF.

Impact on Conservation Area and Grade II Listed Building

8.9 The application proposes internal and external works to the grade II listed building. Section 16(2) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) requires special regard to be given to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. In addition to the requirements of policy 10 of the Adopted Local Plan, to conserve the heritage of the City Centre, policy 47 is relevant and states permission will be granted where it can be demonstrated that the proposal conserves or enhances the special interest and setting of designated heritage assets, including listed buildings and buildings within Conservation Areas.

8.10 The installation of internal partitions would be confined to the rear of the building, behind the line of the existing supporting columns, in a location where the southern stair tower intrudes into the space. Furthermore, the internal partitions would be light-weight studwork and, as such, reversible. The proposal would not therefore harm the open-plan form of the listed building.

8.11 The extraction equipment and associated flue would be housing internally, terminating at roof level. The flue would pass through upper floors of the building. The HBA has advised that the path of the flue should not disrupt features such as exposed timber ceiling trusses. The applicant confirms that that flue path will not disrupt the main open trusses on the second floor: the flue would exit the riser cupboard and enter the area that has been enclosed above the central stairwell. The flue would exit the roof between roof trusses and it is not proposed to cut or alter the main ceiling trusses. A condition is recommended to this effect.

8.12 Concern was raised throughout the public consultation period regarding the provision of the ventilation extraction terminal housed in an arched louvred roof vent in the eastern roofline and its impact upon the architectural interest of the building. Various proposals for the external flue terminal have been put forward by the applicant in response. The amended

scheme proposes a circular flue and omits the arched louvred vent. The Historic Buildings Adviser (HBA) is satisfied that the proposed flue is unlikely to be of significant harm to the significance and setting of the listed building, provided it is painted in a dark, matt colour and retains an industrial aesthetic. Any views will be in the context of a service corridor between buildings on the eastern elevation, thereby reducing the potential impact on the public realm of the Conservation Area. No objection is raised by the HBA to the proposed air supply grill at ground floor level on the rear (east) elevation, as this would be discreet in size and scale in a muted terracotta colour to match facing brickwork.

8.13 The proposal will enable the re-use of part of a vacant listed building for wider public use. The proposal will lead to less than substantial harm to the significance of the asset and its effects can be mitigated by planning conditions. Subject to conditions to control the treatment, colour and finish of the external flue, to ensure no cutting or fixings to the main ceiling trusses and the position of the internal flue in relation to ceiling joists, the proposal will preserve the special architectural and historic interest of the listed building and its setting and comply with policies 10 and 47 of the Local Plan and paragraphs 131, 132 and 134 of the NPPF.

Impact on Amenity

8.14 Policy 26 of the Local Plan makes it clear that permission will be granted for proposals that make more efficient use of underused employment sites and premises, where it can be demonstrated that:

- there is no material increase in noise levels resulting from activities that would disturb nearby residents;
- there is no unacceptable level of traffic movement, soil, odour or air pollution, or adversely impact neighbouring amenity through artificial lighting.

Additionally,

Policy 123 of the NPPF seeks to mitigate and reduce adverse impacts on health and quality of life arising from noise from new development and to protect residential amenity.

Noise

8.15 The applicant has proposed opening times between 0700 hours in the morning until 2100 hours in the evening on Monday to Sunday including Bank Holidays. Given the proximity of the building to residential areas on its eastern elevation, an end time of 1930 hours on each day is appropriate. The applicant is agreeable to the reduced opening hours and such opening hours can be secured by way of a condition.

8.16 The kitchen areas and servery are proposed to be located along the eastern side of the building, with the main entrance for patrons on the western elevation onto Baffins Lane. Pedestrian footfall would likely come from either the East Pallant Car Parks or public transport routes through the city centre. The location of the entrance of the western point would limit the footfall of customers along the residential streets of New Town and St Johns Street.

8.17 A British Standard 4142:2014 BS8233: 2014 Noise Report has been submitted to assess the impact on nearby noise sensitive receptors to assess the acoustic impact associated with the proposed use. The report identifies a number of sensitive receptors to the site, the nearest of which is the rear extension to the dwelling at no. 19 St John Street, east of the site. The first floor rear window (habitable) overlooks the site. Nos. 18, 18a, 19

and 20 St Johns Street to the east and flats/dwellings along New Town Road, including nos. 1 and 3, are located to the south.

8.18 The proposed restaurant will operate solely during day-time hours. The report identifies that all noise sources will operate significantly (at least 5dB) below ambient or background day-time noise levels. The report is thorough and robust, and addresses all sources of noise break-out from the extraction equipment, background music, break out noise from the flue coming up through the building and terminating in the roof, kitchen plant and ductwork equipment, deliveries and refuse collection. Environmental Health Officers (EHO) are satisfied that the assessment addresses the design criteria of the Local Planning Authority. It is therefore considered that, having regard to appropriately worded conditions, the impact on the amenity of neighbouring occupiers as a result of the proposal from noise, would not result in demonstrable harm.

8.19 The applicant has provided a Service Management Plan (SMP) at the request of officers to provide further detail on how servicing and deliveries are to be managed. The SMP states that all deliveries are to take place from the front, or western side of the building, from the loading bay located on Baffins Lane, with no deliveries from the rear. Deliveries are to take place no earlier than 07.00 hours, not during peak hours of 08.00-09.00 hours and at no time on Sundays. Refuse/recycling currently take place between the hours of 07.00-11.00 hours Mon-Sat and at no time of Sundays or Bank Holidays. Collections are to be made from East Street, in accordance with existing arrangements. It is recommended that the Service Management Plan is secured by planning condition.

Odour

8.20 The applicant has submitted a Kitchen Ventilation Odour Assessment as part of the application submission. The report details that a high level of odour control for the kitchen ventilation system will be required. The proposed ventilation would trap fumes and grease through the appropriate filtration systems within the kitchen and its placement over the main cooking areas would limit the potential for uncontrolled horizontal discharge of odour out of the windows on the east elevation. This ensures a significant amount of odour is mitigated ahead of its discharge from the building.

8.21 The applicant has amended the Odour Assessment during the course of the application to achieve a higher standard of odour/extraction mitigation, and the EHO is satisfied that in principle, the amended Kitchen Odour Assessment is capable of satisfactorily mitigating the impact of odour on neighbouring properties. Further information is required on a number of aspects however (canopy overhang, whether the system will be a variable speed controller and characteristics under different speeds), but the EHO has advised that it would be possible to install a system that would achieve the necessary requirements. The flue outlet has been simplified to a round outlet on the rear roofslope. A number of detailed pre-commencement conditions are recommended regarding odour and noise mitigation. These are considered necessary and reasonable to protect the amenities of neighbouring residential properties.

8.22 In light of the above considerations, it is assessed that the odour and noise issues generated from the proposed A3 use would be mitigated to an acceptable level given the location of the development, subject to the imposition of appropriate conditions.

Impact on Highway Safety and Parking

8.23 The application site is located in a highly sustainable location within Chichester City Centre, in close proximity to a number of public car parks and major bus routes. Baffins Lane is well used by pedestrians between car parks and the primary retail frontage along East Street. Access to the site for staff and customers can be facilitated by pedestrian footfall, public transport and local public car parks. No parking is to be provided for staff or patrons who will use nearby public car parks.

8.24 In terms of traffic movements, other than the deliveries, WSCC Highways does not envisage there would be any significant increase in traffic movements as a result of the proposals. No concerns are raised with accessibility to the site given its central location, as most visitors would be by foot or cycle and the same would apply to staff.

8.25 WSCC Highways has requested further details in relation to the nature and types of vehicles used for deliveries, the routes used and if this is likely to result in any of the surrounding roads being blocked. The SMP confirms that no deliveries (of produce) are to take place to the site between the peak hours of 08.00-09.00 hours. Deliveries to the site will be from Market Road, via East Street into the northern end of Baffin's Lane (following the advisory lorry route). All deliveries will be from the loading bay at the front of the site on Baffin's Lane. The SMP states the frequency of deliveries and the types of vehicles. WSCC Highways Authority has reviewed the SMP and is satisfied that the proposal would have no adverse impact on the operation of the highway network. A condition is recommended to ensure compliance with the SMP at all times.

8.26 Subject to conditions to restrict the hours of deliveries to avoid peak times of 08.00-09.00 hours, and for deliveries and refuse collection to be undertaken in accordance with the Service Management Plan, the proposal is considered to be acceptable in highway safety terms and would not result in a severe residual impact on the operation of the highway network, to comply with paragraph 32 of the NPPF and policy 39 of the Local Plan.

Other Matters: Publicity of Application

8.27 Concern is raised by some members of the public in respect of the public highway being obstructed as a result of patrons quickly using the facilities for take away services. The applicant has submitted indicative user statistics of previous sites in comparable Cathedral cities. In these instances, it was noted that the majority of patrons take meals within the premises (80%) rather than take-away. Planning permission would be required for a change of use from A3 (restaurant/café) to A4 (drinking establishment) or A5 (hot food takeaway).

8.28 In respect of comments from third parties regarding the presence of a site notice advertising the applications, following a visit from the Planning Officer on 5 October 2016, a site notice was displayed publicising the application.

Significant Conditions

8.29 Conditions are recommended in relation to the hours of use, restrictions on the hours of delivery and compliance with the Service Management Plan, the installation of ventilation equipment prior to the restaurant being brought into use, and noise conditions as required by Environmental Health Officers.

Conclusion

8.30 In summary, the proposal would create an active frontage at ground floor level and contribute towards the vitality and viability of this part of the City Centre. The marketing evidence submitted to justify the loss of 369 sq metres of B1 commercial office space is robust and officers from the Economic Development service raise no objection. The proposal would retain a commercial use at ground floor level and assist in job creation, with 21 full-time and 9 part-time jobs created (30 in total). The proposal would not result in significant harm to the special architectural and historic character and setting of the listed building, subject to appropriate conditions.

8.31 It has been satisfactorily demonstrated that the proposal can adequately mitigate against noise and odour associated with the proposed use as a restaurant, on the basis of the submitted revised Noise and Odour Report, and subject to appropriate conditions. The proposal would not have a severe residual impact on the operation of the highway network, and deliveries to the site and refuse collections can be adequately controlled by condition through the Service Management Plan. The proposal is therefore in accordance with paragraphs 17, 19, 22, 23, 32, 123, 129 and Section 12 of the National Planning Policy Framework (March 2012) and policies 1, 2, 3, 10, 26, 39 and 47 of the Adopted Chichester Local Plan: Key Policies 2014-2029.

8.32 Based on the above assessment it is considered the proposal complies with development plan policies and therefore the application is recommended for approval.

Human Rights

8.33 In reaching this conclusion the Human Rights of the applicants and nearby occupiers have been taken into account when reaching this recommendation and it is concluded that the recommendation to permit is justified and proportionate.

RECOMMENDATION

PERMIT subject to the following conditions and informatives:-

1) The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

2) The development hereby permitted shall be carried out in accordance with the approved plans: PL10-A, PL23-G, B23-FD21-A, B23-FD60-G and B23-FD70-H.

Reason: For the avoidance of doubt and in the interests of proper planning.

3) {b No development shall commence,} including any works of demolition, until a Construction and Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved CEMP shall be implemented and adhered to throughout the entire construction period unless any alternative is agreed in writing by the Local Planning Authority. The CEMP shall provide details of the following:

(a) the anticipated number, frequency and types of vehicles used during construction,

- (b) the provision made for the parking of vehicles by contractors, site operatives and visitors,
- (c) the loading and unloading of plant, materials and waste,
- (d) the storage of plant and materials used in construction of the development,
- (e) the erection and maintenance of security hoarding,
- (f) the provision of road sweepers and/or wheel washing facilities to mitigate the impact of construction upon the public highway
- (g) measures to control the emission of dust and dirt during construction, to include where relevant sheeting of loads, covering and dampening down stockpiles
- (h) measures to control the emission of noise during construction,
- (i) details of all proposed external lighting to be used during construction and measures used to limit the disturbance of any lighting required. Lighting shall be used only for security and safety,
- (j) appropriate storage of fuel and chemicals, in bunded tanks or suitably paved areas, and
- (k) waste management including prohibiting burning.

Reason: These details are necessary pre-commencement to ensure the development proceeds in the interests of highway safety and in the interests of protecting nearby residents from nuisance during all stages of development and to ensure the use of the site does not have a harmful environmental effect.

4) The separating ceiling /floor shall be upgraded so as to exceed an airbourne sound insulation value of 53 dB DnT w+Ctr (i.e. 10db above the standard required by Building Regulations). Before the use hereby permitted commences and upon completion of the upgrading of the floor, a suitable qualified person shall carry out a post completion testing to ensure that the sound insulation value has been achieved, details of which shall be submitted to and approved in writing by the Local Planning. The sound insulation measures shall be maintained as such thereafter.

Reason: To prevent noise giving rise to significant adverse impacts on health and quality of life as a result of the development, in accordance with paragraph 123 of the National Planning Policy Framework.

5) Prior to the use hereby permitted commencing, a filtration and ventilation system, odour control and extraction systems, shall be installed and operational, in accordance with a scheme that shall first be agreed in writing by the Local Planning Authority. The scheme shall meet the requirements listed A-E below. Thereafter the development shall not be carried out other than in accordance with the approved details and the ventilation and filtration system, odour control and extraction systems shall be retained as approved in perpetuity.

a) All cooking smells, noxious fumes or vapours from the premises shall be disposed of by means of a suitable duct terminating at a point at least 1m above the roof ridge of the premises. The duct shall be free from any obstruction such as a plate, cowl, or cap, or any other deflection at its termination point and with a designed efflux in excess of 12m/sec.

b) A ventilation and filtration system incorporating at least the following elements shall be installed and operational prior to the use hereby permitted commencing. The elements to be included are:

- I. Canopies - A suitable canopy (or canopies) shall be located above all cooking appliances.
- II. Air Flow - The canopy face velocity shall be not less than 0.5m/s.
- III. Primary Grease Filtration - Labyrinth (baffle) grease filters shall be installed within the canopy or canopies.
- IV. Secondary Filtration - an open fibre disposable filter and a pleated non-woven felt type filter and a non-woven bag type filter shall be installed in the system in that order.
- V. Main Filter Media - a suitable mixed media activated filter shall be installed as final treatment of flue gases
- VI. Air Input - A suitable air input system shall be provided by means of a pleated inlet filter, supplying clean filtered air equivalent to at least 80% "make up" of the extracted air.

c) The scheme shall include a maintenance and management scheme for the ventilation and filtration systems including all aspects referred to in Conditions (a) and (b).

d) Mechanical and electrical installations shall be suitably arranged to ensure that the ventilation system is in operation during periods when the premises are open for the preparation and/or cooking of food.

e) Details of the proposed ventilation system for the disposal and treatment of cooking odours from the premises, shall include certification from a member of the Heating and Ventilating Contractor's Association, or other suitably qualified person, to the Planning Authority, confirming that the proposed system will satisfy the requirements of Conditions 1(a) and (b) above.

Reason: To avoid harm to amenity and to enable the Local Planning Authority timely assessment of this information.

6) Notwithstanding any indication on the approved plans, before the use hereby permitted commences, the means of the disposal and storage of waste arising from the premises shall be submitted to and approved in writing by the Local Planning Authority. Once approved, the disposal and storage of waste shall not be carried out other than in accordance with the agreed measures.

Reason: To ensure proper provision for refuse disposal and storage, in the interests of amenity and to enable the Local Planning Authority timely assessment of this information.

7) All plant, machinery and equipment (including fans, ducting and external openings) to be used by reason of granting of this permission shall be installed, maintained and operated so as to prevent the transmission of noise and vibration into any premises either attached to, or in the vicinity of the premises to which the application refers.

Reason: To prevent noise giving rise to significant adverse impacts on health and quality of life as a result of the new development in accordance with paragraph 123 of the National Planning Policy Framework and the Noise Policy Statement for England.

8) No deliveries shall be taken to or despatched from the site outside the hours of 07.00-08.00 and 09.00-19.30 Monday to Saturday nor at any time on Sundays, Bank or Public Holidays. All loading and deliveries to the site shall take place from the loading

bay on Baffins Lane, in accordance with the Service Management Plan (Genesis Town Planning).

Reason: To safeguard the amenities of the neighbouring properties and in the interests of highway safety.

9) The premises shall not be open to the public or in use except between the hours of 07.00 and 19.30 hours Monday to Sunday, Bank and other public holidays.

Reason: To safeguard the amenities of neighbouring properties.

10) The rating level of the sound (L_A, 1 hour) from the fixed mechanical plant at the premises, including the sound emitted through any openings or ductwork, shall be at least five dB(A) below the background sound level of 41 LA90, 1 hour during the hours of 07:00 to 19:30 when calculated in accordance with British Standard BS 4142:2014 with the exception that the sounds so emitted shall not contain any tones. The fixed mechanical plant shall not be operated between 19:30 and 07:00.

Upon completion of the installation of the ventilation and filtration equipment, the use hereby permitted shall not be carried on until a report has been submitted to the satisfaction of the Local Planning Authority demonstrating that the above sound levels have been achieved and stating the conditions under which the plant was operated. Compliance must be demonstrated at a position or positions that are representative of the receivers or where this is not possible by measurement and calculation.

Reason: To prevent noise giving rise to significant adverse impacts on health and quality of life as a result of the new development in accordance with paragraph 123 of the National Planning Policy Framework and the Noise Policy Statement for England.

INFORMATIVES

1) The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

2) This permission does not permit the display of any advertisements which require consent under the Town and Country Planning (Control of Advertisements) Regulations 2007 or under any Regulation revoking and re-enacting or amending those Regulations, including any such advertisements shown on the submitted plans.

For further information on this application please contact Katherine Rawlins on 01243 534542.

Agenda Item 7

Parish: Chichester	Ward: Chichester South
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CC/16/02950/LBC

Proposal Internal and external alterations to facilitate use as A3 restaurant / cafe including lightweight removable partitions for WC and kitchen areas, extraction equipment and associated vents on rear (east) elevation and roof.


Site The Corn Exchange Baffins Lane Chichester West Sussex PO19 1UD

Map Ref (E) 486308 (N) 104725

Applicant Mr Tom West (Seaward Properties Ltd)

RECOMMENDATION TO PERMIT



	NOT TO SCALE	Note: Do not scale from map. For information only. Reproduced from the Ordnance Survey Mapping with the permission of the controller of Her Majesty's Stationery Office, Crown Copyright. License No. 100018803
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1.0 Reason for Committee Referral

Red Card: Cllr Dignum - Exceptional level of public interest.

2.0 The Site and Surroundings

2.1 The application site comprises the ground floor of a three storey Grade II listed building at the corner of Baffins Lane and New Town Road, within the Chichester Conservation Area. The building is the former Corn Exchange and has a lawful use as B1 commercial office space, but is vacant at ground and first floor level. The second floor is occupied by a firm of architects.

2.2 The site is located within the Settlement Boundary, outside the designated Primary and Secondary retail frontages; the Grade II* Corn Exchange fronting East Street is located in the primary Retail Frontage and abuts the site to the north. To the west of the application site is a frontage of primarily office and retail uses. To the south of the application site are residential properties located in New Town. To the east of the application site are the rear of residential properties along St Johns Street.

3.0 The Proposal

3.1 The application seeks listed building consent for internal and external alterations to facilitate the use of the ground floor south suite as a restaurant / café (Class A3) (an area of 369 sq metres) to include the provision of roof and wall vents to the eastern elevation, and an internal flue terminating at roof level. Internal partitions would sub-divide the cooking and WC facilities and office on the eastern side of the building.

4.0 History

02/00857/LBC	PER	Fix dome type CCTV camera on ornamental bracket to corner of The Corn Exchange building at 8m above path level with metal conduits fixed to wall for control cables.
04/01944/ADV	PER	1 no. hanging sign approximately 700 x 400mm.
04/01946/LBC	PER	1 no. hanging sign approximately 700 x 400mm.
15/01366/ADV	PER	3 no. brass plaque fascia signs.
15/01367/LBC	REF	General refurbishment, internal alterations, removal of office partitioning, installation of a new lift, replacement of a rear door, proposed new glazed canopy over rear door and 3 no. brass plaque fascia signs.
15/01370/ADV	REF	4 no. hanging signs.
15/01371/LBC	PER	Insertion of four new doors and modification of the two existing

		doors to the west elevation and one new door into the east elevation, all at ground level. Internal alteration including the provision of ramps.
15/02763/ADV	PER	2 no. hanging signs.
15/02798/LBC	PER	Refurbishment, internal alterations, removal of office partitioning, installation of a new lift, 2 no. hanging signs and 3 no. brass plaque fascia signs.
15/03558/LBC	PER	Internal additions/alterations to the second floor.
15/04199/LBC	PER	Addition of 2 no. air conditioning fan units to the rear at ground floor level.

5.0 Constraints

Listed Building	Grade II
Conservation Area	Chichester City

6.0 Representations and Consultations

6.1 Chichester City Council

Objection:

1. The cafe would by virtue of its scale and associated level of activity, be severely detrimental to the amenities of local residents and the character of the Conservation Area.
2. The opening hours extend beyond those of existing commercial premises in this locality and introduce a level of noise and general disturbance from the movement of customers, staff, servicing and deliveries. The operation of extraction and air supply unit at normally quiet times and the resultant kitchen odours would adversely affect nearby residential properties.
3. Internal works and external changes to the east elevation of the building, including the introduction of a dormer vent in an unbroken roofline, to accommodate the proposed kitchen extraction equipment and air supply grills, are considered to be severely harmful to the character and appearance of this Grade II Listed building.

6.2 CCAAC

- Wrong place for such a large restaurant - a relatively quiet residential area where the increased noise and smells from such an establishment would prove a nuisance to the many local residents who would be affected.
- Waste produced by such large premises would also increase traffic movements associated with waste bins, almost certainly at unsociable hours.

- Also, another easting establishment just pushes the area closer to saturation point for the restaurant trade.
- The proposed dormer to house ventilation equipment mars the appearance of this elegant building and the whole scheme is detrimental to the nature of the Conservation Area.

6.3 CDC Historic Buildings Adviser

Support

The proposed 'dormer style' roof vent is modestly sized and has an industrial aesthetic; as such it is unlikely to cause harm to the significance of this listed building. The loss of fabric as a result of joist trimming should be kept to a minimum.

Further comments following additional information:

Support

The use of the building requires some compartmentalisation of the ground floor; this appears to have been done sensitively, confined to the rear where the southern stair tower already intrudes into the space and behind the line of the support columns. It would be preferable if one or two bays could be retained at full width, possibly through an open kitchen with low level partitions. On balance, it appears acceptable as proposed.

Ducting travels up the building on the outside of the service corridor. At ground and first floor levels, it is unlikely to interfere with any features and joist trimming should be kept to a minimum.

At second floor, path of the flue with respect trusses, should be clarified, which sit immediately south of the service corridor. These should not be disrupted and ducting will need to accommodate this. Please clarify.

Various options proposed in respect of the flue, owing to environmental health issues. This is unlikely to be of significant harm to significance, provided it is painted in a dark, matt colour and retains its industrial aesthetic. Public views are not wholly relevant to listed buildings. Sightlines around the building will mean there will be limited views of it and those available will be in the context of the service corridor between the buildings; thereby reducing its potential impact on the Conservation Area.

6.4 18 Third Party Objection, including East Pallant Residents Association

- No notices posted on the building
- Introduction of proposed use will be detrimental to the Conservation Area
- Restaurant use will involve regular commercial traffic
- Environmental impacts on the surrounding area would be considerable in terms of odours, noise, loud music etc
- Already several restaurants/cafes within 100m radius
- Extract from the Boston Tea Party website gives false impression of what we can expect
- Type of development disastrous for the residents of Newtown
- Noise from emptying refuse bins late at night and early in morning (as early as 03.45), people leaving restaurant late in the evening, urinating, vomiting and being noisy
- Longer hours will be sought in future

- Alcohol consumption cause for concern
- Building has architectural merit and should house businesses that do not interfere with the integrity of the building
- Workers will be from outside Chichester and transient, not local
- Adverse impact on smaller cafes/ restaurants and negative effect on area with large café and 150 covers
- Council should not succumb to commercial pressures and compromise the quality of life for local residents
- Stated hours will in practice generate at least another hour of noise from clearing up/cleaning
- Offices are ideal complement to Conservation Area by attracting highly skilled personnel who live close by
- Site better used as internet café because of proximity to internet hub
- Large restaurant will contribute to noise/litter along rear service lane
- Refuse change of use to protect individuality of City
- Resident parking is limited Mon-Sat; will exacerbate Sunday parking for residents
- Proposal would drastically alter balance of commercial and residential uses
- Music will be broadcast in restaurant, adding to noise.

6.5 Applicant/Agent's Supporting Information

The applicant has submitted a Heritage Statement in support of the Listed Building application.

7.0 Planning Policy

The Development Plan

7.1 The Development Plan for the area comprises the Chichester Local Plan: Key Policies 2014-2029 and all made neighbourhood plans. There is no adopted neighbourhood plan for Chichester City at this time.

7.2 The principal planning policies relevant to the consideration of this application are as follows:

Chichester Local Plan: Key Policies 2014-2029

Policy 1: Presumption in Favour of Sustainable Development

Policy 10: Chichester City Development Principles

Policy 47: Heritage

National Policy and Guidance

7.3 Government planning policy now comprises the National Planning Policy Framework (NPPF), paragraph 14 of which states:

At the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking:

For decision-taking this means unless material considerations indicate otherwise:

- *Approving development proposals that accord with the development plan without delay; and*
- *Where the development plan is absent, silent or relevant policies are out-of-date, granting planning permission unless any adverse impacts of doing so would significantly or demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies in (the) Framework indicate development should be restricted.*

7.4 Consideration should also be given to paragraphs 17 (Core Planning Principles), and 12 (Conserving and Enhancing the Historic Environment) of the National Planning Policy Framework (March 2012).

8.0 Planning Comments

Assessment

8.1 The main issue arising from this proposal is the impact on the Grade II Listed Building.

Impact on Historic and Architectural Significance of Heritage Asset

8.2 The application proposes internal and external works to the grade II listed building. Section 16(2) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) requires special regard to be given to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. In addition to the requirements of policy 10 of the Adopted Local Plan, to conserve the heritage of the City Centre, policy 47 is relevant and states permission will be granted where it can be demonstrated that the proposal conserves or enhances the special interest and setting of designated heritage assets, including listed buildings and buildings within Conservation Areas.

8.3 The Historic Buildings Adviser (HBA) has been consulted on the application and supports the proposal. The installation of internal partitions would be confined to the rear of the building, behind the line of the existing supporting columns, in a location where the southern stair tower intrudes into the space. Furthermore, the internal partitions would be light-weight studwork and, as such, reversible. The proposal would not therefore harm the open-plan form of the listed building.

8.4 The extraction equipment and associated flue would be housing internally, terminating at roof level. The flue would pass through upper floors of the building. The HBA has advised that the path of the flue should not disrupt features such as exposed timber ceiling trusses. The applicant confirms that that flue path will not disrupt the main open trusses on the second floor: the flue would exit the riser cupboard and enter the area that has been enclosed above the central stairwell. The flue would exit the roof between roof trusses and it is not proposed to cut or alter the main ceiling trusses. A condition is recommended to this effect.

8.5 Concern was raised throughout the public consultation period regarding the provision of the ventilation extraction terminal housed in an arched louvred roof vent in the eastern roofline and its impact upon the architectural interest of the building. Various proposals for the external flue terminal have been put forward by the applicant in response. The amended scheme proposes a circular flue and omits the arched louvred vent. The HBA is satisfied that the proposed flue is unlikely to be of significant harm to the significance and setting of

the listed building, provided it is painted in a dark, matt colour and retains an industrial aesthetic. Any views will be in the context of a service corridor between buildings on the eastern elevation, thereby reducing the potential impact on the public realm of the Conservation Area. No objection is raised by the HBA to the proposed air supply grill at ground floor level on the rear (east) elevation, as this would be discreet in size and scale in a muted terracotta colour to match facing brickwork.

8.6 The proposal would enable the re-use of part of a vacant listed building for wider public use. The proposal will lead to less than substantial harm to the significance of the asset and its effects can be mitigated by planning conditions. Subject to conditions to control the treatment, colour and finish of the external flue, to ensure no cutting or fixings to the main ceiling trusses and the position of the internal flue in relation to ceiling joists, the proposal will preserve the special architectural and historic interest of the listed building and its setting and comply with policies 10 and 47 of the Local Plan and paragraphs 131, 132 and 134 of the NPPF.

Significant Conditions

8.7 Conditions are recommended in relation to the colour and finish of the flue; ensure no cutting of fixings to the main ceiling trusses; and path of the flue in relation to ceiling trusses.

Conclusion

8.8 In summary, the proposed alterations to the listed building to facilitate a change of use would enable the ground floor of a Grade II listed building, which has been vacant for a period of 2 years, to be brought back into use with a scheme that minimises loss of historic fabric. The proposal is therefore in accordance with Section 12 of the National Planning Policy Framework (March 2012) and policies 1 and 47 of the Adopted Chichester Local Plan: Key Policies 2014-2029.

8.9 Based on the above assessment it is considered the proposal complies with development plan policies and therefore the application is recommended for approval.

RECOMMENDATION

PERMIT subject to the following conditions and informatives:-

1) The works for which Listed Building Consent is hereby granted must be begun not later than the expiration of three years beginning with the date of this consent.

Reason: To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2) The works hereby permitted shall not be carried out other than in accordance with the approved plans: PL10-A, PL23-G, B23-FD21-A, B23-FD60-G and B23-FD70-H.

Reason: To ensure the works comply with the listed building consent.

3) Notwithstanding the details hereby permitted details of the colour and finish of the extract flue terminating at roof level, shall be submitted to and approved in writing by the Local Planning Authority prior to the works to the extract flue commencing. The flue shall be implemented in accordance with the agreed details and maintained as such thereafter in that colour and finish.

Reason: To protect the special architectural and historic interest of the Grade II listed building.

4) Details of the path of the flue shall be submitted to and approved in writing prior to the first occupation of the use hereby permitted, and notwithstanding the details hereby approved, there shall be no cutting, alteration or fixings to the structural ceiling truss beams at second floor level and minimal cutting of internal ceiling joists, unless otherwise first agreed in writing.

Reason: To protect the special architectural and historic interest of the Grade II listed building.

5) Upon the carrying out of the work for which Listed Building Consent is hereby granted any damage caused to the fabric of the building shall be made good.

Reason: To preserve the special character of the building for the future.

INFORMATIVES

1) The Local Planning Authority, bearing in mind S16(2) and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990, has had special regard to the desirability of preserving the building (including its setting and/or any special features) and has concluded that a grant of consent (subject to the above conditions, if any) would:

1. Preserve the character of the building.
2. Affect the character of the building but only in a way which is considered to be acceptable bearing in mind the need to provide accommodation appropriate to the use of the building.

For further information on this application please contact Katherine Rawlins on 01243 534542.

Agenda Item 8

Parish: Chidham & Hambrook	Ward: Bosham
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CH/16/02894/FUL

Proposal Variation of Condition 2 of planning permission CH/12/00458/COU - to make the temporary permission permanent.

Site Plot J Pond Farm Newells Lane West Ashling Chichester West Sussex PO18 8DF

Map Ref (E) 479650 (N) 106411

Applicant Mr C Sullivan

RECOMMENDATION TO DEFER FOR SECTION 106 THEN PERMIT



**NOT TO
SCALE**

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1.0 Reason for Committee Referral

Parish Objection - Officer recommends Permit

2.0 The Site and Surroundings

2.1 The application site is located within the Parish of Chidham and Hambrook. It is situated to the west of Newells Lane and south of the A27 trunk road. Land to the south of the main mobile home is in equestrian use, laid out in to paddocks, with a pond to the east of the site and a wooded copse area providing screening from Newells Lane.

2.2 Access is achieved via a Public Bridleway (WSx/3594/1), leading from Newells Lane. It serves two existing permanent gypsy pitches and 4 temporary gypsy pitch permissions. Access is provided from to the west corner of the site, with an area of hardstanding to the east, upon which the mobile home is stationed. A further Public Bridleway (WSx/260/2) is located to the south of the site, screened by trees and hedgerow to the boundaries of the paddock land between.

3.0 The Proposal

3.1 The application seeks the variation of condition 2 of planning permission CH/12/00458/COU, to make permanent the temporary five year permission granted on appeal for the change of use of land to a private gypsy and traveller caravan site comprising one mobile home and associated works.. No additional development within the site or change to the location of the mobile home is proposed.

4.0 History

12/00458/COU	REF Allowed on appeal. 5 Year Period EXP March 2018	Change of use of land to a private gypsy and traveller caravan site comprising one mobile home and associated works.
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5.0 Constraints

Listed Building	NO
Conservation Area	NO
Rural Area	YES
AONB	NO
Tree Preservation Ord	YES
South Downs National Park	NO
EA Flood Zone	YES
- Flood Zone 2	NO
- Flood Zone 3	NO
Historic Parks and Gardens	NO

6.0 Representations and Consultations

Parish Council

Chidham & Hambrook Parish Council wish to OBJECT to this variation to planning permission as the conditions in the approval have not been met, there has been little

apparent effort to improve the visual appearance of the site or for the occupants to find alternative accommodation. Even if the conditions for the approval of temporary planning permission had been met in full, the Parish Council would not support a permanent residence at this site.

7.0 Planning Policy

The Development Plan

7.1 The Development Plan for the area comprises the Chichester Local Plan: Key Policies 2014-2029 and all made neighbourhood plans, including that for Chidham and Hambrook.

7.2 The principal planning policies relevant to the consideration of this application are as follows:

Policy 1: Presumption in Favour of Sustainable Development

Policy 36: Planning for Gypsies, Travellers and Travelling Showpeople

Policy 39: Transport, Accessibility and Parking

Policy 45: Development in the Countryside

Policy 48: Natural Environment

Policy 49: Biodiversity

Policy 50: Development and Disturbance of Birds in Chichester and Langstone Harbours
Special Protection Areas

7.3 Chidham and Hambrook Neighbourhood Plan

EM2 Protection of Chichester Harbour, nature conservation designated areas and related areas of special environmental value

EM3 Protection and enhancement of landscape, habitat and biodiversity.

DS3 Retention of areas of natural habitat / biodiversity.

National Policy and Guidance

7.4 Government planning policy now comprises the National Planning Policy Framework (NPPF), paragraph 14 of which states:

At the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking:

For decision-taking this means unless material considerations indicate otherwise:

- Approving development proposals that accord with the development plan without delay; and

- Where the development plan is absent, silent or relevant policies are out-of-date, granting planning permission unless any adverse impacts of doing so would significantly or demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies in (the) Framework indicate development should be restricted.

7.5 Consideration should also be given to paragraphs 4 and 17 (Core Planning Principles),

7.6 In addition to the overarching policies in the NPPF, it is also relevant to have regard to the supporting document, Planning Policy for Travellers Sites (PPTS) August 2015. This document forms the basis of the assessment for this application.

8.0 Planning Comments

8.1 The main issues arising from this proposal are:

- i) Principle of a permanent Gypsy Pitch
- ii) The continuation of a personal occupancy restriction
- iii) Impact on Character and Appearance of area
- iv) Biodiversity implications and impact on protected species

Assessment

- i) Principle of a permanent Gypsy Pitch

8.2 The site benefits from a temporary planning permission, allowed at appeal (reference APP/L3815/A/12/2177735/NWF ref. CH/12/00458/COU). In allowing the appeal the Inspector restricted the use of the land as a gypsy pitch for a temporary five year period. The relevant condition required all associated development to be removed from the land and cessation of that use at the end of this period, 13th March 2018.

8.3 At that time, in reaching her decision the Inspector considered that the use resulted in a landscape impact. However weight was given to the need for gypsy and traveller pitches in the locality; the lack of site allocations for gypsy and traveller development within the Development Plan, and that it was a sustainable location. Her conclusion was that the immediate need outweighed any landscape harm, and therefore temporary permission was granted.

8.4 The Council does now have a 7.3 year supply of gypsy and traveller pitches. As with any proposed development, this must be weighed against the policy context and any potential harm that may arise as a result of the (continued) use of the land. Notwithstanding the Council's current supply of gypsy and traveller pitches, the Local Planning Authority is no longer progressing a Site Allocation Development Plan Document (DPD) at this stage, leaving a need for 5 further pitches to fulfil the identified need for the current plan period. Whilst not a decisive factor in the determination of further applications it must be weighed in the balance, in the context of the suitability of any proposed site.

8.5 The Inspector on the previous appeal considered the site to be sustainable in the context of its use as a gypsy and traveller pitch. In the absence currently of a DPD to identify how the remaining gypsy and traveller needs up to the end of the plan period will be met, and having regard to the existing permanent pitches in this location site, the principle of the continued use of the site as a gypsy and traveller pitch is considered acceptable, subject to the assessment of other relevant material considerations

- ii) The continuation of a personal occupancy restriction

8.6 The applicants are accepted as meeting the definition of gypsies and travellers as set out in Government guidance in 'Planning Policy for Traveller Sites' (PPTS). The temporary permission granted on appeal was subject to a condition which tied the use solely to their occupation and any dependents. The 2012 Government Planning Practice Guidance sets out

when it is appropriate and reasonable to use conditions to limit the benefits of the planning permission to a particular person or group of people. The guidance is clear that unless the permission otherwise provides, planning permission runs with the land and it is rarely appropriate to restrict a development otherwise. It goes on to state that 'there may be exceptional occasions where granting planning permission for development that would not normally be permitted on the site could be justified on planning grounds because of who would benefit from the permission'. This would include the provision of gypsy and traveller pitches.

8.7 It is considered that restricting any permanent permission to an individual and their family would, when assessed against the 6 tests as set out in the Planning Practice Guidance, not meet the guidance in its current form. It would however be appropriate to condition any permanent permission to occupation by gypsies and travellers as defined in Annexe 1 of the PPTS. This would be compliant with Policy 36 of the Chichester Local Plan and PPTS, which seeks to safeguard the future use of sites for gypsy and travellers.

iii) Impact on Character and Appearance of Area

8.8 The site previously formed part of the strategic gap as identified in the Chichester Local Plan 1999, this designation was not continued within the Chichester Local Plan 2014-2029. This is a material change in the policy context in assessing the character of the site and impact of the development. Whilst it remains important to maintain the 'gap' between Chichester and Emsworth, a policy restriction on most development is no longer appropriate, instead regard must be had to the character of the area as a result of the amount and form of existing permanent development at Pond Farm and the effect that a permanent use in this location would have on this character.

8.9 The current mobile home is in part visible from the two public bridleways; it is however viewed contextually as part of the two permanent pitches to the west of the application site. Additional planting is proposed as part of this application, including a 2.5m native buffer plantation to the bridleway to the south and the existing planting to the north enhanced with native species. Some additional planting is also proposed to the west and east providing further screening. It is considered that with the level of landscaping proposed and having regard to the permanent pitches that exist at 'Pond Farm', that the mitigation would address the landscape impacts that exist.

8.10 It is not considered that the proposal would result in additional or more harmful visual impacts than the two permanent pitches that exist adjacent. It would form a group of low-key gypsy and traveller sites that would be well contained, with minimal public views, particularly when boundaries are enhanced with the landscaping proposed.

8.11 It is subsequently concluded that the proposal would be compliant with local and national development plan policies and the PPTS, which seeks to ensure that new development does not have an adverse landscape impact, subject to conditions to ensure the provision of appropriate landscaping.

iv) Biodiversity implications and impact on protected species

8.12 The site is located within 5.6km of the Chichester and Langstone Harbour Buffer Zone and any net increase in residential development, including gypsy and traveller sites, there would be a contribution required to offset harm by new permanent residential development. Whilst the application site is currently in residential use, becoming permanent would require

a contribution and completion of a signed Unilateral Agreement. The applicants have agreed to enter into such an agreement and the obligations would be met.

Significant Conditions

8.13 Guidance within the PPG advises that in the determination of a s.73 application to vary an existing condition it is possible to impose new conditions, provided the new conditions do not materially alter the development that was subject to the original permission. As such it would be important to attach a landscape condition to ensure the landscaping is carried out in accordance with the submitted landscape plan within the next planting season and to restrict the use of the site to gypsy and travellers as defined within Annex 1 to the PPTS.

Conclusion

8.14 Based on the above assessment, it is considered that the proposal by reason of the sustainability of the site, the minimal landscape impacts, particularly when viewed in context with the permanent sites and the supplementary landscaping proposed; and the need for 5 further pitches within development plan period, that the proposal would comply with development plan policies and therefore the application is recommended for approval.

Human Rights

8.15 In reaching this conclusion the Human Rights of the applicants and nearby occupiers have been taken into account when reaching this recommendation and it is concluded that the recommendation to permit is justified and proportionate.

Equalities

8.16 In reaching this conclusion officers have given particular weight to the Equality Act 2010 which states in section 29 that 'a person must not, in the exercise of a public function [which includes the determination of planning applications] do anything that constitutes discrimination, harassment or victimisation'. Officers have sought guidance as to the extent to which this section requires 'positive discrimination' or indeed requires weight to be given to the disabilities of an applicant above and beyond weight normally accorded to 'personal circumstances', but have not been able to identify any government advice or case law which is relevant.

"In addition to the provisions of section 29 of the Act, s149 of the Act provides the following: Public sector equality duty:

(1) A public authority must, in the exercise of its functions, have due regard to the need to:

- (a) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act.
- (b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.
- (c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

These duties are triggered by the exercise of functions which include the determination of planning applications that have equality implications. This section must be treated as

engaged in this particular case and therefore 'due regard' must be given to the applicant's particular needs. It is not sufficient to have equality in mind at a general or policy level.

However, the duties do not require a particular outcome. What the decision making body chooses to do once it has had the required regard is for it to decide subject to the ordinary constraints of public and discrimination law.

In conclusion, the actual needs of the applicant need to be weighed against the harm that this development would cause to neighbours, along with all of the material planning considerations. The decision must be proportionate in the light of all the circumstances of this case".

RECOMMENDATION

PERMIT WITH S106 subject to the following conditions and informatives:-

1) The development hereby permitted shall not be carried out other than in accordance with the approved plans: A1, A2 and A3 with reference CH/12/00458/COU

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

2) The site shall not be occupied by any persons other than gypsies and travellers as defined in Annex 1 of DCLG Planning Policy for Traveller Sites (August 2015) As amended.

Reason: To accord with the terms of the application and to ensure satisfactory planning of the area.

3) The landscaping as detailed in plan no TDA/1969/01 submitted with this application, shall be carried out within the first planting season following the date of decision. Any trees or plants which, within a period of 5 years after planting, are removed, die or become seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved unless otherwise first agreed in writing by the Local Planning Authority.

Reason: In the interests of the visual amenities of the locality and of the environment of the development.

4) No more than 2 caravans, as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 (of which no more than 1 shall be static caravan) shall be stationed on the site at any time.

Reason: To accord with the terms of the application and in the interests of proper planning.

5) No commercial activities shall take place on the land, including storage of materials.

Reason: In the interests of neighbouring amenity and to ensure the protection of this countryside location.

6) No vehicle over 3.5 tonnes shall be stationed, parked or stored on this site.

Reason: To accord with the terms of the permission and in the interests of protection of this countryside location.

For further information on this application please contact Caitlin Boddy

Agenda Item 9

Parish: East Wittering And Bracklesham	Ward: East Wittering
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EWB/16/03473/FUL

Proposal Change of use of land to residential garden and erection of 1.2 m fence to southern boundary.

Site Site Adjacent To Papua West Bracklesham Drive Bracklesham PO20 8PH

Map Ref (E) 480296 (N) 96523

Applicant Mr Steve Grant

RECOMMENDATION TO PERMIT



**NOT TO
SCALE**

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1.0 Reason for Committee Referral

Parish Objection - Officer recommends Permit

2.0 The Site and Surroundings

2.1 The application site comprises a parcel of land which runs along the western boundary of the residential property Papua, West Bracklesham Drive. Temporary security fencing has been erected and existing vegetation around the site has been cleared.

2.2 The application site lies on the corner of Legion Way and West Bracklesham Drive. Legion Way is an identified public footpath with a width of 2.3m. The application site falls outside of the identified width of the public footpath and is not subject to this designation. West Bracklesham Drive comprises a number of residential plots. All plots are set back from the immediate road frontage and boundaries are denoted by low lying hard and soft landscaping. The existing boundary treatments to Papua comprise a low lying existing 1.2m high brick wall which surrounds the car parking area to the front.

2.3 The application site falls within the East Wittering/Bracklesham Settlement Boundary and does not comprise any formally designated area of flood risk. There are no further local or statutory designations that implicate upon the determination of this application.

3.0 The Proposal

3.1 The application proposes the change of use of existing amenity land to residential garden land, facilitated through the erection of 1.5m high close boarded timber fencing with 300mm high trellis over to the western side of the site and a 1.2m high close boarded timber fence to the southern boundary of the site. Landscaping is proposed along the western boundary that abuts Legion Way.

3.2 Amended plans were submitted on 20 February 2017. It is on the basis of these plans that this application has been assessed.

4.0 History

16/01774/DOM	PER	Extension and alterations.
16/04134/NMA	PER	Non material amendments to permission EWB/16/01774/DOM - French windows to south elevation omitted and replace with windows.

5.0 Constraints

Listed Building	NO
Conservation Area	NO
Rural Area	NO
AONB	NO
Strategic Gap	NO
Tree Preservation Ord	NO
South Downs National Park	
EA Flood Zone	

- Flood Zone 2	NO
- Flood Zone 3	NO
Historic Parks and Gardens	NO

6.0 Representations and Consultations

6.1 East Wittering and Bracklesham Parish Council

(22 November 2016)

OBJECTION: The Committee objects to the 1.2m fence around this area of common land as it is out of keeping with the area, which is a wide designated footpath number 3656 with common land either side which had shrubs and small trees growing before they were cleared and fenced off by the applicant. The Committee also objects to the land being used as garden land as this is an amenity for all to use. If the LPA grants permission for use as garden land, the Committee requests a condition be imposed that it must not be built on.

(17 January 2017)

In light of climate change the Parish Council feels it imperative that the full width of this access be maintained in perpetuity for the benefits of residents in West Bracklesham Drive who are vulnerable to the predicted future sea level rises. No access wide enough to take emergency vehicles in this location should be restricted. West Bracklesham Drive is a long residential road with only 2 accesses, one at each end. The Legion Way 'connection' sits midway along East Bracklesham Drive and should be maintained to ensure an alternative access in the case of emergency. The Parish Council would be willing, as it has done for the past 17 years, to maintain this area on behalf of the residents affected. As East Wittering and Bracklesham Parish Council hold the position of Co-ordinator of the Emergency Plan it feels that to restrict this access could be detrimental to those who are vulnerable.

6.2 WSCC Strategic Planning

(01 March 2017)

West Sussex County Council was consulted previously on Highway Matters for this application and last provided a response dated 17/02/2017. In conclusion the Local Highway Authority no longer had any overriding concerns with regard to this application.

Subsequently, revised plans dated 20/02/2017 have been submitted. After reviewing these revised plans no additional highways comments, following those provided on 17/02/2017..

6.3 WSCC Public Rights of Way(PROW)

The right of way known as FP 3656 runs on the western side of the boundary to the proposed application. LSU confirm that the DMMA for the footpath in 1998 has a recorded width of 2.3m and was the longstanding, walked, hardened surface that basically exists today and not the land to the east of it. Therefore if the stated order width of 2.3m is available, which I understand it is this proposed application does not directly impact on the right of way and PROW (Public Rights of Way) would not object to this application.

6.4 8 third party letters of objections were received throughout the initial consultation periods. These objections comprised the following matters:

- a) the land is owned by West Sussex County Council
- b) the land is a highway
- c) Dexters was subject to certain restrictions as regards its positioning relative to Legion Way, which should apply to Papua
- c) In the event that the highways department chose to re-instate this end of Legion Way as a through road then private ownership of part of the land would cause a serious problem
- d) All land has some value - the applicant clearly believes that if his application is granted it will add value to Papua,
- e) Concern that the applicant wants to demolish Papua and divide the land area in order to construct several properties in its place –
- f) The argument that making the land tidy would benefit other members of the community only makes sense if the land remains unfenced and accessible with the normal restrictions on use of any such land
- g) Loss of open space and vegetation
- h) Applicant is not the owner
- i) Land is common land -
- j) Open spaces should be preserved - Certificate A is not correct as applicant is not the owner of the site
- k) Would set a precedent.

6.5 3 letters of support have been received. This support comprised the following matters:

- a) The land in question beside the footpath could never be walked on, or used by the public, the footpath is trodden down, the piece of scrub land beside the footpath in question was just brambles, some 6ft high, a mess of dog fouling, and indeed a homeless person made a den in the thicket.
- b) proposal is a good outcome for the road and indeed for the footpath, an individual was mugged in said footpath because there were so many places to hide in amongst the mess.
- c) It would be good to see this unkept bramble bed utilised
- d) Under the proviso that the ROW is unhindered as a public footway to and from the beach

Applicant/Agent's Supporting Information

Following the original consultation period, the applicant submitted an amended site/location plan dated 20 February 2017 including elevational details (1625 4.01 Rev A), amended ownership certificates and copies of the public notice at the request of the Local Planning Authority.

7.0 Planning Policy

The Development Plan

7.1 The Development Plan for the area comprises the Chichester Local Plan: Key Policies 2014-2029. There is no made neighbourhood plan for East Wittering and Bracklesham at this time.

7.2 The principal planning policies relevant to the consideration of this application are as follows:

Policy 1: Presumption in Favour of Sustainable Development

Policy 2: Development Strategy and Settlement Hierarchy

Policy 33: New Residential Development

Policy 39: Transport, Accessibility and Parking

National Policy and Guidance

7.3 Government planning policy now comprises the National Planning Policy Framework (NPPF), paragraph 14 of which states:

At the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking:

For decision-taking this means unless material considerations indicate otherwise:

- *Approving development proposals that accord with the development plan without delay; and*
- *Where the development plan is absent, silent or relevant policies are out-of-date, granting planning permission unless any adverse impacts of doing so would significantly or demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies in (the) Framework indicate development should be restricted.*

7.4 Consideration should also be given to paragraph 17 (Core Planning Principles) and section 6 of the NPPF..

Other Local Policy and Guidance

7.5 There are no Supplementary Planning Documents that are material to the determination of this planning application:

7.6 The aims and objectives of the Chichester in Partnership Community Strategy 2016-2029 which are relevant and material to the determination of this planning application are:

- Maintain the low levels of crime in the district in the light of reducing resources
- Support communities to meet their own housing needs
- Influence local policies in order to conserve and enhance the qualities and distinctiveness of our area

8.0 Planning Comments

8.1 The main issues arising from this proposal are:

- i) Principle of development;
- ii) Impact upon visual amenity
- iii) Impact on Public Right of Way
- iv) Other matters

Assessment

i) Principle of development

8.2 The application proposes the change of use of amenity land to residential curtilage. The application site falls within the identified Settlement Boundary of East Wittering/Bracklesham. Policy 2 (Development Strategy and Settlement Hierarchy) and Policy 33 (New Residential Development) supports residential development within settlement boundaries. Therefore, subject to accordance with the criteria contained within Policy 33, primarily impact upon visual and public amenity, the principle of development accords with policy.

8.3 Under Part 2, Class A of the Town and Country Planning (General Permitted Development) Order 2015, as amended, the applicant would be able to erect a fence of up to 1m in height to the southern side of the application site and a fence of up to 2m in height to the western boundary where it would not be adjacent to the highway. This fall-back position is also relevant to the consideration of the principle of the development, given that the boundary treatment could be erected without a grant of planning permission if it were not to be carried out in connection with the change of use of the land to garden land.

ii) Impact upon visual amenity

8.4 Policy 33 (New Residential Development) of the Chichester District Council Local Plan Key Policies (2014-2029) requires new residential development to meet the highest standards of design, including providing a high quality living environment in keeping with the character of the surrounding area and its setting in the landscape. Policy 33 of the Local Plan requires development to promote public safety and deter crime and disorder through careful design and layout.

8.5 Proposed along the western boundary of the site, adjacent to Legion Way, is a 1.5m high close boarded timber fence which would be screened by vegetation. The particulars of this vegetation, which is within the application site, would be secured by way of condition.

8.6 The proposed height of the boundary treatment drops to the southern elevation, where a 1.2m high close boarded timber fence would be provided to meet the existing 1.2m high brick wall. The southern elevation of the building is more publicly visible along West Bracklesham Drive and the continuation of boundary treatments at a consistent 1.2m in height provides visual coherence throughout. Furthermore, space would be provided between the fence and the carriageway of West Bracklesham Drive to allow for landscaping to be provided in front of the fence.

8.7 Whilst an element of the 1.5m high fencing to the side of the site would be visible from this point on the southern boundary, this is set back from West Bracklesham Drive. As such, the existing openness of this corner location is retained in the amended plans.

8.8 The appropriate use of vegetation would secure visual coherence and continuity within the existing street scape and, on this basis, the development would achieve sufficient public amenity. Therefore, the development would achieve a high quality design in accordance with Policy 33 (New Residential Development) of the Chichester District Council Local Plan Key Policies (2014-2029).

iii) Impact on Public Right of Way

8.9 The consultation response received from WSCC Highways notes that the Public Right of Way (PROW) runs adjacent to the application site. Records demonstrate this PROW has a recorded width of 2.3m.

8.10 The consultation response notes that the application site boundary does not interfere with this designation. Therefore, the proposals would not affect the designated PROW. An informative will be added to the decision notice to clarify that any works to the Public Right of Way require separate consent from West Sussex County Council.

8.11 Further, the proposed amendments to the land bounding the Public Right of Way would result in an improvement to the visual amenity of the site. As such, the appreciation of this visual amenity by users of the adjacent Public Right of Way would be improved as a result of this development. The fence would be set back behind vegetation and would still be wider than the line to the narrow northern part of the footpath. As such, the development would ensure that the feeling of openness is retained, given the views in and out of the footpath area.

iv) Other Matters

8.12 Throughout the public consultation period concern was raised regarding the potential for the applicant to develop this land. However, this parcel of land forms residential garden land. Therefore, any development in excess of permitted development rights would require the benefit of planning permission, by way of formal planning application. Such a requirement would be considered a necessary and sufficient means of controlling any future development in excess of permitted development.

8.13 Concern was raised throughout the public consultation period in respect of the definitive land ownership. Following discussions with the Local Planning Authority, the applicant has amended the land ownership certificates and placed an advertisement in the Local Paper, in accordance with the Town and Country Planning (Development Management Procedure) Order 2014 (as amended).

8.14 Any applicant is able to apply for planning permission within their own land ownership, or ownership of another person or body. Such matters do not comprise a material consideration for the purposes of determining applications in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended).

Significant Conditions

8.15 Conditions in respect of landscaping provision and retention are recommended to ensure a coherent visual appearance to the street scape in the interests of public amenity.

8.16 A conditions is also recommended to require the removal of the unauthorised security fencing within one month of the date of consent in the interests of public amenity.

Conclusion

8.17 Based on the above it is considered the proposal complies with the development plan policies. Therefore, the application is recommended for approval.

Human Rights

8.18 In reaching this conclusion the Human Rights of the applicants and nearby occupiers have been taken into account when reaching this recommendation and it is concluded that the recommendation to permit is justified and proportionate.

RECOMMENDATION

PERMIT subject to the following conditions and informatives:-

- 1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

- 2) The development hereby permitted shall be carried out in accordance with the approved plans 1625 4.01 A (Site Plan and Location Plan).

Reason: For the avoidance of doubt and in the interests of proper planning.

- 3) Within one month of the date of this consent the unauthorised security fencing shall be removed from the land in its entirety.

Reason: To ensure an appropriate level of visual amenity is achieved.

- 4) The development hereby permitted shall not be first brought into use until a fully detailed landscape and planting scheme for the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a planting plan and schedule of plants noting species, plant sizes and proposed numbers/densities, and for large scale developments shall include a program for the provision of the landscaping. In addition all existing trees and hedgerows on the land shall be indicated including details of any to be retained, together with measures for their protection in the course of development. The scheme shall make particular provision for the conservation and enhancement of biodiversity on the application site. The works shall be carried out in accordance with the approved details and in accordance with the recommendations of the appropriate British Standards or other recognised codes of good practice. The approved scheme shall be carried out in the first planting season after practical completion or first occupation of the development, whichever is earlier, unless otherwise first agreed in writing by the Local Planning Authority. Any trees or plants which, within a period of 5 years after planting, are removed, die or become seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved unless otherwise first agreed in writing by the Local Planning Authority.

Reason: In the interests of the visual amenities of the locality and to enable proper consideration to be given to the impact of the proposed development on existing trees.

INFORMATIVES

- 1) The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
- 2) This consent does not give consent for any works affecting the adjacent Public Right of Way. If the applicant or developer is in any doubt regarding the requirement for consent then they should contact West Sussex County Council directly to clarify this.

For further information on this application please contact James Cross.

Parish: Selsey	Ward: Selsey North
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SY/16/03287/FUL

Proposal Extension and conversion of existing detached dwelling into 2 no. detached dwellings.


Site Tides Reach 127 East Beach Road Selsey PO20 0HA

Map Ref (E) 486903 (N) 93812

Applicant Ms Beverley Bramwell

RECOMMENDATION TO PERMIT



	<p>NOT TO SCALE</p>	<p>Note: Do not scale from map. For information only. Reproduced from the Ordnance Survey Mapping with the permission of the controller of Her Majesty's Stationery Office, Crown Copyright. License No. 100018803</p>
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1.0 Reason for Committee Referral

Parish Objection - Officer recommends Permit

2.0 The Site and Surroundings

2.1 The application site comprises 1 no. two storey dwelling constructed circa 1960s along East Beach Road. The south eastern elevation fronts the footpath along the sea wall, adjacent to the shingle beach. The building comprises a butterfly roof form with large expanses of glazing, render and exposed stone work.

2.2 Historically, the application site comprised 2 no. individual planning units. However, once each plot was sold off, 2 no. plots were amalgamated into one to form plot 127. Land Registry and historical mapping evidence has been submitted by the applicant throughout the consultation period to demonstrate this.

2.3 The application site falls within the Selsey Settlement Boundary. Each individual plot in the area possesses unique architectural characteristics in terms of their design, finishing, materials palette, roof form and orientation. However, the silhouettes, facilitated by the gaps between properties and overall heights establish the street scape of this area. The streetscape is most apparent, in terms of contributing to visual amenity, from along the sea wall footpath.

2.4 All plots within the area have a small rear garden which abuts East Beach Road. Most plots in this area facilitate off-road vehicle parking to the rear of plots; however, sufficient on-road parking is available along East Beach Road. All plots possess amenity space between the private access road and sea wall and to the front of primary elevations.

2.5 The application site falls within Flood Zones 2 and 3.

3.0 The Proposal

3.1 The application proposes the extension of 127 Tides Reach and conversion of existing detached dwelling into 2 no. detached dwellings. The first floor extension relates to the north east extension of the building which builds over the existing footprint of the building. A further extension is proposed to the south western elevation across ground and first floor. The building is then subdivided into 2 no. residential dwellings. The proposal retains a comparable footprint and silhouette to that of the existing dwelling.

3.2 The application details a replacement garage to the north western elevation of the property for 127 East Beach and off-road. Open air parking is provided for 125 East Beach Road.

4.0 History

97/02914/OUT	PER	3 bed chalet and garage and new vehicular access.
99/00398/FUL	PER	3 bedroom chalet and garage plus vehicular access.
08/04399/DOM	PER	Retrospective application to replace existing wall/fence with a solid wall.

5.0 Constraints

Listed Building	NO
Conservation Area	NO
Rural Area	NO
AONB	NO
Strategic Gap	NO
Tree Preservation Ord	NO
EA Flood Zone	
- Flood Zone 2	YES
- Flood Zone 3	YES
Historic Parks and Gardens	NO

6.0 Representations and Consultations

6.1 Selsey Town Council

(11 November 2016)

Selsey Town Council objects to the application as it is out of keeping with the street scene and represents over-development of the site.

(02 December 2016)

After speaking to the Chair of Planning and the Councillor who made the original motion, they are in agreement that they wish the Committee's objection to stand for the following reasons:

STC considers this over-development of the site by the introduction of an additional dwelling in a street of individual properties of sizable plots. Additionally this makes the application out of keeping with the street scene, especially the massing and size of the resultant properties within the street which is characterised by one-off, unique properties in substantial plots. During the debate a lack of amenity space was mentioned but was not referenced objection comment.

It was further noted that CDC had recently refused permission on a nearby property due to the Environment Agency's objection to the building of new property in Flood Zone 3 and the committee considered that the same might apply in this case.

6.2 Chichester District Council Drainage Engineers

We have comments to make on surface water drainage and flood/erosion risk.

Surface Water Drainage: The proposal is to drain surface water via soakaways, this approach is acceptable in principle and should adequately drain the development.

Erosion Risk: The policy along this frontage is "hold the line" and the site presently benefits from a concrete sea wall and shingle beach. However future maintenance and improvement

of these defences would be subject to available funding. As they do not propose to advance towards the sea wall we have no objection with regard to future risk of erosion.

Flood Risk: Contrary to what the application form states parts of the site fall within Flood Zones 2/3 (high risk). Therefore, an FRA must be produced and the Environment Agency should be consulted on its contents. We recommend the developer takes any opportunity to raise the FFLs to minimise flood risk as a result of predicted sea level rise.

6.3 Environment Agency

No objections subject to the imposition of the detailed conditions, comprising:

Condition - Flood risk mitigation

The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) (Andrew Ockwell Design, dated January 2017) and the following mitigation measures detailed within the FRA:

- Finished floor levels are set no lower than 700mm above ground floor level.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing/phasing arrangement embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason

The proposed development is partially located in tidal Flood Zones 3 and 2 of our Flood Map. This indicated land with a high (1 in 200 year) and medium (1 in 1000 year) probability of flooding, respectively.

We strongly recommend that consideration be given to use of flood proofing measures to reduce the impact of flooding when it occurs. Flood proofing measures include barriers on ground floor doors, windows and access points and bringing in electrical services into the building at a high level so that plus are located above possible flood levels.

Third Party Support

6.4 4 letters of support were received throughout the public consultation period. These letters detail the following matters:

- a) A sensible and sympathetic development of a large site
- b) The addition of another family home would be welcomed
- c) Fail to see how this development would affect the street scene as objected to by Selsey Town Council it would enhance and add to the eclectic mix of properties in East Beach Road
- d) We cannot think of a reasonable objection - we are in full support of this application
- e) Scheme will make a significant contribution to the street and area
- f) Proposed extension is in keeping with the existing dwelling
- g) Designs submitted appear to be in keeping with and sympathetic to the surrounding development of East Beach Road

Applicant/Agent's Supporting Information

Concerns were raised by Selsey Town Council regarding the impact of the buildings on the existing street scape. In response to this, the applicant has provided existing and proposed street scenes, submitted on 14 December 2016.

Further, following comments received by the Drainage Engineers, and the Environment Agency, an amended Flood Risk Assessment (FRA) was submitted on 20 February 2017.

7.0 Planning Policy

The Development Plan

7.1 The Development Plan for the area comprises the Chichester Local Plan: Key Policies 2014-2029 and all made neighbourhood plans. There is no adopted Neighbourhood Plan for Selsey.

7.2 The principal planning policies relevant to the consideration of this application are as follows:

Policy 1: Presumption in Favour of Sustainable Development

Policy 2: Development Strategy and Settlement Hierarchy

Policy 33: New Residential Development

Policy 40: Sustainable Design and Construction

Policy 42: Flood Risk

Policy 44: Development around the Coast

National Policy and Guidance

7.3 Government planning policy now comprises the National Planning Policy Framework (NPPF), paragraph 14 of which states:

At the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking:

For decision-taking this means unless material considerations indicate otherwise:

- Approving development proposals that accord with the development plan without delay; and

- Where the development plan is absent, silent or relevant policies are out-of-date, granting planning permission unless any adverse impacts of doing so would significantly or demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies in (the) Framework indicate development should be restricted.

7.4 Consideration should also be given to paragraph 17 (Core Planning Principles), paragraphs 58, 60, 63, 64, 66 (Requiring Good Design), paragraphs 99, 100, 103 and 104 (Meeting the Challenge of Climate Change, Flooding and Coastal Change).

7.5 The government's New Homes Bonus (NHB) which was set up in response to historically low levels of housebuilding, aims to reward local authorities who grant planning permissions for new housing. Through the NHB the government will match the additional council tax raised by each council for each new house built for each of the six years after that house is

built. As a result, councils will receive an automatic, six-year, 100 per cent increase in the amount of revenue derived from each new house built in their area. It follows that by allowing more homes to be built in their area local councils will receive more money to pay for the increased services that will be required, to hold down council tax. The NHB is intended to be an incentive for local government and local people, to encourage rather than resist, new housing of types and in places that are sensitive to local concerns and with which local communities are, therefore, content. Section 143 of the Localism Act which amends S.70 of the Town and Country Planning Act makes certain financial considerations such as the NHB, material considerations in the determination of planning applications for new housing. The amount of weight to be attached to the NHB will be at the discretion of the decision taker when carrying out the final balancing exercise along with the other material considerations relevant to that application.

Other Local Policy and Guidance

7.6 The following Supplementary Planning Documents are material to the determination of this planning application:

Planning Obligations and Affordable Housing SPD

7.7 The aims and objectives of the Council's Sustainable Community Strategy are material to the determination of this planning application. These are:

B1 - Managing a changing environment

B3 - Environmental Resources

D1 - Increasing housing supply

D3 - Housing fit for purpose

E2 - There will be improved cycling networks and strong links to public transport to ensure that cycling is a viable alternative to using the car

E4 - People will have easier access to services at a local level

8.0 Planning Comments

8.1 The main issues arising from this proposal are:

- i) Principle of development
- ii) Design
- iii) Impact upon residential amenity
- iv) Flood Risk
- v) Highways

Assessment

i) Principle of development

8.2 The application proposes the creation of a residential dwelling within an identified Settlement Boundary. Policy 2 (Development Strategy and Settlement Hierarchy) and Policy 33 (New Residential Development) of the Chichester District Council Local Plan, Key Policies (2014-2029), support residential development within settlement boundaries as these are sustainable locations for new development. Subject to the development meeting the details of the other policies such as flood risk, design and amenity, the principle of development is considered to be acceptable.

ii) Design

8.3 Policy 33 (New Residential Development) of the Chichester District Council Local Plan Key Policies (2014-2029) permits new residential development where the highest standards of design are met, which are in keeping with the character of the surrounding area and its setting in the landscape.

8.4 The application buildings would retain the existing two storey properties with a predominant mono pitched roof. Whilst the roof form as existing comprises the butterfly form, the most publicly visible aspect of this butterfly form is the larger mono pitch. This larger pitch would be retained in the design and would seek to conserve the 1960s architectural form of the building. As such, the form of development would be considered appropriate.

8.5 The proposed building would retain a comparable ridge height to that of the existing building. The ridge height would be lesser than that of both adjacent plots which would allow the buildings to appear subservient to neighbouring buildings. The footprint of the building is marginally increased which is coupled with the addition of a first floor extension. However, this additional massing could be accommodated given the large plot size. As such, the additional massing, which is mitigated through the building's heights and plot size, would not result in demonstrable issues on the street scene when viewed along the sea wall.

8.6 Taking account of the above footprint, massing and height of the building, the resultant size and scale of the building would be appropriate. No issues in terms of scale of the building would result when viewing the building along the sea wall, where the street scene is most publicly visible.

8.7 Throughout the application period the applicant has submitted that the siting and layout of the site reinstates the historical plan form; where this site was 2 no. plots. A review of the historical map regression, and aerial photography, confirms this. Further, the retention of a similar footprint of the building would ensure that the siting does not implicate upon the character and appearance of the street scene, when reinstating this historical plot composition.

8.8 Selsey Town Council raised issues relating to access to amenity space within their consultation response. As noted above, all plots in this location benefit from amenity space forward of the south eastern elevation. These spaces remain unaffected through the subdivision of the dwellings. Equally, it is assessed that the amount of amenity space to the rear elevations of the buildings is of limited usable value. Policy 33 requires consideration in respect of amenity space to be considered in comparison to plots within the immediate locality. Plot coverage calculations have been assessed and the amount of remaining amenity space is assessed would be comparable to that of the existing. Further, the way in which amenity space is used in this location comprises the use of balconies, as opposed to traditional front gardens. This has been reiterated through the granting of existing permissions along East Beach Road which feature a large number of balconies. Both properties would provide for balconies and sufficient open amenity space would be provided forward of the primary elevation. In light of the above, the density of development is assessed as being sufficient.

8.9 The applicant submitted a materials schedule via e-mail on 08 November 2016 which outlines the use of materials for the proposed dwelling. The use of these materials would be appropriate. However, a condition should be imposed requiring samples of these materials to be agreed with the Local Planning Authority, prior to their use. This would ensure the delivery of these materials, given the prominent visibility of the application site.

8.10 In light of the above, the development would accord with the contents of Policy 33 (New Residential Development) of the Chichester District Council Local Plan Key Policies (2014-2029).

ii) Impact on residential amenity

8.11 Policy 33 (New Residential Development) of the Chichester District Council Local Plan Key Policies (2014-2029) requires development to achieve a high quality design. In pursuit of this, development should not detrimentally impact upon residential amenity.

8.12 The submitted plans detail a limitation on windows at first floor level on the outer elevations of the buildings. The eastern dwelling features 1 no. window to bedroom 4 and 1 no. window to the landing. These non-habitable rooms are not assessed as being likely to result in impacts upon the adjacent eastern property. No windows are proposed to the western outer elevation of the western property at first floor level.

8.13 The proposal moves the position of the eastern side elevation towards the dwelling to the east. However, no windows serving habitable rooms are featured on the western elevation of the adjacent eastern dwellings at first floor level. Within the habitable rooms at first floor level the outlook is southerly focussed. Additionally, the southern building line of the properties remains the same as existing. Therefore, when the adjacent occupiers of the western property are looking out of their habitable room at first level, the perception of massing would remain comparable to that of the existing.

8.14 Sufficient separation distance is achieved between the western dwelling and adjacent neighbour to the west. Therefore, no impacts upon the western neighbour would result.

8.15 In light of the above, the development achieves an acceptable level of residential amenity and therefore accords with the contents of Policy 33 (New Residential Development) of the Chichester District Council Local Plan Key Policies (2014-2029).

iii) Flood risk

8.16 Policy 42 (Flood Risk and Water Management) of the Chichester District Council Local Plan Key Policies (2014-2029) requires a site-specific flood risk assessment to demonstrate that the development would be safe. Policy 42 requires proposals to incorporate specific requirements of the site, and protection, resilience and resistance measures appropriate to the character and biodiversity of the area.

8.17 Concern was raised throughout the public consultation period regarding the designation of the application site within Flood Zones 2 and 3. Although part of the application site lies within Flood Zone 2 and 3, this is limited to a small part of the site close to the western boundary and it does not extend to the existing dwelling to be divided. Since the additional dwelling proposed and the extensions would not fall within the flood risk area it is considered that the principle of the sub-division of the site to create 2 dwellings would be acceptable, and there is no requirement for a sequential test to be carried out. Given the encroachment

of the flood zone onto the application site and the coast, at the request of the Council's Drainage Engineers, the applicant has provided a Site Specific Flood Risk Assessment. This has been provided and the Environment Agency has confirmed they have no objection to the proposal, subject to the imposition of conditions.

8.18 The submitted Flood Risk Assessment makes a series of recommendations, including the raising of FFLs, by an additional 200mm, which would be undertaken within the development. A condition that development be undertaken in accordance with the details of the FRA and retained as such at all times thereafter, would sufficiently mitigate the impacts on flood risk.

8.19 In light of the above considerations, the development accords with the contents of Policy 42 (Flood Risk and Water Management) of the Chichester District Council Local Plan Key Policies (2014-2029).

iv) Highways

8.20 Policy 39 (Transport, Accessibility and Parking) of the Chichester District Council Local Plan requires development proposals to provide for the parking and access demands that they create.

8.21 The submitted plans detail the provision of off-street car parking in a combination of off-street driveways and a garage. The level of parking provision detailed would be sufficient and adequate on-road parking exists along East Beach Road. Such on-road parking is not constrained by any parking restrictions and the Council is not aware of any anecdotal evidence of previous highways issues.

8.22 Vehicle speeds along East Beach Road are slow and sufficient visibility would exist when entering onto East Beach Road from the application site. As such, the access to and from the property by vehicle along East Beach Road would be safe and sufficient.

8.23 A condition is imposed securing the use of the garage for the parking of a private motor vehicle only. This would ensure that sufficient off-street parking would exist.

8.24 In light of the above considerations and condition, the development would accord with the contents of Policy 39 (Transport, Accessibility and Parking) of the Chichester District Council Local Plan Key Policies (2014-2029).

Significant Conditions

8.25 It is recommended that conditions be imposed to ensure that the materials are acceptable, that the floor levels are raised as required to manage flood risk and also that the garage be retained for that purpose only.

Conclusion

8.26 Based on the above the proposal complies with the development plan policies. Therefore, the application is recommended for approval.

Human Rights

8.27 In reaching this conclusion the Human Rights of the applicants and nearby occupiers have been taken into account when reaching this recommendation and it is concluded that the recommendation to permit is justified and proportionate.

RECOMMENDATION

PERMIT subject to the following conditions and informatives:-

1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

2) The development hereby permitted shall not be carried out other than in accordance with the approved plans; 1616-01 - Location and Block Plans, DRG001 - Existing and Proposed Street Scenes, 1616-05 - Proposed Ground Floor Plan, 1616-06 - Proposed First Floor Plan, 1616-07 - Proposed Elevations Sheet 1 and 1616-08 - Proposed Elevations Sheet 2.

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

3) Notwithstanding any details submitted **no development/works shall commence** until a full schedule of all materials and finishes and samples of such materials and finishes to be used for external walls and roofs of the building(s) have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved schedule of materials and finishes unless otherwise agreed in writing by the Local Planning Authority.

Reason: To enable the Local Planning Authority to control the development in detail in the interest of amenity and to ensure a development of visual quality. It is considered necessary for this to be a pre-commencement condition as such details need to be taken into account in the construction of the development and thus go to the heart of the planning permission.

4) The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) (Andrew Ockwell Design, dated January 2017) and the following mitigation measures detailed within the FRA:

- Finished floor levels are set no lower than 700mm above ground floor level.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason :The proposed development is partially located in tidal Flood Zones 3 and 2 of our Flood Map. This indicates land with a high (1 in 200 year) and medium (1 in 1000 year) probability of flooding, respectively.

5) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, re-enacting or modifying that Order) the garage hereby approved shall only be used for the purpose of parking private motor vehicles in connection with the residential use of the property.

Reason: To ensure the adequate provision of onsite parking for the purpose of highway safety.

INFORMATIVES

- 1) The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

For further information on this application please contact James Cross.

Agenda Item 11

Parish: Westbourne	Ward: Westbourne
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WE/16/03454/COU

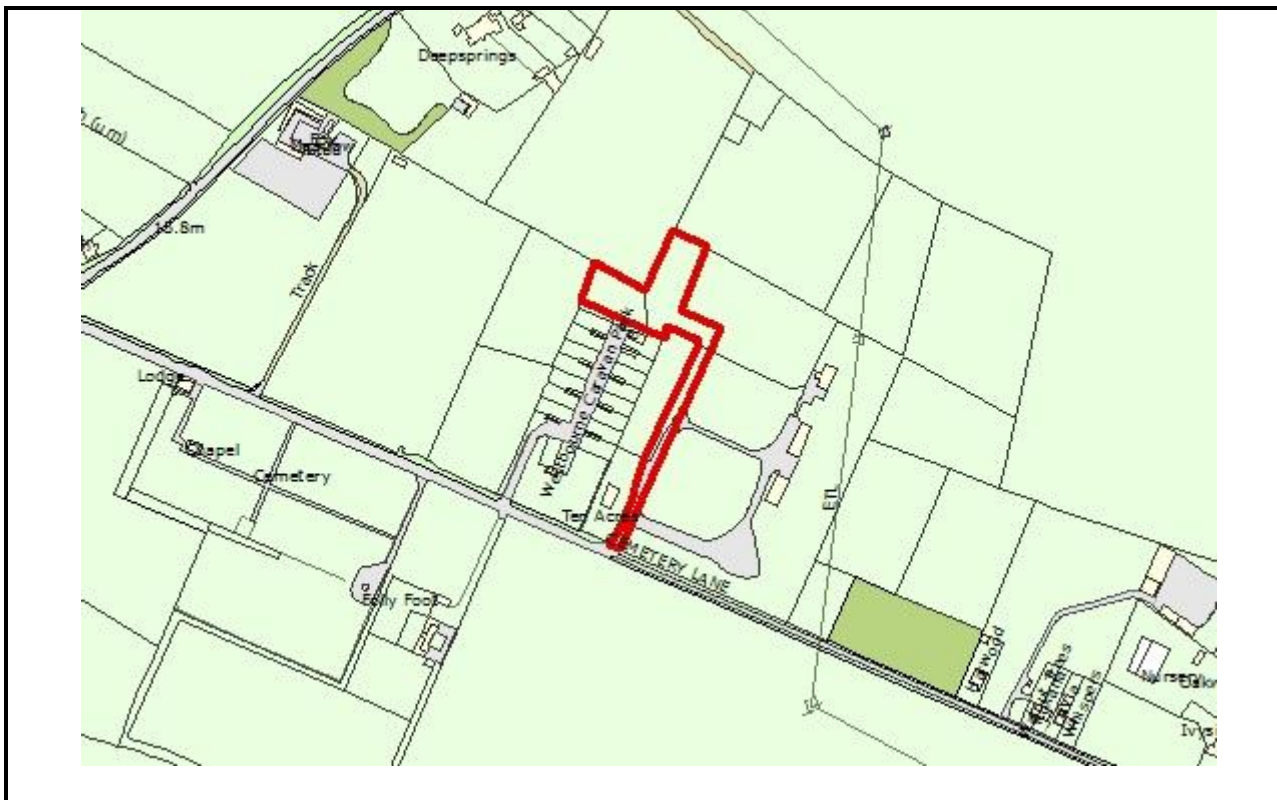
Proposal Change of use of land to a private gypsy and traveller caravan site consisting of 2 no. pitches each would comprise 1 no. mobile home, 1 no. touring caravan, 1 no. utility building and associated works.


Site Land Adjacent To Westbourne Gypsy Site Cemetery Lane Woodmancote Westbourne West Sussex

Map Ref (E) 476550 (N) 107555

Applicant Mr W Green

RECOMMENDATION TO DEFER FOR SECTION 106 THEN PERMIT



	NOT TO SCALE	Note: Do not scale from map. For information only. Reproduced from the Ordnance Survey Mapping with the permission of the controller of Her Majesty's Stationery Office, Crown Copyright. License No. 100018803
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1.0 Reason for Committee Referral

Parish Objection - Officer recommends Permit

2.0 The Site and Surroundings

2.1 The application site is located within the Parish of Westbourne, to the east of the village. To the south of the site is the WSCC Gypsy and Travellers site, with open countryside beyond. To the north and west is open agricultural land, on which are a number of trees that offer some screening of the site. To the east is the remaining part of the land known as the Old Army Camp.

2.2 Access is achieved via an existing track which leads into the site from Cemetery Lane, currently serving an existing travelling showpersons site and the rest of the brownfield site. It leads to an area part of which is laid to grass, but also elements of hardstanding. A post and rail fence defines the northern boundary.

3.0 The Proposal

3.1 The proposal follows application WE/16/01078/COU which was refused planning permission on 3 August 2016 for the following reason;

The proposed provision of a single gypsy pitch on a large site in the rural area would result in an inefficient use of the land which would lead to an unnecessary loss of open countryside to the detriment of the rural character and tranquillity of the area. Having regard to the shortfall of a 5 year supply of Gypsy and Traveller pitches in the District it is not considered that the need outweighs this identified harm. The proposal would therefore fail to comply with Policy 1 and 36 of the Chichester District Local Plan 2014-2029.

3.2 The current application seeks to address the reason for refusal and change the use of the land for the stationing of two static mobile homes for residential purposes for 2 gypsy and traveller pitches.

3.3 The layout of the site would comprise the stationing of a static mobile home to the west of the site, with an amenity block and parking area. The second mobile home would be located to the south of the site, adjacent to the access road, this has been relocated from an area to the north of the site during the course of consideration of the application. To the north the land would be laid out as a paddock, including some existing hardstanding.

3.4 The proposed day rooms would measure 3.1m x 6m, and include eaves of 2.4m and a tiled pitched roof with a ridge height of 3.4m, the exterior walls would be rendered. The proposed mobile homes would be two-bed and would retain their wheels and axles.

4.0 History

15/03979/COU	REF	Change of use of land to a private gypsy and traveller caravan site consisting of one no. mobile home, one no. touring caravan and one no. utility building and associated works.
16/01078/COU	REF	Change of use of land to a private gypsy and traveller caravan site consisting of 1 no. mobile home, 1 no. utility building, 1 no. touring caravan and associated works.

5.0 Constraints

Listed Building	NO
Conservation Area	NO
Rural Area	YES
AONB	NO
Tree Preservation Order	NO
EA Flood Zone	NO
Historic Parks and Gardens	NO

6.0 Representations and Consultations

6.1 Parish Council

The Parish Council comments are provided in full at Appendix A. The following officer summary provides the main comments raised by the Parish Council in relation to this application;

- i) Insufficient existing infrastructure to cope with the demand of additional residential accommodation.
- ii) Change in character of the area
- iii) Social tension between settled and traveller community increased.
- iv) Speculative development for gain and not need.
- v) CDC have an oversupply of sites.
- vi) Development outside the settlement boundary
- vii) The applicant has not met the requirements of the Recreational Disturbance Agreement.
- viii) Note the environmental constraints of the site and the bat corridor
- ix) Concern in relation to over dominance.

6.2 CDC Environmental Health Officer

Comments for this application are the same as for previous applications. Given that there will be building works associated with the amenity building and drainage connections, condition N21G should be applied as parts of the site were previously in use as a military site.

All waste arisings must be disposed of in accordance with current Waste Regulations. During construction, measures to reduce dust and other emissions should be taken to minimise the impact on neighbouring caravans. If there is a requirement for oil storage, L09F should be applied.

Please note: these comments are made only with respect to contaminated land and air quality issues.

6.3 CDC Environmental Strategy Officer

...should permission be granted, I would like to see the existing hedgerows on the boundaries of the site, protected during development and I support the provision of further planting for screening and enhancements for biodiversity. The trees planted should be

native. The existing and new hedge/treelines should not be lit as they may be used by commuting bats.

The site also sits within the Zone of Influence for Chichester Harbour and therefore a contribution to the Solent Recreation Migration Scheme will be required based on the occupancy and usage of the proposed plots.

6.4 2 Third Party Objections

- i) Encroachment into countryside
- ii) Impact on protected species
- iii) Light pollution
- iv) Accessibility
- v) Over dominance of gypsy and traveller population

7.0 Planning Policy

The Development Plan

7.1 The Development Plan for the area comprises the Chichester Local Plan: Key Policies 2014-2029 and all made neighbourhood plans. There is no made neighbourhood plan for Westbourne Parish at this time, although the plan is presently at pre submission stage and is expected to be formally submitted to the Council shortly..

7.2 The principal planning policies relevant to the consideration of this application are as follows:

- Policy 1: Presumption in Favour of Sustainable Development
- Policy 36: Planning for Gypsies, Travellers and Travelling Showpeople
- Policy 39: Transport, Accessibility and Parking
- Policy 45: Development in the Countryside
- Policy 48: Natural Environment
- Policy 49: Biodiversity
- Policy 50: Development and Disturbance of Birds in Chichester and Langstone Harbours
Special Protection Areas

7.3 Westbourne Neighbourhood Plan:

The draft plan is a material consideration in the determination of planning applications. Its weight will increase as it progresses through the plan making process but at this stage it carries limited weight.

National Policy and Guidance

7.3 Government planning policy now comprises the National Planning Policy Framework (NPPF), paragraph 14 of which states:

At the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking:

For decision-taking this means unless material considerations indicate otherwise:

- Approving development proposals that accord with the development plan without delay; and
- Where the development plan is absent, silent or relevant policies are out-of-date, granting planning permission unless any adverse impacts of doing so would significantly or demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies in (the) Framework indicate development should be restricted.

7.4 Consideration should also be given to paragraphs 4 and 17 (Core Planning Principles).

7.5 In addition to the overarching policies in the NPPF, it is also relevant to have regard to the supporting document, Planning Policy for Travellers Sites August 2015 (PPTS).

8.0 Planning Comments

8.1 The main issues arising from this proposal are:

- i) Principle of development and identified need
- ii) Impact on the character of the area
- iii) Impact on neighbouring amenity
- iv) Sustainable development
- v) Drainage
- vi) Impact on highway safety
- vii) Nature conservation

Assessment

- i) Principle of development and identified need

8.2 Policy H of the Government guidance document 'Planning Policy for Traveller Sites' (PPTS) relates to determining planning applications for traveller sites and requires planning applications to be determined in accordance with the development plan and the NPPF unless material considerations indicate otherwise. Policy 36 of the Chichester Local Plan (CDLP) deals specifically with the provision of gypsy and traveller sites and sets out criteria which applications should meet.

8.3 The previous application was refused permission on the sole ground that it made inefficient use of the land which would have led to an unnecessary loss of open countryside. As a consequence, this application has been submitted seeking permission for two pitches, to meet the needs of the applicant and his family and to address the reason for refusal. There would still be an area of paddock land to the north part of the site, which would be appropriate and proportionate given the applicants way of life.

8.4 The applicant is as accepted to be a gypsy and traveller under the definition in the PPTS. The family is well known in the local area, with strong local connections. Supporting evidence has been provided to demonstrate the need for two settled pitches in this location. The applicant's children reside in the WSCC site to the south with his ex-wife, with some children frequently residing at his premises. He requires accommodation in close proximity to the adjacent WSCC site, to ensure the children maintain close contact with one another and for settled access to education. It is considered that the submitted information from the applicant demonstrates an authentic need; however it would be necessary to apply a

condition to restrict the occupation of the site to gypsies and travellers to any permission, to ensure that the terms accord with the justification for provision of the pitches.

8.5 The Council does now have a 7.3 year supply of gypsy and traveller pitches. As with any proposed development, this must be weighed against the policy context and any potential harm that may arise as a result of the (continued) use of the land. Notwithstanding the Council's current supply of gypsy and traveller pitches, the Local Planning Authority is no longer progressing a Site Allocation Development Plan Document (DPD) at this stage, leaving a need for 5 further pitches to fulfil the identified need for the current plan period. Whilst not a decisive factor in the determination of further applications it must be weighed in the balance, in the context of the suitability of any proposed site.

8.6 In refusing the previous application, the Council did not raise issue with the sustainability of the site or concerns regarding landscape impact, but solely that the proposal for 1 gypsy and traveller pitch did not make efficient use of what was a relatively large site. In the absence at this stage of a DPD to identify how the remaining gypsy and traveller needs up to the end of the plan period will be met, and having regard to the circumstances of the occupier, the principle of the use of the site as two gypsy and traveller pitches is considered acceptable, subject to the assessment of other relevant material considerations

ii) Impact on the character and appearance of the area

8.7 Criteria 4 of Policy 36 of the Local Plan reflects Policy C of the PPTS and requires that development does not compromise nationally important features. Policy H of the PPTS advises that LPAs should strictly limit new traveller site development in open countryside that is away from existing settlements or outside areas allocated in the development plan, however where sites are within the rural area, LPA's should ensure that sites respect the scale of and do not dominate the nearest settled community and avoid placing undue pressure on the local infrastructure.

8.8 The site is located in an area with existing gypsy and traveller pitches (17 in number) to the south of the site, with a further 5 pitches permitted on appeal to the east of the land known as the 'Old Army Camp' (WE/14/01217/FUL). Beyond this, there are settled residential properties. To the east of the application site there is an extant permission for 4 travelling showpeoples plots (and a current application for that site to revise the site layout and add 2 gypsy pitches) and to the west of the WSCC site, a single pitch was allowed on appeal in February 2017. The appeal Inspector for the single pitch permitted in February 2017 noted the number of gypsy and traveller pitches in Westbourne, accepting that incremental changes can have a cumulative impact, but concluded that a single pitch would not have an appreciable impact and so found no conflict with Policy 36, nor the PPTS. Having regard to this recent conclusion by an appeal Inspector on a nearby site it is considered that the provision of an additional two gypsy pitches would not result in over dominance of the settled community. This issue was also not raised in the Council's refusal of the previous application on this site for 1 gypsy and traveller pitch.

8.9 The site is located outside any specific landscape designations. During the course of the application, officers have negotiated to re-locate the second mobile home to the south of the site, due to concerns about the pattern of development and encroachment of residential development into the rural area to the north, increasing the potential for wider landscape impacts. The site is well screened from public vantage points by existing vegetation and boundary screening and given the low level development proposed it is not considered the site would have an adverse impact on the character of the area or wider landscape setting. A

similar conclusion was reached by the Inspector in allowing the appeal on the land to the west of the WSCC site in February 2017 who commented that the existing gypsy, traveller and showmen's sites in Cemetery Lane are not prominent. They are seen at close range, from the lane itself, but longer views are generally quite well screened, by tree belts, hedges and other intervening features.

8.10 Concern has been raised by Westbourne Parish Council and third parties about the impact on the non-designated Heritage Asset, Westbourne Cemetery and the impact on its setting and tranquillity. As part of the February 2017 appeal decision', the Inspector considered that a single pitch, with the level of landscaping and separation, would not cause harm to the setting of the cemetery. The current application site is a greater distance from the heritage asset and further separated by the intervening gypsy and traveller pitches and a travelling showperson's plot. Due to the degree of separation, it is not considered that the current proposal would give rise to an undue or adverse impact on the setting of the Westbourne Cemetery to the extent that could be substantiated in any future appeal.

8.11 Overall, it is considered that the proposal, by reason of its small scale nature, location close to existing traveller pitches and the ability to reinforce the natural boundary screening would not cause any due harm to the character and appearance of the area.

iii) Impact on the amenities of surrounding properties

8.12 Policy 36 of the Local Plan requires that development provides for a reasonable level of visual and acoustic privacy for nearby occupiers. The closest neighbouring site is the gypsy and traveller site to the south. It is considered that due to the distance, orientation, low level nature of the proposal and boundary screening, that there would not be an unacceptable impact on the amenities of neighbouring properties, in particular to their outlook, privacy, available light or noise generated by the development, which would be residential in nature.

iv) Sustainable Development

8.13 The previous use of the site was a former army camp and is classed as previously developed land.. It is situated outside any defined Settlement Policy Boundary, but would form part of a cluster of development, with the WSCC gypsy and traveller site situated to the south of the site. The site is approx. 530m from the village of Westbourne and there would be reasonable access to the facilities and services located there. There is no objection from WSCC Highways Authority regarding the access to the site.

8.14 It is considered that future occupiers would have reasonable access to the facilities and services located there and bus services to other town such as Emsworth and Chichester, as was found by the appeal Inspector in the case of the Land West of Harwood nearby. The site is therefore considered to be sustainable as defined within paragraph 7 of the NPPF and within the PPTS.

v) Drainage

8.15 Policy 36 of the Local Plan (criteria 5) refers to flooding and contaminated land issues. The site is not located on land identified as being in a flood zone by the Environment Agency. The site would retain existing hardstanding and grassed areas. Given the location of the site, the buildings and hardstanding, it is considered that the likelihood of flooding or ground contamination is low and therefore it would be appropriate to require surface water

drainage details and the prevention of ground water contamination by imposition of a condition.

vi) Impact on highway safety

8.16 The site would utilise an existing access off Cemetery Lane. WSCC as the Local Highway Authority have advised they have no objection to the access for two pitches. There would be adequate provision for parking and turning space adjacent to the mobile homes, within the existing hardstanding.

vii) Nature Conservation

8.17 The site lies within the 5.6km buffer of Chichester Harbour, a designated Special Protection Area (SPA), Solent Maritime Special Area of Conservation (SAC), Ramsar site, and a Site of Special Scientific Interest (SSSI). The LPA has a duty to protect this area under the Habitat Regulations and through the NPPF and policy 50 of the adopted Local Plan. Residential development within this buffer could have a significant effect on the features for which the site is internationally and nationally designated. As set out and explained in the Interim Statement on Development and Disturbance of Birds in Special Protection Areas (SPA) and identified Compensatory Habitats, each proposed site for residential occupation attracts a charge of £176 to off-set recreational disturbance and fund mitigation within the harbour. This applies to all sites for residential occupancy including gypsy and traveller sites and affordable housing. The applicant has agreed to make this contribution to offset the impact on the SPA.

8.18 The Environmental Strategy Officer has advised they would have no objection to the application. In order to minimise impacts on foraging bats in the locality, external lighting should be controlled, alongside the protection of existing hedgerows. Any new planting would need to be native. These matters can be addressed by conditions.

Significant Conditions

8.19 The application is considered acceptable, subject to a number of conditions, including restricting the use of the site to gypsies and travellers only, together with conditions relating to the number and siting of the touring caravans. Additionally it is proposed to require further details relating to the proposed surface water drainage arrangements.

Conclusion

8.20 Based on the above assessment, it is considered that the reason for refusal of the previous application has now been addressed; it is also concluded that having regard to the needs of the applicant, the relatively sustainable location given gypsy and traveller lifestyles and that the development would not over dominate the nearest settled community, that the proposal would comply with guidance in the NPPF and PPTS and the policy requirements of the Local Plan. The application is therefore recommended for approval.

Human Rights

8.21 In reaching this conclusion the Human Rights of the applicants and nearby occupiers have been taken into account when reaching this recommendation and it is concluded that the recommendation to permit is justified and proportionate.

Equalities

8.22 In reaching this conclusion officers have given particular weight to the Equality Act 2010 which states in section 29 that 'a person must not, in the exercise of a public function [which includes the determination of planning applications] do anything that constitutes discrimination, harassment or victimisation'. Officers have sought guidance as to the extent to which this section requires 'positive discrimination' or indeed requires weight to be given to the disabilities of an applicant above and beyond weight normally accorded to 'personal circumstances', but have not been able to identify any government advice or case law which is relevant.

"In addition to the provisions of section 29 of the Act, s149 of the Act provides the following:
Public sector equality duty:

- (1) A public authority must, in the exercise of its functions, have due regard to the need to:
 - (a) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act.
 - (b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.
 - (c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

These duties are triggered by the exercise of functions which include the determination of planning applications that have equality implications. This section must be treated as engaged in this particular case and therefore 'due regard' must be given to the applicant's particular needs. It is not sufficient to have equality in mind at a general or policy level.

However, the duties do not require a particular outcome. What the decision making body chooses to do once it has had the required regard is for it to decide subject to the ordinary constraints of public and discrimination law.

In conclusion, the actual needs of the applicant need to be weighed against the harm that this development would cause to neighbours, along with all of the material planning considerations. The decision must be proportionate in the light of all the circumstances of this case".

RECOMMENDATION

PERMIT WITH S106 subject to the following conditions and informatives:-

1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

2) The development hereby permitted shall not be carried out other than in accordance with the approved plans:

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

3) Notwithstanding the details as shown on the submitted plans, prior to any further works commencing on site and the second mobile home being brought onto the land, a scaled block

plan detailing the location of the mobile homes and any associated landscaping shall first be submitted to and approved in writing by the Local Planning Authority.

Reason: To accord with the terms of the permission and in the interests of visual amenity of the rural area.

4) **No development shall commence** until a scheme to deal with contamination of land and/or controlled waters has been submitted to and approved in writing by the Local Planning Authority (LPA). Unless the local planning authority dispenses with any such requirement specifically in writing the scheme shall include the following, a Phase 1 report carried out by a competent person to include a desk study, site walkover, production of a site conceptual model and human health and environmental risk assessment, undertaken in accordance with national guidance as set out in DEFRA and the Environment Agency's Model Procedures for the Management of Land Contamination CLR11.

Reason: In the interests of amenity and to protect the health of future occupiers of the site from any possible effects of land contamination in accordance with local and national planning policy.

5) If the Phase 1 report submitted identifies potential contaminant linkages that require further investigation then **no development shall commence** until a Phase 2 intrusive investigation report has been submitted to and approved in writing by the LPA detailing all investigative works and sampling on site, together with the results of the analysis, undertaken in accordance with BS 10175:2011+A1:2013 - Investigation of Potentially Contaminated Sites - Code of Practice. The findings shall include a risk assessment for any identified contaminants in line with relevant guidance.

Reason: In the interests of amenity and to protect the health of future occupiers of the site from any possible effects of land contamination in accordance with local and national planning policy.

6) If the Phase 2 report submitted identifies that site remediation is required then **no development shall commence** until a Remediation Scheme has been submitted to and approved in writing to the Local Planning Authority detailing how the remediation will be undertaken, what methods will be used and what is to be achieved. Any ongoing monitoring shall also be specified. A competent person shall be nominated by the developer to oversee the implementation of the Remediation Scheme. The report shall be undertaken in accordance with national guidance as set out in DEFRA and the Environment Agency's Model Procedures for the Management of Land Contamination CLR11. Thereafter the approved remediation scheme shall be fully implemented in accordance with the approved details.

Reason: In the interests of amenity and to protect the health of future occupiers of the site from any possible effects of contaminated land in accordance with local and national planning policy.

7) **No additional development shall commence** until details of the proposed overall site wide surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The design should follow the hierarchy of preference for different types of surface water drainage disposal as set out in Approved Document H of the Building Regulations and the SUDS Manual produced by CIRIA. Winter ground water monitoring to establish highest annual ground water levels and Percolaton testing to BRE 365, or similar approved, will be required to support the design of any Infiltration drainage. The surface water drainage scheme shall be implemented as approved unless any variation is agreed in writing by the Local Planning Authority. No building shall be occupied until the complete surface water drainage system serving that property has been implemented in accordance with the approved surface water drainage scheme.

Reason: The details are required pre-commencement to ensure that the proposed development is satisfactorily drained with all necessary infrastructure installed during the groundworks phase.

8) All hard and soft landscape works shall be carried out in accordance with the approved details and in accordance with the recommendations of the appropriate British Standards or other recognised codes of good practice. **These works shall be carried out in the first planting season after practical completion or first occupation of the development,** whichever is earlier, unless otherwise first agreed in writing by the Local Planning Authority. Any trees or plants which, within a period of 5 years after planting, are removed, die or become seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To ensure the provision and establishment of a reasonable standard of landscape in accordance with the approved designs.

9) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting or amending that Order) no external lighting or additional hardstanding shall be provided for anywhere on the application site other than as shown on the plans hereby permitted unless otherwise agreed in writing by the Local Planning Authority.

Reason: To enable the Local Planning Authority to retain control over such development in the interests of surface water drainage and the safeguarding of protected species.

10) No more than 4 caravans, as defined in the Caravans Sites and Control of Development Act 1960, and the Caravan Sites Act 1968 (of which no more than 2no. shall be a static caravan) shall be stationed on the site at any time.

Reason: To enable the Local Planning Authority to maintain control in the interests of amenities and prevent over development.

11) The day room hereby permitted shall not be occupied as a permanent means of habitable accommodation at any time.

Reason: To comply with the terms of the application and to protect the amenities and character of the area.

12) Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls in accordance with a scheme that shall first have been submitted to and approved in writing by the Local Planning Authority. The scheme shall demonstrate the bund capacity shall give 110% of the total volume for single and hydraulically linked tanks. If there is multiple tankage, the bund capacity shall be 110% of the largest tank or 25% of the total capacity of all tanks, whichever is the greatest. All filling points, vents, gauges and sight glasses and overflow pipes shall be located within the bund. There shall be no outlet connecting the bund to any drain, sewer or watercourse or discharging into the ground. Associated pipework shall be located above ground where possible and protected from accidental damage. The approved scheme shall be provided prior to the first use of the land for the storage of oils, fuels or chemicals and shall be maintained as approved in perpetuity.

Reason: To enable the Local Planning Authority to retain control over the development which may be injurious to the amenities of the area and of neighbouring properties and to prevent pollution.

13) No commercial activities shall take place on the land, including storage of materials.

Reason: In the interests of neighbouring amenity and to ensure the protection of this countryside location.

14) Notwithstanding the provisions of Part 2 Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order, 2015 (or any Order revoking ,re-enacting or modifying that Order) no fence, wall or other means of enclosure shall be erected, constructed or established on any of the Open Space or Amenity Areas shown on the approved plans.

Reason: To secure the long term retention of the open/amenity areas.

INFORMATIVES

- 1) The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
- 2) Please contact the licensing team on 01243 534744 (email licensing@chichester.gov.uk) to discuss whether a caravan site licence is required under the Caravan Site and Control of Development Act 1960.
- 3) The developer's attention is drawn to the provisions of the Wildlife and Countryside Act 1981, the Conservation (Natural Habitats etc) Regulations 1994, and to other wildlife legislation (for example Protection of Badgers Act 1992, Wild Mammals Protection Act 1996). These make it an offence to kill or injure any wild bird intentionally, damage or destroy the nest of any wild bird intentionally (when the nest is being built or is in use), disturb, damage or destroy and place which certain wild animals use for shelter (including badgers and all bats and certain moths, otters, water voles and dormice), kill or injure certain reptiles and amphibians (including adders, grass snakes, common lizards, slow-worms, Great Crested newts, Natterjack toads, smooth snakes and sand lizards), and kill, injure or disturb a bat or damage their shelter or breeding site. Leaflets on these and other protected species are available free of charge from Natural England.

The onus is therefore on you to ascertain whether any such species are present on site, before works commence. If such species are found or you suspected, you must contact Natural England (at: Natural England, Sussex and Surrey Team, Phoenix House, 32-33 North Street, Lewes, East Sussex, BN7 2PH, 01273 476595, sussex.surrey@english-nature.org.uk) for advice. For nesting birds, you should delay works until after the nesting season (1 March to 31 August).

For further information on this application please contact Caitlin Boddy

Comments for Planning Application 16/03454/COU

Application Summary

Application Number: 16/03454/COU

Address: Land Adjacent To Westbourne Gypsy Site Cemetery Lane Woodmancote Westbourne West Sussex

Proposal: Change of use of land to a private gypsy and traveller caravan site consisting of 2 no. pitches each would comprise 1 no. mobile home, 1 no. touring caravan, 1 no. utility building and associated works.

Case Officer: Caitlin Boddy

Customer Details

Name: Mrs Clare Kennett

Address: Westbourne Parish Council, 53 Skylark Avenue, Emsworth PO10 7GB

Comment Details

Commenter Type: Parish Council

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Westbourne Parish Council objects to the above planning application. The Council represents the views of the local community and aims to respond objectively to planning applications to ensure that development in the Parish is both appropriate and in keeping with the local area.

1.1 Application contrary to the PPTS and the CLPKP

The planning policy for traveller sites in the Chichester District Council (CDC) area is set out in the DCLG's National Planning Policy Framework (NPPF), more specifically in the DCLG's Planning Policy for Traveller Sites (PPTS) and in CDC's Chichester Local Plan Key Policies (CLPKP), Policy 36. The Parish Council believes that the above application is contrary to the aims and objectives of the PPTS in several respects.

In Paragraph 3 of the introduction, it states: 'The Government's overarching aim is to ensure fair and equal treatment for travellers, in a way that facilitates the traditional and nomadic way of life of travellers while respecting the interests of the settled community.' The recent rapid proliferation of traveller sites in the small hamlet of Woodmancote (41 traveller sites, 100 houses) and the destruction of the rural setting does not respect the interests of the settled community; it intimidates.

In Paragraph 4 of the introduction, it states: 'To help achieve this, Government's aims in respect of traveller sites are:

- i. 'to reduce tensions between settled and traveller communities in plan-making and planning decisions.' Tensions between settled and traveller communities have increased dramatically as has anti-social behaviour.
- j. 'to enable provision of suitable accommodation from which travellers can access education, health, welfare and employment infrastructure.' The infrastructure is creaking. No primary school places are available, the school is full. The possibility of a doctor's appointment remote.
- k. 'for local planning authorities to have due regard to the protection of local amenity and local environment.' The traditional rural setting of Cemetery Lane, with its special biodiversity, ancient hedgerows and prized heritage asset, is rapidly being destroyed by the urbanisation of the ground works associated with these two sites.

In Paragraph 14 of Policy C: Sites in Rural Areas and the Countryside, it states:

'14: When assessing the suitability of sites in rural or semi-rural settings, local planning authorities should ensure that the scale of such sites does not dominate the nearest settled community.' The traveller community has now come to dominate the settled community.

In Paragraph 24 of Policy H: Determining Planning Applications for Traveller Sites, it states: 'Local planning authorities should consider the following amongst other relevant matters when considering planning applications for traveller sites. A) the existing level of local provision and need for sites.' As outlined below (in 1.4 of CDC's site allocation requirements) the requisite amount of required sites identified by the CLPKP has been filled, and no more sites are required before the gypsy/traveller/travelling showpersons (GTTSP) site allocation Development Plan Document (DPD) comes into force. On a need basis, these are clearly not required at this stage as there is already a permission, granted at appeal, for five gypsy and traveller pitches on a nearby site which have not even started to be developed yet. This application appears to be no more than a speculative development for gain; not for need.

In Paragraph 25 of Policy H: Determining Planning Applications for Traveller Sites, it states: 'Local planning authorities should very strictly limit new traveller site development in open countryside that is away from existing settlements or outside areas allocated in the development plan. Local planning authorities should ensure that sites in rural areas respect the scale of, and do not dominate, the nearest settled community, and avoid placing an undue pressure on the local infrastructure.' The site is outside the area allocated in the Development Plan and the emerging Neighbourhood Plan. The sheer scale, and the constant expansion, of this site will dominate the nearest settled community, - it does already; it should never have been allowed to reach the proportions or the scale that it has today. There are no proposals in the pipeline to assist with the undue pressure Westbourne's infrastructure is now under. Primary school full, doctor's appointments simply a lottery dream, traffic ever increasing and the private Cemetery Lane disintegrating, anti-social behaviour rocketing, and policing to control it, slashed.

1.2 Increase in gypsy/traveller/travelling showpersons in Westbourne

The amount of new GTTSP plots and pitches have become a matter of great concern for parishioners; indeed it was the number one issue stated in the Parish Council's Neighbourhood Plan consultations. The Parish Council has come to believe that CDC and The Planning Inspectorate is failing to give the Parish the support it needs in maintaining an appropriate balance between the GTTSP community and the Parish's settled community.

For many years, the settled residents of Westbourne lived in harmony with the GTTSP community, centred predominantly on Cemetery Lane, who in the main assimilated well and contributed to the Parish. The site was opened by West Sussex County Council in 1979 and the numerical balance of the settled and GTTSP communities, up until 2013, worked reasonably well and there was little friction between the two.

Since 2013, the GTTSP community has more than doubled as a result of granted permissions, and/or failures to enforce, or as a result of unannounced changes to previously stated CDC policies. In 2013 there were 19 pitches and plots in the Parish; now there are in excess of 40. Westbourne now houses 25% of all the pitches and plots in the entire Chichester District Council area, and the increase in granted permissions has more than doubled in the last three years. The friction between the settled and GTTSP communities has increased, with both anecdotal and reported occurrences of trouble, intimidation, traffic and general incidents, all of which have risen alarmingly; and this is exacerbated by the recent withdrawal, as a result of financial cuts, of a dedicated PCSO service to police the escalating situation.

It is of great concern that CDC does not have a DPD in place to distribute GTTSP pitches and plots equally across the District. As a result, Westbourne has suffered disproportionately compared to other parishes. The Parish Council considers that, as a result of lax site assessment of applications and lacklustre enforcement, the GTTSP community have come to regard Westbourne as a 'soft touch' for gaining permission (much of it by stealth, and/or illegal occupation and subsequent appeal). The Parish Council has spoken to the GTTSP community about this over the last few years and they readily confirm it. It should be noted that a gypsy/traveller pitch in Westbourne now changes hands for around £100,000. With that sort of incentive, and with no chance of defending speculative applications, it is not surprising that Westbourne is becoming inundated. The vast majority of other local planning authorities and district councils continued and completed their DPDs during and after the change in definition, however Chichester abandoned theirs. Chichester's Cabinet briefing notes predicted this exact outcome and yet CDC continued without putting in place any defensive measure or mitigation for the predicted consequences for this Parish. The Parish Council is currently challenging CDC's Chief Executive, Diane Shepherd, on this matter, and her claim of an 'unfortunate consequence' and 'no specific targeting of Westbourne' rings very hollow when it was CDC that stripped the Parish Council of any ammunition to defend itself with.

The development is adding to the urbanisation of the rural area. The pitches and ancillary works would be located in an area of countryside outside a defined settlement boundary where

development is restricted to that which requires a countryside location. This is not a development that requires a countryside location, does not meet an essential local rural need, and does not support rural diversification. The site is adjacent to a large established gypsy and traveller site comprising 19 pitches and an existing travelling show persons plot, with approval granted for an additional pitch to the east. The provision of additional pitches and plots on the periphery of the hamlet of Woodmancote and the modest and historic village of Westbourne is considered unacceptable. The cumulative provision would dominate the existing settled community and give rise to increased social tension both with the settled community and between occupiers on the application site and neighbouring sites. The site is located within the 5.6km zone of influence of the Chichester and Langstone Harbours Special Protection Area where it has been identified that the net increase in residential development results in significant harm to those areas of nature conservation due to the increased recreational disturbance. The Parish Council does not consider that the applicant has made sufficient mitigation against such an impact.

The Parish Council hopes that Chichester District Council will recognise the many mistakes that have been made in the planning process for Cemetery Lane, which are a huge concern for Westbourne, and that it will take on board these concerns, raised by the local community, when reaching its final decision. The approval of so many GTTSP pitches and plots in Westbourne is placing a burden on the local community and Parish Council, who are both powerless to prevent further development and consequent enforcement of breaches of planning permission.

1.3 GTTSP pitches and plots in Westbourne Parish

Gypsy and travellers

Application No. Site CDC Decision Pitches/Plots Comment

WE/78/00008

WE/07/02873/CPO The Old Army Camp, Cemetery Lane, Woodmancote Permit 19 HSSA site plus 2 new transit pitches

WE/13/03787/FUL Land West of Hopedene,

Common Road Permit 12

WE/14/04206/FUL Land North of recreation ground, Monk's Hill, Westbourne Refuse 1 Parish Council objection. Allowed at Appeal.

WE/14/01217/FUL Land West of Harwood, Cemetery Lane, Woodmancote Refuse 5 Parish Council objection. Allowed at Appeal.

Travelling Showpeople

WE/05/00756/FUL Ten Acres, Cemetery Lane Permit 1

WE/15/04086/FUL The Old Army Camp, Cemetery Lane Permit 4 Parish Council objection

Total: 42 pitches/plots

Applications outstanding for determination

Reference Site Pitches/plots Comment

APP/L3815/W/16/3157057 The Meadow, Cemetery Lane, Woodmancote 1 Parish Council objection

WE/15/03965/FUL The Woodlands, Marlpit Lane, Hambrook 1 (serves dual purpose of providing both a gypsy/traveller and travelling showperson's site) Parish Council objection

WE/16/03656/FUL The Old Army Camp, Cemetery Lane, Woodmancote 4 travelling showmen, (2 statics on each plot) and 2 gypsy/traveller Parish Council objection

WE/17/03454/COU

Land adjacent to Westbourne Gypsy Site, Cemetery Lane, Woodmancote 2 gypsy/traveller pitches each with 1 mobile home, 1 touring caravan and 1 utility building and associated works Parish Council objection

Total: 10 pitches/plots

If the applications outstanding for determination are approved, the total number of GTTSP pitches/plots in the Parish of Westbourne would be well in excess of 50.

1.4 CDC's site allocation requirements

CDC area Planning for Gypsies, Travellers and Travelling Showpeople is set out in Policy 36 of the CLPKP. This Policy links to the strategic objectives 3.20 - 3.23, (CLPKP pages 28-29) Objective 3.21 states: 'Support neighbourhoods to build and maintain community spirit and help shape the area in which they live. Promote the development of mixed, balanced and well-integrated communities. Maintain low levels of crime and disorder, improve community safety and work to reduce anti-social behaviour.'

The Parish of Westbourne comprises three very distinct and separate settlements, namely the village of Westbourne and the two hamlets of Woodmancote to the east and Aldsworth to the north which is situated in the South Downs National Park. All the GTTSP sites but one in the Parish are located in Woodmancote, a settlement of 100-odd houses and a hamlet which is not considered sustainable by the planning department and therefore unable to accommodate any additional residential housing. It is this small community that has borne the entire brunt of GTTSP sites to 41. In the same period, not one single residential house has been granted planning permission or built, despite several applications being made. This explosion is clearly at odds with the CDC Objective 3.21 which states: 'Promote the development of mixed, balanced and well-integrated communities. Maintain low levels of crime and disorder, improve community safety and work to reduce anti-social behaviour', and is clearly at odds with Paragraph 17.31 'Government guidance indicates that councils should assess and meet Gypsy, Traveller and Travelling Showpeople's housing needs in the same way as other housing needs.'

The CLPKP goes on to say in Paragraph 17.32: 'In partnership with the Coastal West Sussex Authorities and the South Downs National Park Authority (SDNPA), with support from West Sussex County Council, a Coastal West Sussex Authority Gypsy and Traveller and Travelling Showpeople Assessment (GTAA) (2012/13). The GTTA has identified a need for Chichester to

provide a total of 59 pitches for Gypsies and Travellers and 18 plots for Travelling Showpeople during the plan period as set out in the table below.

Table 17.1 Pitch and Plot Provision required in the Plan Area to accommodate Gypsies and Travellers

2012-2017	2018/2022	2023/2027			
Public	Private	Public	Private	Public	Private
17	20	5	6	5	6

Table 17.2 Plot Provision in the Plan Area to accommodate Travelling Showpeople

2012-2017	2018-2022	2023-2027
11	3	4

Policy 36

Planning for Gypsies, Travellers and Travelling Showpeople, (CLPKP Policy 36, pages 169-170). The Gypsy and Traveller and Travelling Showpeople Assessment (2013) (Phase 1) identifies the potential need for permanent pitches and plots for the period 2012 to 2027 as:

- 59 additional permanent residential Gypsy and Traveller pitches of which 37 pitches are required before 2017; and
- 18 additional plots for Travelling Showpeople, of which 11 are required before 2017.

Where there is a shortfall in provision, sites will be allocated within the Site Allocation DPD. The Council's annual monitoring will ensure provision is provided at the appropriate time. The requirement of Policy 36 that specifies 37 pitches and 1 plots be provided by 2017, has now been achieved.

In the Chichester Local Plan area the number of pitches for gypsies and travellers granted planning permission since September 2012, which is the base date of the GTAA, is 54 (including four personal permissions) whilst the number of plots for travelling showpeople granted planning permission is 17. There remains, therefore, a current requirement to provide a further five gypsy and traveller pitches and one travelling showperson plot for the period 2023-27.

In a recent meeting with the Head of Planning at CDC, he confirmed to those present that sufficient sites have been granted for Travelling Showpeople plots to satisfy the identified requirement and stated need until 2022 and no more are immediately required. CDC has recently confirmed that a further five Gypsy and Traveller sites are required to satisfy the identified and stated need until 2029. It was also noted that there are several GTTS site appeals currently in the pipeline, and should any of these succeed, they would fill the current shortfall of the three Gypsy and Traveller sites. He also stated that the long-awaited Gypsy and Traveller and Travelling Showpeople Site Allocation DPD is likely to be approved and in use before 2020. Given that it is acknowledged that Westbourne already houses a disproportionate number of GTTSP sites, it is unlikely that the DPD would allocate any more to the Parish.

The Westbourne Neighbourhood Plan (WNP) will be formally submitted to CDC in March 2017 and should proceed to referendum in the autumn of 2017, and become part of statutory planning law in early 2018. The WNP will introduce a community balance policy which aims to calm any further excessive proliferation of the inappropriate siting of plots and pitches.

As the requisite CLPKP plot and pitch requirement up to 2027 has been achieved, that the DPD will be in use by 2020 to determine where sites are allocated, and that the WNP will be made by 2018, it is clear that any further GTSSP approvals at this time are wholly premature and should be resisted.

Other germane points of note within Policy 36 include:

3. Be able to achieve a reasonable level of visual and acoustic privacy for both people living on the site and for those living nearby. The site will provide an acceptable level of amenity for the proposed residents and will not have an unacceptable level of impact on the residential amenity of the neighbouring dwellings.
4. Not compromise the essential features of nationally designated areas of landscape, historical or nature conservation protection;
6. That in rural and semi-rural areas sites should not dominate the nearest settled community.

1.5 Westbourne's Neighbourhood Plan

The Westbourne Neighbourhood Plan has passed through extensive consultation and reflects the wishes of the residents of the Parish. Those residents have responded that they wish to protect the Cemetery and its setting by nominating it as a Local Green Space, and that they object to the balance of the settled and travelling communities being disrupted by speculative and, in most cases, inappropriate GTTSP applications being granted. They have nominated the area around the proposal (both north and south) as a Local Gap and have nominated Cemetery Lane as Biodiversity Corridor.

The Neighbourhood Plan includes a Community Balance Policy, which aims to ensure that future development within the Parish supports new, better-paid and diverse employment opportunities, provides the homes needed for those who live and work in the Parish on low incomes, and maintains and evolves the services they rely on. As part of the Community Balance Policy, any new proposals for GTTSP pitches and plots within the Neighbourhood Plan area will be considered in accordance with Policy 36 of the Chichester Local Plan: Key Policies and any proposal must demonstrate that the current balance between the various sectors of the local community will be retained.

CDC's Environmental Department has identified Cemetery Lane as an important bat network, and has supplied the Parish Council with an ecological map showing this important bat corridor. The Environmental Officer also noted that Buffer birds are in need of protection along Cemetery Lane.

Please see further information about the Neighbourhood Plan at www.westbournepc.org

1.6 The Cemetery: A non-designated heritage asset

The area of the Cemetery and its Heritage setting is allocated and protected as a local green space. The cemetery is very important to Westbourne residents, to the families whose loved ones have been laid to rest there and to visitors to the area. It is classified in Chichester District Council's Historic Environment Register as a non-designated heritage asset.

Chichester District Council has previously assessed the site, observing: 'Heritage: There is particular concern about the effect of the increased activity, noise and disturbance on the setting of the adjacent cemetery with its chapel, considered to be a non-designated heritage asset. The significance of this asset has been considered at appeal (PINS: 13/2205297, LPA: 12/04779/FUL) in relation to an adjacent site for residential development. With reference to English Heritage guidance on setting, this envelope goes beyond physical proximity and visual interaction to encompass considerations of the surrounding landscape character, tranquillity and experience of the asset. Of particular concern is the level of activity and traffic movement. While the former use of the site for army accommodation is noted, the site has not been intensively used for many years. This proposal not only retains the existing industrial use but would provide accommodation for up to 12 families where there is currently only equestrian grazing. The intensification of the use of the site is material, as is the associated activity, including vehicle (cars, trailers, HGVs and other large commercial vehicles) movements using this relatively narrow rural lane as the primary route between the village and site and travel further afield. These effects will be in addition to the existing impacts caused by the larger WSCC run site and existing use of the lane. These changes to setting are likely to be harmful to the quality of people's experience, appreciation and interaction with the asset, which at present is one of quiet serenity befitting a place of rest, reflection and serenity in an historic rural setting. The effects of this have not been satisfactorily considered by the applicant.'

Please also see the report from Dr Ian Wightman, written on behalf of Chichester District Council for planning appeal APP/L3815/A/13/2205297, which outlines further details about the Cemetery as a non-designated heritage asset. This is available at www.westbournepc.org.

1.7 Community Infrastructure Levy (CIL)

The Parish Council is concerned that GTTSP mobile homes are exempt from CIL payments. By continuing to grant permissions for so many GTTSP sites, a burden is being placed on the residents of Westbourne in terms of doctor's appointments, school places, or available parking in an already congested village. In addition, residents of the Parish will incur greater expense as a result of the increased maintenance of Cemetery Lane, a private and unadopted road, due to the associated increases in traffic, particularly given the size and weight of caravans and showman rigs. In addition to local residents, visitors to the cemetery use this road as well as funeral corteges

and the additional traffic and disturbance has an impact upon them.

1.8 Current enforcement issues at Cemetery Lane

Chichester District Council's Enforcement Team provides a monthly log of all outstanding enforcement issues to the Parish Council. Currently, there are six issues relating to the GTTSP community at Cemetery Lane, Westbourne.

Enforcement reference: 13/00163/CONWST. The Old Army Camp, Cemetery Lane. Use of land for the storage of waste and stationing of a caravan. Part of the site has planning permission for 4 no. travelling showpeople's pitches.

Building A (north end) - planning permission for storage of rides and equipment
WE/09/00091/FUL.

Building B (middle) - previous planning consent was for aluminium and fibre glass boat building
WE/46/87

Building C (south end) - temporary permission for parking and storage of motor vehicles and civil engineering plant WE/88/80 - this lapsed in 1986. Since then it was used for unauthorised recycling of inert waste

As of 28/10/16, a site visit showed a mixed use taking place: motor vehicle storage and repair, contractor's yard, transfer of hardcore and topsoil, storage of portable buildings and storage of building materials. The landowner was on site and claims that the uses have permission. He will consult a planning agent and meet with officers to discuss the planning history and extant permissions.

As of 31/10/16, contact with planning agent made and they say an application will be made.

17/11/16: email from agent who is reviewing the planning history for the site prior to making an application. The agent has advised that the landowner is on holiday until second week of January.

Please note, that the Parish Council referred the Enforcement Team to an appeal in 2000 Appeal A, B, C no. 99/1034553, 1032149 and 1030237 which required the use for vehicles etc. to cease operation and remove them returning it to the countryside setting. All of the above activity has happened in the last 12 months, and has involved much destruction of the local area, and removal of trees and ancient hedgerow.

Enforcement reference: 16/00022/CONENG. The Old Army Camp, Cemetery Lane. Engineering operations. As above.

Enforcement reference: 16/00070/CONTRAV. The Old Army Camp, Cemetery Lane. Stationing of caravan on the land.

The creation of a further plot is noted and is the subject of a revised application awaiting validation under 16/03454/COU.

Enforcement reference: 16/00191/CONCOU. The Old Army Camp, Cemetery Lane. Change of

use to tarmac contractor. Planning application to be submitted.

Westbourne Parish Council would like to add that this enforcement investigation relates to one of the five gypsy/traveller pitches at Land West of Harwood, Cemetery Lane (WE/14/01217/FUL) which was approved by the Planning Inspectorate at appeal, having previously been refused by CDC and objected to by the Parish Council. Instead of being used under its granted permission of a gypsy/traveller, it is being used by a tarmac contractor, Funnell and Howard, who have been operating illegally and without permission from the site for some time, and who is employed by West Sussex County Council's Highway's department through its contract with Balfour Beatty. Although CDC say that a planning application for change of use has been received, this has not yet been made available to the public or Parish Council.

Enforcement reference: 16/00242/CONBC. The Old Army Camp, Cemetery Lane. Food lights. To be included in planning application for use of land as a HGV contractor's yard.

Enforcement reference: 16/00364/CONBC. The Old Army Camp, Cemetery Lane. Stationing of 6 MHs on one pitch and occupation of the land. 22/12/16 application 16/03656/FUL received - change of use of land to 4 no. showperson's plots, 2 no. gypsy pitches inc 2 no. amenity buildings with associated access and landscaping works.

This site was granted permission for a single travelling showperson in 2016 as part of application WE/15/04086/FUL. It is now being used for six mobile homes which do not even form part of the new planning application WE/16/03656/FUL. There has been no enforcement action to remove the mobile homes and return the site for its current or proposed purpose.

In addition to the above list, the Parish Council reported the following issues to the Enforcement Team.

- There is the static caravan put there by Mr Green (WE/01078/COU), and in the paddock attached to the traveling showman plots is another static caravan with someone living in it. (Currently subject of an appeal).
- There is a further static caravan on the field at the northern part of the Old Army Camp which is occupied.
- There is often an acrid smell of burning rubber coming from The Old Army Camp, Cemetery Lane.

Chichester Local Plan Key Policies breaches in policies 1, 2, 3, 7, 9, 40, 45, 47, 48, 49, 52 and 54. See below

CLPKP Policy 1 Sustainable Development

The site is outside a settlement boundary and outside the considered area to be Sustainable see the Neighbourhood Plan Isochrones used on local facilities.

NPPF:

In order to fulfil its purpose of helping achieve sustainable development, planning must not simply be about scrutiny. Planning must be a creative exercise in finding ways to enhance and improve

the places in which we live our lives.

This should be a collective enterprise. Yet, in recent years, planning has tended to exclude, rather than to include, people and communities. In part, this has been a result of targets being imposed, and decisions taken, by bodies remote from them

Rt Hon Greg Clark MP Minister for Planning

The National Planning Policy Framework sets out the Government's planning policies for England and how these are expected to be applied.¹ It sets out the Government's requirements for the planning system only to the extent that it is relevant, proportionate and necessary to do so. It provides a framework within which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities

The UK Sustainable Development Strategy Securing the Future set out five 'guiding principles' of sustainable development: living within the planet's environmental limits; ensuring a strong, healthy and just society.

an economic role - contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure

a social role - supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and

an environmental role - contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy

not simply be about scrutiny, but instead be a creative exercise in finding ways to enhance and improve the places in which people live their lives

conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations;

So, not a sustainable development site

CLPKP Policy 2 states; Development Strategy and Settlement Hierarchy
Settlement Boundaries;

There is a presumption in favour of sustainable development within the Settlement Boundaries which will be reviewed through the preparation of Development Plan Documents and/or Neighbourhood Plans, reflecting the following general approach:

1. Respecting the setting, form and character of the settlement;
2. Avoiding actual or perceived coalescence of settlements; and
3. Ensuring good accessibility to local services and facilities.

Rest of the Plan Area: Small villages, hamlets, scattered development and countryside

Development in the Rest of the Plan Area outside the settlements listed above is restricted to that

which requires a countryside location or meets an essential local rural need or supports rural diversification in accordance with Policies 45-46.

This does not fit that criteria

CLPKP Policy 3 The Economy and Employment Provision

Supporting and promoting a high-quality tourism economy (see Policy 30);

Who is going to want to come to Westbourne on Holiday with such a large growing encampment.

CLPKP Policy 7 Master planning Strategic Development

Incorporate high standards of urban design and architecture that respects the character of the landscape, heritage, adjacent and nearby settlements and built development, reflecting the urban to rural transition with appropriate boundary treatment;

This isn't happening

Create a strong sense of place, ensuring the proposed development makes a positive contribution to local character and distinctiveness;

No positive contribution.

Plan for integrated development, providing for a mix of housing that addresses the range of local housing needs, and encourages community cohesion;

These applications are causing Isolation not integration

Include measures to mitigate the traffic impacts of the proposed development on the strategic and local road networks.

Serious increase in levels of inappropriate traffic through the narrow country Lanes

Demonstrate a good understanding and respect for the natural environment, its heritage assets and their setting both within the site and in the wider locality, whether designated or not, and include details of how the natural environment and heritage assets will be preserved, conserved and enhanced

These are having a serious effect on natural environment and the heritage asset, 'The Cemetery'

CLPKP Policy 9 Development and Infrastructure Provision

Provide or fund new infrastructure, facilities or services required, both on and off-site, as a consequence of the proposal;

No funding been made available to improve any services as a result.

Mitigate the impact of the development on existing infrastructure, facilities or services;

Fund or contribute to improvements to increase the effectiveness and efficiency of infrastructure, facilities or services; and

Provide for the future maintenance of infrastructure, facilities or services provided as a result of the development.

Nice but not happening

CLPKP Policy 40 Sustainable Design and Construction

1. How the proposal aims to protect and enhance the environment, both built and natural. Where this is not possible, how any harm will be mitigated

2. The proposals include measures to adapt to climate change, such as the provision of green infrastructure, sustainable urban drainage systems, suitable shading of pedestrian routes and open spaces and drought resistant planting/landscaping
 3. The historic and built environment, open space, and landscape character will be protected and enhanced
 4. The natural environment and biodiversity will be protected and/or where appropriate provision will be made for improvements to biodiversity areas and green infrastructure;
 5. The development is appropriate and sympathetic in terms of scale, height, appearance, form, siting and layout and is sensitively designed to maintain the tranquillity and local character and identity of the area;
- Have any of these been taken into account or implemented? No

CLPKP Policy 45 Development in the Countryside

Planning permission will be granted for sustainable development in the countryside where it can be demonstrated that all the following criteria have been met:

1. The proposal is well related to an existing farmstead or group of buildings, or located close to an established settlement;
2. The proposal is complementary to and does not prejudice any viable agricultural operations on a farm and other existing viable uses; and
3. Proposals requiring a countryside setting, for example agricultural buildings, ensure that their scale, siting, design and materials would have minimal impact on the landscape and rural character of the area.

None of the above apply so should be refused

CLPKP Policy 47 Heritage and Design

The proposal conserves and enhances the special interest and settings of designated and non-designated heritage assets

No, it doesn't its wrecking the peace and tranquillity and beautiful setting of the Heritage asset of the Cemetery

Development respects distinctive local character and sensitively contributes to creating places of a high architectural and built quality

Again, no it doesn't

CLPKP Policy 48 Natural Environment

Has to show; There is no adverse impact on:

- The openness of the views in and around the coast, designated environmental areas and the setting of the South Downs National Park; and
- The tranquil and rural character of the area.

Yes, there is an impact so can be refused.

Development recognises distinctive local landscape character and sensitively contributes to its setting and quality

Does not contribute to the setting in fact is destroying that setting

The individual identity of settlements, actual or perceived, is maintained and the integrity of predominantly open and undeveloped land between settlements is not undermined.

The individual identity of Woodmancote is being compromised.

The Gap between Westbourne and Woodmancote is being seriously eroded.

CLPKP Policy 49 Biodiversity

1. The biodiversity value of the site is safeguarded;
2. Demonstrable harm to habitats or species which are protected or which are of importance to biodiversity is avoided or mitigated;
3. The proposal has incorporated features that enhance biodiversity as part of good design and sustainable development;
4. The proposal protects, manages and enhances the District's network of ecology, biodiversity and geological sites, including the international, national and local designated sites (statutory and non-statutory), priority habitats, wildlife corridors and stepping stones that connect them;
5. Any individual or cumulative adverse impacts on sites are avoided;

ALL Above is being compromised

CLPKP Policy 52 Green Infrastructure

1. The proposals maintain and where appropriate contribute to the network of green infrastructure i.e. public and private playing fields, recreational open spaces, parklands, allotments and water environments;
2. The proposals contribute to improving the health and well-being of the local and wider community;
3. Where appropriate, the proposals incorporate either improvements to existing green infrastructure or the restoration, enhancement or creation of additional provision/areas;
4. Where appropriate, the proposals incorporate either improvements to existing ecology and biodiversity or the restoration, enhancement or creation of additional habitat and habitat networks;
5. Where appropriate, the proposals incorporate either improvements to existing trees, woodland, landscape features and hedges or the restoration, enhancement or creation of additional provision/areas;
6. Where appropriate, the proposals create new green infrastructure either through on site provision or financial contributions. Where on-site provision is not possible financial contributions will be required and be negotiated on a site by site basis; and
7. The proposals do not lead to the dissection of the linear network of cycleways, public rights of way, bridleways and ecological corridors such as ancient woodlands, hedgerows, ditches and water environments.

Such provision will be required in accordance with adopted policies and strategies relating to green infrastructure and biodiversity network provision. Development that will harm the green infrastructure network will only be granted if it can incorporate measures that avoid the harm arising or sufficiently mitigate its effects.

None of the above have been met, the green infrastructure is being destroyed

CLPKP Policy 54 Open Space, Sport and Recreation

New residential development (excluding replacement dwellings) will be required to contribute towards:

1. The creation of new open space, sports and recreation facilities; and/or
2. Improving the quality and/or accessibility of existing open space or indoor facilities

None forthcoming -destruction of local amenity of quiet walks in the countryside.

Sure there are more breaches but Planning must know them

17/03454/COU: Change of use of land to a private gypsy and traveller caravan site consisting of 2 no. pitches, each would comprise 1 no. mobile home, 1 no. touring caravan, 1 no. utility building and associated works. Mr Green, land adjacent to Westbourne Gypsy Site, Cemetery Lane, Woodmancote.

Westbourne Parish Council objects to the above planning application. The Council represents the views of the local community and aims to respond objectively to planning applications to ensure that development in the Parish is both appropriate and in keeping with the local area.

1.1 Application contrary to the PPTS and the CLPKP

The planning policy for traveller sites in the Chichester District Council (CDC) area is set out in the DCLG's National Planning Policy Framework (NPPF), more specifically in the DCLG's Planning Policy for Traveller Sites (PPTS) and in CDC's Chichester Local Plan Key Policies (CLPKP), Policy 36. The Parish Council believes that the above application is contrary to the aims and objectives of the PPTS in several respects.

In Paragraph 3 of the introduction, it states: *'The Government's overarching aim is to ensure fair and equal treatment for travellers, in a way that facilitates the traditional and nomadic way of life of travellers while respecting the interests of the settled community.'* The recent rapid proliferation of traveller sites in the small hamlet of Woodmancote (41 traveller sites, 100 houses) and the destruction of the rural setting does not respect the interests of the settled community; it intimidates.

In Paragraph 4 of the introduction, it states: *'To help achieve this, Government's aims in respect of traveller sites are:*

i. 'to reduce tensions between settled and traveller communities in plan-making and planning decisions.' Tensions between settled and traveller communities have increased dramatically as has anti-social behaviour.

j. 'to enable provision of suitable accommodation from which travellers can access education, health, welfare and employment infrastructure.' The infrastructure is creaking. No primary school places are available, the school is full. The possibility of a doctor's appointment remote.

k. 'for local planning authorities to have due regard to the protection of local amenity and local environment.' The traditional rural setting of Cemetery Lane, with its special biodiversity, ancient hedgerows and prized heritage asset, is rapidly being destroyed by the urbanisation of the ground works associated with these two sites.

In Paragraph 14 of Policy C: Sites in Rural Areas and the Countryside, it states: *'14: When assessing the suitability of sites in rural or semi-rural settings, local planning authorities should ensure that the scale of such sites does not dominate the nearest settled community.'* The traveller community has now come to dominate the settled community.

In Paragraph 24 of Policy H: Determining Planning Applications for Traveller Sites, it states: *'Local planning authorities should consider the following amongst other relevant matters when considering planning applications for traveller sites. A) the*

existing level of local provision and need for sites.' As outlined below (in 1.4 of CDC's site allocation requirements) the requisite amount of required sites identified by the CLPKP has been filled, and no more sites are required before the gypsy/traveller/travelling showpersons (GTTSP) site allocation Development Plan Document (DPD) comes into force. On a need basis, these are clearly not required at this stage as there is already a permission, granted at appeal, for five gypsy and traveller pitches on a nearby site which have not even started to be developed yet. This application appears to be no more than a speculative development for gain; not for need.

In Paragraph 25 of Policy H: Determining Planning Applications for Traveller Sites, it states: *'Local planning authorities should very strictly limit new traveller site development in open countryside that is away from existing settlements or outside areas allocated in the development plan. Local planning authorities should ensure that sites in rural areas respect the scale of, and do not dominate, the nearest settled community, and avoid placing an undue pressure on the local infrastructure.'* The site is outside the area allocated in the Development Plan and the emerging Neighbourhood Plan. The sheer scale, and the constant expansion, of this site will dominate the nearest settled community, - it does already; it should never have been allowed to reach the proportions or the scale that it has today. There are no proposals in the pipeline to assist with the undue pressure Westbourne's infrastructure is now under. Primary school full, doctor's appointments simply a lottery dream, traffic ever increasing and the private Cemetery Lane disintegrating, anti-social behaviour rocketing, and policing to control it, slashed.

1.2 Increase in gypsy/traveller/travelling showpersons in Westbourne

The amount of new GTTSP plots and pitches have become a matter of great concern for parishioners; indeed it was the number one issue stated in the Parish Council's Neighbourhood Plan consultations. The Parish Council has come to believe that CDC and The Planning Inspectorate is failing to give the Parish the support it needs in maintaining an appropriate balance between the GTTSP community and the Parish's settled community.

For many years, the settled residents of Westbourne lived in harmony with the GTTSP community, centred predominantly on Cemetery Lane, who in the main assimilated well and contributed to the Parish. The site was opened by West Sussex County Council in 1979 and the numerical balance of the settled and GTTSP communities, up until 2013, worked reasonably well and there was little friction between the two.

Since 2013, the GTTSP community has more than doubled as a result of granted permissions, and/or failures to enforce, or as a result of unannounced changes to previously stated CDC policies. In 2013 there were 19 pitches and plots in the Parish; now there are in excess of 40. Westbourne now houses 25% of all the pitches and plots in the entire Chichester District Council area, and the increase in granted permissions has more than doubled in the last three years. The friction between the settled and GTTSP communities has increased, with both anecdotal and reported occurrences of trouble, intimidation, traffic and general incidents, all of which have risen alarmingly; and this is exacerbated by the recent withdrawal, as a

result of financial cuts, of a dedicated PCSO service to police the escalating situation.

It is of great concern that CDC does not have a DPD in place to distribute GTTSP pitches and plots equally across the District. As a result, Westbourne has suffered disproportionately compared to other parishes. The Parish Council considers that, as a result of lax site assessment of applications and lacklustre enforcement, the GTTSP community have come to regard Westbourne as a 'soft touch' for gaining permission (much of it by stealth, and/or illegal occupation and subsequent appeal). The Parish Council has spoken to the GTTSP community about this over the last few years and they readily confirm it. It should be noted that a gypsy/traveller pitch in Westbourne now changes hands for around £100,000. With that sort of incentive, and with no chance of defending speculative applications, it is not surprising that Westbourne is becoming inundated. The vast majority of other local planning authorities and district councils continued and completed their DPDs during and after the change in definition, however Chichester abandoned theirs. Chichester's Cabinet briefing notes predicted this exact outcome and yet CDC continued without putting in place any defensive measure or mitigation for the predicted consequences for this Parish. The Parish Council is currently challenging CDC's Chief Executive, Diane Shepherd, on this matter, and her claim of an 'unfortunate consequence' and 'no specific targeting of Westbourne' rings very hollow when it was CDC that stripped the Parish Council of any ammunition to defend itself with.

The development is adding to the urbanisation of the rural area. The pitches and ancillary works would be located in an area of countryside outside a defined settlement boundary where development is restricted to that which requires a countryside location. This is not a development that requires a countryside location, does not meet an essential local rural need, and does not support rural diversification. The site is adjacent to a large established gypsy and traveller site comprising 19 pitches and an existing travelling show persons plot, with approval granted for an additional pitch to the east. The provision of additional pitches and plots on the periphery of the hamlet of Woodmancote and the modest and historic village of Westbourne is considered unacceptable. The cumulative provision would dominate the existing settled community and give rise to increased social tension both with the settled community and between occupiers on the application site and neighbouring sites. The site is located within the 5.6km zone of influence of the Chichester and Langstone Harbours Special Protection Area where it has been identified that the net increase in residential development results in significant harm to those areas of nature conservation due to the increased recreational disturbance. The Parish Council does not consider that the applicant has made sufficient mitigation against such an impact.

The Parish Council hopes that Chichester District Council will recognise the many mistakes that have been made in the planning process for Cemetery Lane, which are a huge concern for Westbourne, and that it will take on board these concerns, raised by the local community, when reaching its final decision. The approval of so many GTTSP pitches and plots in Westbourne is placing a burden on the local community and Parish Council, who are both powerless to prevent further development and consequent enforcement of breaches of planning permission.

1.3 GTTSP pitches and plots in Westbourne Parish

Gypsy and travellers				
Application No.	Site	CDC Decision	Pitches/ Plots	Comment
WE/78/00008 WE/07/02873/CPO	The Old Army Camp, Cemetery Lane, Woodmancote	Permit	19	HSSA site plus 2 new transit pitches
WE/13/03787/FUL	Land West of Hopedene, Common Road	Permit	12	
WE/14/04206/FUL	Land North of recreation ground, Monk's Hill, Westbourne	Refuse	1	Parish Council objection. Allowed at Appeal.
WE/14/01217/FUL	Land West of Harwood, Cemetery Lane, Woodmancote	Refuse	5	Parish Council objection. Allowed at Appeal.
Travelling Showpeople				
WE/05/00756/FUL	Ten Acres, Cemetery Lane	Permit	1	
WE/15/04086/FUL	The Old Army Camp, Cemetery Lane	Permit	4	Parish Council objection
Total: 42 pitches/plots				

Applications outstanding for determination

Reference	Site	Pitches/plots	Comment
APP/L3815/W/16/3157057	The Meadow, Cemetery Lane, Woodmancote	1	Parish Council objection
WE/15/03965/FUL	The Woodlands, Marlpit Lane, Hambrook	1 (serves dual purpose of providing both a gypsy/traveller and travelling showperson's site)	Parish Council objection
WE/16/03656/FUL	The Old Army Camp, Cemetery Lane, Woodmancote	4 travelling showmen, (2 statics on each plot) and 2 gypsy/traveller	Parish Council objection
WE/17/03454/COU	Land adjacent to Westbourne	2 gypsy/traveller pitches each	Parish Council objection

4. Westbourne Parish Council's objection to WE/16/03656/FUL

	Gypsy Site, Cemetery Lane, Woodmancote	with 1 mobile home, 1 touring caravan and 1 utility building and associated works	
Total: 10 pitches/plots			

If the applications outstanding for determination are approved, the total number of GTTSP pitches/plots in the Parish of Westbourne would be well in excess of 50.

1.4 CDC's site allocation requirements

CDC area Planning for Gypsies, Travellers and Travelling Showpeople is set out in Policy 36 of the CLPKP. This Policy links to the strategic objectives 3.20 - 3.23, (CLPKP pages 28-29) Objective 3.21 states: *'Support neighbourhoods to build and maintain community spirit and help shape the area in which they live. Promote the development of mixed, balanced and well-integrated communities. Maintain low levels of crime and disorder, improve community safety and work to reduce anti-social behaviour.'*

The Parish of Westbourne comprises three very distinct and separate settlements, namely the village of Westbourne and the two hamlets of Wodmancote to the east and Aldsworth to the north which is situated in the South Downs National Park. All the GTTSP sites but one in the Parish are located in Woodmancote, a settlement of 100-odd houses and a hamlet which is not considered sustainable by the planning department and therefore unable to accommodate any additional residential housing. It is this small community that has borne the entire brunt of GTTSP sites to 41. In the same period, not one single residential house has been granted planning permission or built, despite several applications being made. This explosion is clearly at odds with the CDC Objective 3.21 which states: *'Promote the development of mixed, balanced and well-integrated communities. Maintain low levels of crime and disorder, improve community safety and work to reduce anti-social behaviour'*, and is clearly at odds with Paragraph 17.31 *'Government guidance indicates that councils should assess and meet Gypsy, Traveller and Travelling Showpeople's housing needs in the same way as other housing needs.'*

The CLPKP goes on to say in Paragraph 17.32: *'In partnership with the Coastal West Sussex Authorities and the South Downs National Park Authority (SDNPA), with support from West Sussex County Council, a Coastal West Sussex Authority Gypsy and Traveller and Travelling Showpeople Assessment (GTAA) (2012/13). The GTTA has identified a need for Chichester to provide a total of 59 pitches for Gypsies and Travellers and 18 plots for Travelling Showpeople during the plan period as set out in the table below.'*

Table 17.1 Pitch and Plot Provision required in the Plan Area to accommodate Gypsies and Travellers

2012-2017		2018/2022		2023/2027	
Public	Private	Public	Private	Public	Private
17	20	5	6	5	6

5. Westbourne Parish Council's objection to WE/16/03656/FUL

<i>Table 17.2 Plot Provision in the Plan Area to accommodate Travelling Showpeople</i>	<i>2012-2017</i>	<i>2018-2022</i>	<i>2023-2027</i>
	11	3	4

Policy 36

Planning for Gypsies, Travellers and Travelling Showpeople, (CLPKP Policy 36, pages 169-170).

The Gypsy and Traveller and Travelling Showpeople Assessment (2013) (Phase 1) identifies the potential need for permanent pitches and plots for the period 2012 to 2027 as:

- 59 additional permanent residential Gypsy and Traveller pitches of which 37 pitches are required before 2017; and
- 18 additional plots for Travelling Showpeople, of which 11 are required before 2017.

Where there is a shortfall in provision, sites will be allocated within the Site Allocation DPD. The Council's annual monitoring will ensure provision is provided at the appropriate time. The requirement of Policy 36 that specifies 37 pitches and 1 plots be provided by 2017, has now been achieved.

In the Chichester Local Plan area the number of pitches for gypsies and travellers granted planning permission since September 2012, which is the base date of the GTAA, is 54 (including four personal permissions) whilst the number of plots for travelling showpeople granted planning permission is 17. There remains, therefore, a current requirement to provide a further five gypsy and traveller pitches and one travelling showperson plot for the period 2023-27.

In a recent meeting with the Head of Planning at CDC, he confirmed to those present that sufficient sites have been granted for Travelling Showpeople plots to satisfy the identified requirement and stated need until 2022 and no more are immediately required. CDC has recently confirmed that a further five Gypsy and Traveller sites are required to satisfy the identified and stated need until 2029. It was also noted that there are several GTTS site appeals currently in the pipeline, and should any of these succeed, they would fill the current shortfall of the three Gypsy and Traveller sites. He also stated that the long-awaited Gypsy and Traveller and Travelling Showpeople Site Allocation DPD is likely to be approved and in use before 2020. Given that it is acknowledged that Westbourne already houses a disproportionate number of GTTSP sites, it is unlikely that the DPD would allocate any more to the Parish.

The Westbourne Neighbourhood Plan (WNP) will be formally submitted to CDC in March 2017 and should proceed to referendum in the autumn of 2017, and become part of statutory planning law in early 2018. The WNP will introduce a community balance policy which aims to calm any further excessive proliferation of the inappropriate siting of plots and pitches.

As the requisite CLPKP plot and pitch requirement up to 2027 has been achieved, that the DPD will be in use by 2020 to determine where sites are allocated, and that the WNP will be made by 2018, it is clear that any further GTSSP approvals at this time are wholly premature and should be resisted.

Other germane points of note within Policy 36 include:

- 3. Be able to achieve a reasonable level of visual and acoustic privacy for both people living on the site and for those living nearby. The site will provide an acceptable level of amenity for the proposed residents and will not have an unacceptable level of impact on the residential amenity of the neighbouring dwellings.*
- 4. Not compromise the essential features of nationally designated areas of landscape, historical or nature conservation protection;*
- 6. That in rural and semi-rural areas sites should not dominate the nearest settled community.*

1.5 Westbourne's Neighbourhood Plan

The Westbourne Neighbourhood Plan has passed through extensive consultation and reflects the wishes of the residents of the Parish. Those residents have responded that they wish to protect the Cemetery and its setting by nominating it as a Local Green Space, and that they object to the balance of the settled and travelling communities being disrupted by speculative and, in most cases, inappropriate GTTSP applications being granted. They have nominated the area around the proposal (both north and south) as a Local Gap and have nominated Cemetery Lane as Biodiversity Corridor.

The Neighbourhood Plan includes a Community Balance Policy, which aims to ensure that future development within the Parish supports new, better-paid and diverse employment opportunities, provides the homes needed for those who live and work in the Parish on low incomes, and maintains and evolves the services they rely on. As part of the Community Balance Policy, any new proposals for GTTSP pitches and plots within the Neighbourhood Plan area will be considered in accordance with Policy 36 of the Chichester Local Plan: Key Policies and any proposal must demonstrate that the current balance between the various sectors of the local community will be retained.

CDC's Environmental Department has identified Cemetery Lane as an important bat network, and has supplied the Parish Council with an ecological map showing this important bat corridor. The Environmental Officer also noted that Buffer birds are in need of protection along Cemetery Lane.

Please see further information about the Neighbourhood Plan at www.westbournepc.org

1.6 The Cemetery: A non-designated heritage asset

The area of the Cemetery and its Heritage setting is allocated and protected as a local green space. The cemetery is very important to Westbourne residents, to the families whose loved ones have been laid to rest there and to visitors to the area. It is classified in Chichester District Council's Historic Environment Register as a non-designated heritage asset.

Chichester District Council has previously assessed the site, observing: *'Heritage: There is particular concern about the effect of the increased activity, noise and disturbance on the setting of the adjacent cemetery with its chapel, considered to be a non-designated heritage asset. The significance of this asset has been considered at appeal (PINS: 13/2205297, LPA: 12/04779/FUL) in relation to an adjacent site for residential development. With reference to English Heritage guidance on setting, this envelope goes beyond physical proximity and visual interaction to encompass considerations of the surrounding landscape character, tranquillity and experience of the asset. Of particular concern is the level of activity and traffic movement. While the former use of the site for army accommodation is noted, the site has not been intensively used for many years. This proposal not only retains the existing industrial use but would provide accommodation for up to 12 families where there is currently only equestrian grazing. The intensification of the use of the site is material, as is the associated activity, including vehicle (cars, trailers, HGVs and other large commercial vehicles) movements using this relatively narrow rural lane as the primary route between the village and site and travel further afield. These effects will be in addition to the existing impacts caused by the larger WSCC run site and existing use of the lane. These changes to setting are likely to be harmful to the quality of people's experience, appreciation and interaction with the asset, which at present is one of quiet serenity befitting a place of rest, reflection and serenity in an historic rural setting. The effects of this have not been satisfactorily considered by the applicant.'*

Please also see the report from Dr Ian Wightman, written on behalf of Chichester District Council for planning appeal APP/L3815/A/13/2205297, which outlines further details about the Cemetery as a non-designated heritage asset. This is available at www.westbournepc.org.

1.7 Community Infrastructure Levy (CIL)

The Parish Council is concerned that GTTSP mobile homes are exempt from CIL payments. By continuing to grant permissions for so many GTTSP sites, a burden is being placed on the residents of Westbourne in terms of doctor's appointments, school places, or available parking in an already congested village. In addition, residents of the Parish will incur greater expense as a result of the increased maintenance of Cemetery Lane, a private and unadopted road, due to the associated increases in traffic, particularly given the size and weight of caravans and showman rigs. In addition to local residents, visitors to the cemetery use this road as well as funeral corteges and the additional traffic and disturbance has an impact upon them.

1.8 Current enforcement issues at Cemetery Lane

Chichester District Council's Enforcement Team provides a monthly log of all outstanding enforcement issues to the Parish Council. Currently, there are six issues relating to the GTTSP community at Cemetery Lane, Westbourne.

Enforcement reference: 13/00163/CONWST. The Old Army Camp, Cemetery Lane. Use of land for the storage of waste and stationing of a caravan. Part of the site has planning permission for 4 no. travelling showpeople's pitches.

Building A (north end) – planning permission for storage of rides and equipment WE/09/00091/FUL.

Building B (middle) – previous planning consent was for aluminium and fibre glass boat building WE/46/87

Building C (south end) – temporary permission for parking and storage of motor vehicles and civil engineering plant WE/88/80 – this lapsed in 1986. Since then it was used for unauthorised recycling of inert waste

As of 28/10/16, a site visit showed a mixed use taking place: motor vehicle storage and repair, contractor's yard, transfer of hardcore and topsoil, storage of portable buildings and storage of building materials. The landowner was on site and claims that the uses have permission. He will consult a planning agent and meet with officers to discuss the planning history and extant permissions.

As of 31/10/16, contact with planning agent made and they say an application will be made.

17/11/16: email from agent who is reviewing the planning history for the site prior to making an application. The agent has advised that the landowner is on holiday until second week of January.

Please note, that the Parish Council referred the Enforcement Team to an appeal in 2000 Appeal A, B, C no. 99/1034553, 1032149 and 1030237 which required the use for vehicles etc. to cease operation and remove them returning it to the countryside setting. All of the above activity has happened in the last 12 months, and has involved much destruction of the local area, and removal of trees and ancient hedgerow.

Enforcement reference: 16/00022/CONENG. The Old Army Camp, Cemetery Lane. Engineering operations. As above.

Enforcement reference: 16/00070/CONTRAV. The Old Army Camp, Cemetery Lane. Stationing of caravan on the land.

The creation of a further plot is noted and is the subject of a revised application awaiting validation under 16/03454/COU.

Enforcement reference: 16/00191/CONCOU. The Old Army Camp, Cemetery Lane. Change of use to tarmac contractor. Planning application to be submitted.

Westbourne Parish Council would like to add that this enforcement investigation relates to one of the five gypsy/traveller pitches at Land West of Harwood, Cemetery Lane (WE/14/01217/FUL) which was approved by the Planning Inspectorate at appeal, having previously been refused by CDC and objected to by the Parish Council. Instead of being used under its granted permission of a gypsy/traveller, it is being used by a tarmac contractor, Funnell and Howard, who have been operating illegally and without permission from the site for some time, and who is employed by West Sussex County Council's Highway's department through its contract with Balfour Beatty. Although CDC say that a planning application for change of use has been received, this has not yet been made available to the public or Parish Council.

Enforcement reference: 16/00242/CONBC. The Old Army Camp, Cemetery Lane. Food lights. To be included in planning application for use of land as a HGV contractor's yard.

Enforcement reference: 16/00364/CONBC. The Old Army Camp, Cemetery Lane. Stationing of 6 MHs on one pitch and occupation of the land. 22/12/16 application 16/03656/FUL received – change of use of land to 4 no. showperson’s plots, 2 no. gypsy pitches inc 2 no. amenity buildings with associated access and landscaping works.

This site was granted permission for a single travelling showperson in 2016 as part of application WE/15/04086/FUL. It is now being used for six mobile homes which do not even form part of the new planning application WE/16/03656/FUL. There has been no enforcement action to remove the mobile homes and return the site for its current or proposed purpose.

In addition to the above list, the Parish Council reported the following issues to the Enforcement Team.

- There is the static caravan put there by Mr Green (WE/01078/COU), and in the paddock attached to the traveling showman plots is another static caravan with someone living in it. (Currently subject of an appeal).
- There is a further static caravan on the field at the northern part of the Old Army Camp which is occupied.
- There is often an acrid smell of burning rubber coming from The Old Army Camp, Cemetery Lane.

Chichester Local Plan Key Policies breaches in policies 1, 2, 3, 7, 9, 40, 45, 47, 48, 49, 52 and 54. See below

CLPKP Policy 1 Sustainable Development

The site is outside a settlement boundary and outside the considered area to be Sustainable see the Neighbourhood Plan Isochrones used on local facilities.

NPPF:

In order to fulfil its purpose of helping achieve sustainable development, planning must not simply be about scrutiny. Planning must be a creative exercise in finding ways to enhance and improve the places in which we live our lives.

This should be a collective enterprise. Yet, in recent years, planning has tended to exclude, rather than to include, people and communities. In part, this has been a result of targets being imposed, and decisions taken, by bodies remote from them
Rt Hon Greg Clark MP Minister for Planning

The National Planning Policy Framework sets out the Government’s planning policies for England and how these are expected to be applied.¹ It sets out the Government’s requirements for the planning system only to the extent that it is relevant, proportionate and necessary to do so. It provides a framework within which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities

The UK Sustainable Development Strategy Securing the Future set out five 'guiding principles' of sustainable development: living within the planet's environmental limits; ensuring a strong, healthy and just society.

- an economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure
- a social role – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and
- an environmental role – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy
- not simply be about scrutiny, but instead be a creative exercise in finding ways to enhance and improve the places in which people live their lives
- conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations;

So, not a sustainable development site

**CLPKP Policy 2 states: Development Strategy and Settlement Hierarchy
Settlement Boundaries;**

There is a presumption in favour of sustainable development within the Settlement Boundaries which will be reviewed through the preparation of Development Plan Documents and/or Neighbourhood Plans, reflecting the following general approach:

1. Respecting the setting, form and character of the settlement;
- 2. Avoiding actual or perceived coalescence of settlements; and**
3. Ensuring good accessibility to local services and facilities.

Rest of the Plan Area: Small villages, hamlets, scattered development and countryside

Development in the Rest of the Plan Area outside the settlements listed above is restricted to that which requires a countryside location or meets an essential local rural need or supports rural diversification in accordance with Policies 45-46.

This does not fit that criteria

CLPKP Policy 3 The Economy and Employment Provision

Supporting and promoting a high-quality tourism economy (see Policy 30);
Who is going to want to come to Westbourne on Holiday with such a large growing encampment.

CLPKP Policy 7 Master planning Strategic Development

Incorporate high standards of urban design and architecture that respects the character of the landscape, heritage, adjacent and nearby settlements and built development, reflecting the urban to rural transition with appropriate boundary treatment;

This isn't happening

Create a strong sense of place, ensuring the proposed development makes a positive contribution to local character and distinctiveness;

No positive contribution.

Plan for integrated development, providing for a mix of housing that addresses the range of local housing needs, and encourages community cohesion;

These applications are causing Isolation not integration

Include measures to mitigate the traffic impacts of the proposed development on the strategic and local road networks.

Serious increase in levels of inappropriate traffic through the narrow country Lanes

Demonstrate a good understanding and respect for the **natural environment, its heritage assets and their setting both within the site and in the wider locality**, whether designated or not, and include details of how the natural environment and heritage assets will be preserved, conserved and enhanced

These are having a serious effect on natural environment and the heritage asset, 'The Cemetery'

CLPKP Policy 9

Development and Infrastructure Provision

Provide or fund new infrastructure, facilities or services required, both on and off-site, as a consequence of the proposal;

No funding been made available to improve any services as a result.

Mitigate the impact of the development on existing infrastructure, facilities or services;

Fund or contribute to improvements to increase the effectiveness and efficiency of infrastructure, facilities or services; and

Provide for the future maintenance of infrastructure, facilities or services provided as a result of the development.

Nice but not happening

CLPKP Policy 40

Sustainable Design and Construction

1. How the proposal aims to protect and enhance the environment, both built and natural. Where this is not possible, how any harm will be mitigated
2. The proposals include measures to adapt to climate change, such as the provision of green infrastructure, sustainable urban drainage systems, suitable shading of pedestrian routes and open spaces and drought resistant planting/landscaping
3. **The historic and built environment, open space, and landscape character will be protected and enhanced**
4. The natural environment and biodiversity will be protected and/or where appropriate provision will be made for improvements to biodiversity areas and green infrastructure;

5. The development is appropriate and sympathetic in terms of scale, height, appearance, form, siting and layout and is sensitively designed to maintain the tranquillity and local character and identity of the area;

Have any of these been taken into account or implemented? No

CLPKP Policy 45 Development in the Countryside

Planning permission will be granted for sustainable development in the countryside where it can be demonstrated that all the following criteria have been met:

1. The proposal is well related to an existing farmstead or group of buildings, or located close to an established settlement;
2. The proposal is complementary to and does not prejudice any viable agricultural operations on a farm and other existing viable uses; and
3. Proposals requiring a countryside setting, for example agricultural buildings, ensure that their scale, siting, design and materials would have minimal impact on the landscape and rural character of the area.

None of the above apply so should be refused

CLPKP Policy 47 Heritage and Design

The proposal conserves and enhances the special interest and settings of designated and non-designated heritage assets

No, it doesn't its wrecking the peace and tranquillity and beautiful setting of the Heritage asset of the Cemetery

Development respects distinctive local character and sensitively contributes to creating places of a high architectural and built quality

Again, no it doesn't

CLPKP Policy 48 Natural Environment

Has to show; There is no adverse impact on:

- The openness of the views in and around the coast, designated environmental areas and the setting of the South Downs National Park; and
- **The tranquil and rural character of the area.**

Yes, there is an impact so can be refused.

Development recognises distinctive local landscape character and sensitively contributes to its setting and quality

Does not contribute to the setting in fact is destroying that setting

The individual identity of settlements, actual or perceived, is maintained and the integrity of predominantly open and undeveloped land between settlements is not undermined.

The individual identity of Woodmancote is being compromised.

The Gap between Westbourne and Woodmancote is being seriously eroded.

CLPKP Policy 49 Biodiversity

1. The biodiversity value of the site is safeguarded;
2. Demonstrable harm to habitats or species which are protected or which are of importance to biodiversity is avoided or mitigated;
3. The proposal has incorporated features that enhance biodiversity as part of good design and sustainable development;
4. The proposal protects, manages and enhances the District's network of ecology, biodiversity and geological sites, including the international, national and local

designated sites (statutory and non-statutory), priority habitats, wildlife corridors and stepping stones that connect them;

5. Any individual or cumulative adverse impacts on sites are avoided;

ALL Above is being compromised

CLPKP Policy 52 Green Infrastructure

1. The proposals maintain and where appropriate contribute to the network of green infrastructure i.e. public and private playing fields, recreational open spaces, parklands, allotments and water environments;

2. The proposals contribute to improving the health and well-being of the local and wider community;

3. Where appropriate, the proposals incorporate either improvements to existing green infrastructure or the restoration, enhancement or creation of additional provision/areas;

4. Where appropriate, the proposals incorporate either improvements to existing ecology and biodiversity or the restoration, enhancement or creation of additional habitat and habitat networks;

5. Where appropriate, the proposals incorporate either improvements to existing trees, woodland, landscape features and hedges or the restoration, enhancement or creation of additional provision/areas;

6. Where appropriate, the proposals create new green infrastructure either through on site provision or financial contributions. Where on-site provision is not possible financial contributions will be required and be negotiated on a site by site basis; and

7. The proposals do not lead to the dissection of the linear network of cycleways, public rights of way, bridleways and ecological corridors such as ancient woodlands, hedgerows, ditches and water environments.

Such provision will be required in accordance with adopted policies and strategies relating to green infrastructure and biodiversity network provision. Development that will harm the green infrastructure network will only be granted if it can incorporate measures that avoid the harm arising or sufficiently mitigate its effects.

None of the above have been met, the green infrastructure is being destroyed

CLPKP Policy 54 Open Space, Sport and Recreation

New residential development (excluding replacement dwellings) will be required to contribute towards:

1. The creation of new open space, sports and recreation facilities; and/or

2. Improving the quality and/or accessibility of existing open space or indoor facilities

None forthcoming –destruction of local amenity of quiet walks in the countryside.

Sure there are more breaches but Planning must know them

Report to **Planning Committee**
Date **29 March 2017**
By **Director of Planning**
Local Authority **Chichester District Council**
Application **SDNP/17/00336/CND**
Number
Applicant **Mr Maurice Ormerod**
Application **Variation of condition 1 amendment to approved plans and removal of conditions 3, 6, 8, 9, 10, 14 and 16 from planning permission SDNP/16/01717/FUL.**
Address **Ilex House
Upperfield
Easebourne
GU29 9AE**

Recommendation: That the application be approved for the reasons and subject to the conditions set out in paragraph 10 of this report.

Executive Summary

Reason for Committee referral: Parish objection - officer recommends PERMIT

The proposal seeks permission for amendments to the previous planning permission already granted for a new dwelling to the east of the property known as Ilex House (SDNP/16/01717/FUL). The proposal includes modest amendments and extension to the previously approved dwelling itself and the provision of a detached garage on the part of the site previously dedicated to surface parking. The proposed development is considered to be a sympathetic response to the character, appearance and established pattern of development found within the Upperfield estate.

The application also seeks approval of certain matters reserved by condition on the earlier permission, reference SDNP/16/01717/FUL. The details are considered to be satisfactory and are recommended for approval as part of the overall scheme.

1 Site Description

1.1 The application site lies within an enclave of houses known as Upperfield, a cul-de-sac of low density residential development in mature garden settings.

1.2 The street includes a mix of traditional two-storey houses and bungalows of various sizes and designs, and in varying plot sizes. Some of these dwellings are set in quite a uniform manner, whilst others are set within smaller plots more informally. The area has a

spacious feel created by a combination of plot sizes, spaces between properties and established trees and planting within/along individual gardens and their boundaries.

1.3 A limited amount of sensitive infill development has recently been permitted, namely on land west of Highmeads (Trumpers), which is to the west of the application site and to the south west, adjacent to Ashley (Savaric Cottage) and directly to the south of Ilex house (Holly End).

1.4 The application site lies within the grounds of Ilex House. This dwelling is a large two storey property dating from c.1930s that is angled diagonally across the site on a north west/south east axis and has recently been the subject of major refurbishment and improvement. The southern part of the former garden of Ilex House is occupied by Holly End a recently erected dwelling to the north of Tylers.

1.5 The application site comprises part of the former side garden of Ilex House, a large detached dwelling. The appeal site is of a similar, generous length to the other plots in this section of Upperfield but is somewhat narrower in width than most.

2 Proposal

2.1 The proposal is an amendment to planning permission reference SDNP/16/01717/FUL for the erection of a detached two storey dwelling sited in a position within the plot that broadly aligns with Ilex House. Whilst the form and siting of the proposed dwelling remain consistent with that of the previously approved dwelling, the following revisions to the design have been made:

- Increase in overall height from 7.3 metres to 7.8 metres;
- deeper hipped roof to mitigate against 0.5 metre increase in height;
- addition of an orangery;
- addition of two-bay timber framed car barn;
- Minor changes to the size of some fenestration and position of windows and doors;
- Minor changes to the external finishes to the elevations

2.2 The application also includes details required by a number of conditions attached to SDNP/16/01717/FUL for consideration as part of this application. These details are:

- Materials and finishes (condition 3)
- Landscaping and biodiversity enhancement (condition 6)
- External lighting (condition 8)
- Foul and surface water drainage (conditions 9 and 10)
- Construction Method Statement (CMS) (condition 14)
- Tree protection during construction (condition 16)

3 Relevant Planning History

SDNP/14/06393/FUL - Construction of a new dwelling. REFUSED 13.05.2014, APPEAL DISMISSED (Biodiversity reasons only)

SDNP/16/01717/FUL - Construction of 1 no. dwelling. PERMIT 26.07.2016

4 Consultations

Parish Council Consultee

The Parish Council object to the removal of conditions 9, 10, 14.

5 Representations

2 Third Party objections

Construction hours at weekends - 07:30 start on Saturdays unsociable

Siting of garage forward of dwelling - inconsistent and uncharacteristic with pattern of development within Upperfield and harm to its character

6 Planning Policy Context

Applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory development plan in this area is the **Chichester Local Plan First Review (1999)** and the following additional plan(s):

- SDNPA Partnership Management Plan 2014
- South Downs National Park Local Plan - Preferred Options September 2015

The relevant policies to this application are set out in section 7, below.

National Park Purposes

The two statutory purposes of the SDNP designation are:

- To conserve and enhance the natural beauty, wildlife and cultural heritage,
- To promote opportunities for the public understanding and enjoyment of the special qualities of their areas.

If there is a conflict between these two purposes, conservation takes precedence. There is also a duty to foster the economic and social well being of the local community in pursuit of these purposes.

7 Planning Policy

Relevant Government Planning Policy and Guidance

Government policy relating to National Parks is set out in English National Parks and the Broads: UK Government Vision and Circular 2010 and The National Planning Policy Framework (NPPF) which was issued and came into effect on 27 March 2012. The Circular and NPPF confirm that National Parks have the highest status of protection and the NPPF states at paragraph 115 that great weight should be given to conserving landscape and scenic beauty in the national parks and that the conservation of wildlife and cultural heritage are important considerations and should also be given great weight in National Parks.

National Planning Policy Framework (NPPF)

The following National Planning Policy Framework documents have been considered in the assessment of this application:

- NPPF - Delivering a wide choice of high quality homes

- NPPF - Requiring good design
- NPPF - Conserving and enhancing the natural environment

The following paragraphs of the NPPF are considered relevant to the determination of this application:

Paragraphs 7, 14, 17, 39, 56, 59 to 61, 64.

The development plan policies listed below have been assessed for their compliance with the NPPF and are considered to be compliant with the NPPF.

The following policies of the **Chichester Local Plan First Review (1999)** are relevant to this application:

- BE1 - Settlement Policy Boundary
- BE11 - New Development
- BE13 - Town Cramming

The following policies of the **SDNPA Partnership Management Plan 2014** are relevant to this application:

- General Policy 1
- General Policy 50

The following policies of the **South Downs National Park Local Plan - Preferred Options September 2015** are relevant to this application:

SD5 – Landscape Character
SD6 - Design

The South Downs Local Plan: Preferred Options was approved for consultation by the National Park Authority on 16th July 2015 to go out for public consultation under Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The consultation period ran from 2nd September to 28th October 2015. The responses received are being considered by the Authority. The next stage in the plan preparation will be the publication and then submission of the Local Plan for independent examination. Until this time, the Preferred Options Local Plan is a material consideration in the assessment of this planning application in accordance with paragraph 216 of the National Planning Policy Framework, which confirms that weight can be given to policies in emerging plans following publication. Based on the early stage of preparation the policies within the Preferred Options Local Plan are currently afforded limited weight and are not relied upon in the consideration of this application.

8 Planning Assessment

8.1 The main issues within the proposal are considered to be:

- 1) The principle of development;
- 2) Impact on character and appearance of the area;
- 3) Highway safety
- 4) Whether the additional details satisfactorily address the need to reimpose certain conditions.

Issue 1- The principle of development

8.2 The proposal site is within the Settlement Policy Area (SPA) of Easebourne, where new development is in general considered to be acceptable in principle. Policy BE1 of the Chichester District Local Plan (1999) states that development will be permitted within Settlement Policy Areas when the proposals are consistent with built environment policies. It is material to note that planning permission has already been granted for a dwelling of broadly the same dimensions and siting as is now proposed under reference SDNP/16/01717/FUL.

8.3 Whilst there are relatively minor amendments to the elevational treatment to the dwelling, including adjustments to window and door positions and a very modest increase in the ridge height, the main changes that have been introduced are the addition of a single storey addition to the rear of the dwelling and a detached garage located to the south of the proposed dwelling. It is therefore necessary to determine whether the proposed development as amended remains consistent with policy BE11, which seeks for new development to not detract from its surroundings, and requires the applicant to demonstrate four criteria.

Issue 2- Impact on the character and appearance of the area

8.4 The amended design and appearance of the dwelling itself would be consistent with the appearance of the area and would remain broadly in alignment with Ilex House, retaining a generous area of amenity land similar to that of established plots in Upperfield, albeit narrower than most. The proposed dwelling would be sited centrally within the plot as before, allowing 3m for the side boundaries with other dwellings. Because of the siting of the dwelling and relationship with the much larger Ilex House, there would be limited views from the main part of Upperfield. The development would maintain the spacious, leafy character and appearance of the area.

8.5 The enlargement of the dwelling through the addition of the single storey extension to the rear would result in a modest increase in the built form on the site but this would not result in overdevelopment or harm to the generally spacious character of the area. The ridge height is increased by 0.5 metres from that previously approved (7.8m compared to 7.3m) although this is mitigated by an increase in the depth of the hipped ends of the roof, which has the effect of reducing the overall length of the ridge itself and the visual impact of the massing of the roof. The height of the proposed dwelling would remain noticeably lower than that of Ilex House.

8.6 The position of the proposed open fronted garage is to occupy the site of the previously approved parking bays. The garage itself is of relatively modest proportions, comprising two bays and a 'lean-to' open sided store on the north side and a total

footprint of 41.8 square metres. The timber-framed construction and finishes would result in a high quality rustic building.

8.7 Third party objections have highlighted that the garage building would be sited forward of the dwelling and therefore inconsistent with the lack of such structures in similar locations elsewhere in Upperfield, which is supported by an appeal decision dismissing a proposal to site a garage building in the front garden of 'Trumpers' to the west of the applicaiton site. There are, however material differences with this application site and others on this private estate. Unlike the majority of other properties within Upperfield, the application site does not have a direct frontage onto the main part of Upperfield's estate road, occupying a corner plot in a largely recessive position particularly in relation to 'Holly End', the recently constructed dwelling immediately to the south of the site.

8.8 It would be possible to obtain views of the garage from the junction of the main estate road and the spur leading to the application site, although these are limited to a large extent by boundary vegetation to Holly End, Highmeads and Ilex House and the modest dimensions of the structure itself. For this reason and having regard to the context of the pattern and grain of development within Upperfield as a whole, the garage in position shown is not considered to disrupt or harm the prevailing spacious appearance that characterises the estate.

8.9 For the reasons stated above this proposal is considered to accord with the aims and objectives of policy BE11 of the CDLP, the design objectives of the NPPF and the first purpose of designation of The South Downs National Park.

Issue 3- Highway safety and access

8.10 The approved scheme also raised issues regarding highway safety and the suitability of access to the site via this relatively narrow spur off Upperfield. WSCC Highways and Transportation have previously been consulted on similar proposals to develop this site and raised no concern in regards of access to the site, or on highways safety grounds. Furthermore, the Inspector considered the highways impact of a similar proposal for a single dwelling at appeal (SDNP/14/06393/FUL) and concluded that, "...I have noted no objection was raised by the Highway Authority with regard to the use of the access road leading from Upperfields which also serves four existing dwellings and am satisfied that the small additional increase in use would be adequate in terms of highways safety and would not lead to unacceptable levels of noise or pollution". Given the similarities with the approved scheme, there are no grounds with this application to depart from these conclusions.

Issue 4 Additional details

8.11 This application also seeks approval for matters that were previously reserved by condition by planning permission SDNP/16/01717/FUL. These are Materials and finishes (condition 3), Landscaping and biodiversity enhancement (condition 6), External lighting (condition 8), Foul and surface water drainage (conditions 9 and 10), Construction Method Statement (CMS) (condition 14) and Tree protection during construction (condition 16). If acceptable, then those conditions do not need to be re-applied if this applicaiton is successful and may be 'removed'. The Parish Council have objected to the removal of conditions 9, 10 (surface and foul water drainage) and 14 (CMS), but have provided no explanation as to the reasons why.

8.12 Dealing briefly with each condition in turn, it is considered that the details submitted in respect of materials and finishes to the new house are of a high quality and sympathetic to the character and appearance of the estate. In the context of this suburban location, the landscaping proposals of new and supplementary hedging and replacement trees in the position of the removed Horsechestnut near the entrance to the site are considered acceptable and will provide long-term enhancement of the biodiversity value of the area. The external lighting proposes discretely positioned PIR downlights on the front (south), side (east) and rear (north) elevations. This will create pooled lighting and minimal light spread away from the house itself. In the context of this suburban setting, this is considered to be an appropriate detail.

8.13 Details relating to the disposal of foul and surface water show foul water disposal via the existing public sewer. Surface water from buildings is via a soakaway within the application site of sufficient capacity to handle localised runoff. The driveway and turning area are to be constructed of a permeable material (Cotswold stone chippings), ensuring that overall the surface water generated by the development is contained within the site and will not discharge onto the local road network.

8.14 The Construction Method Statement (CMS) has been amended to reflect the wishes of third parties' with respect to hours of operation at weekends (08:00 to 13:00 Saturdays only). The CMS is accompanied by a plan showing that all activity can be accommodated within the site. As with all such projects, there will undoubtedly be some localised disruption during the construction phase but it is considered that the details submitted represent a reasonable approach to safeguarding residential amenity in this case.

Other matters

8.15 In order to remain consistent with the previous planning permission, it is considered necessary to remove permitted development rights for extensions and alterations to the proposed dwelling, and that no other external structures such as sheds, summer houses etc. should be erected to control the development in interests of neighbouring amenity.

9 Conclusion

9.1 The amended proposal is considered to be a sympathetic and positive development that respects the established pattern and character of development within this low density residential enclave of Upperfield. The siting, scale and massing of the dwelling and the garage and its relationship with adjoining housing will ensure that the building will not have a detrimental impact on the living conditions of the occupiers of nearby properties or on the spacious character of Upperfield as a whole. Therefore the proposal would not conflict with the aims and objectives of the NPPF or be contrary to policies BE11, BE13 or TR6 of the Local Plan. Subject to conditions controlling further enlargement or alteration to the dwelling and control over the provision of future outbuildings, the proposal is recommended for approval.

10 Reason for Recommendation and Conditions

It is recommended that the application be approved for the reasons and subject to the conditions set out below.

1. The development hereby permitted shall be begun before the expiration of three years from the date of planning permission reference SDNP/16/01717/FUL (26.07.2016)

Reason: In order to reflect the time limit imposed on SDNP/16/017177/FUL and to comply with Section 73(5)(a) of the Town and Country Planning Act 1990 (as amended) and Section 51(3) of the Planning and Compulsory Purchase Act 2004.

2. Before any part of the development hereby permitted is first occupied the proposed access drive, turning area, and, where applicable, cycle parking areas shall be completed in accordance with the approved plans and shall thereafter be maintained for these purposes in perpetuity.

Reason: In the interests of highway safety.

3. The development hereby permitted shall not be brought into use unless and until the car parking provision shown on the submitted plans has been provided on site. Once provided the parking provision shall be kept available for that use.

Reason: To ensure that adequate and satisfactory provision is made for the parking of vehicles clear of adjacent highways.

4. All biodiversity enhancements, planting, seeding or turfing comprised in the approved scheme of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants, including any existing trees or hedgerows indicated as being retained in the approved scheme, which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of amenity and of the environment of the development.

5. Notwithstanding the provisions of Classes A to D of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting or amending that Order) no additions to, or extensions or enlargements of, or alterations affecting the external appearance of, the building(s) hereby approved shall be made or erected without a grant of planning permission from the South Downs National Park Authority.

Reason: To enable the South Downs National Park Authority to retain control over the enlargements/alterations of the building(s) in the interests of the proper planning and amenities of the area.

6. Notwithstanding the provisions of Class E of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting or amending that Order) no building, or shed, greenhouse or other structure, shall be erected anywhere on the application site other than as shown on the plans hereby permitted without a grant of planning permission from the South Downs National Park Authority.

Reason: To enable the he South Downs National Park Authority. to retain control over such structures in the interests of the amenities of the area.

11. Crime and Disorder Implications

11.1 It is considered that the proposal does not raise any crime and disorder implications.

12. Human Rights Implications

12.1 This planning application has been considered in light of statute and case law and any interference with an individual's human rights is considered to be proportionate to the aims sought to be realised.

13. Equality Act 2010

13.1 Due regard has been taken of the South Downs National Park Authority's equality duty as contained within the Equality Act 2010.

14. Proactive Working

14.1 In reaching this decision the local planning authority has worked with the applicant in a positive and proactive way, in line with the NPPF.

Tim Slaney
Director of Planning
South Downs National Park Authority

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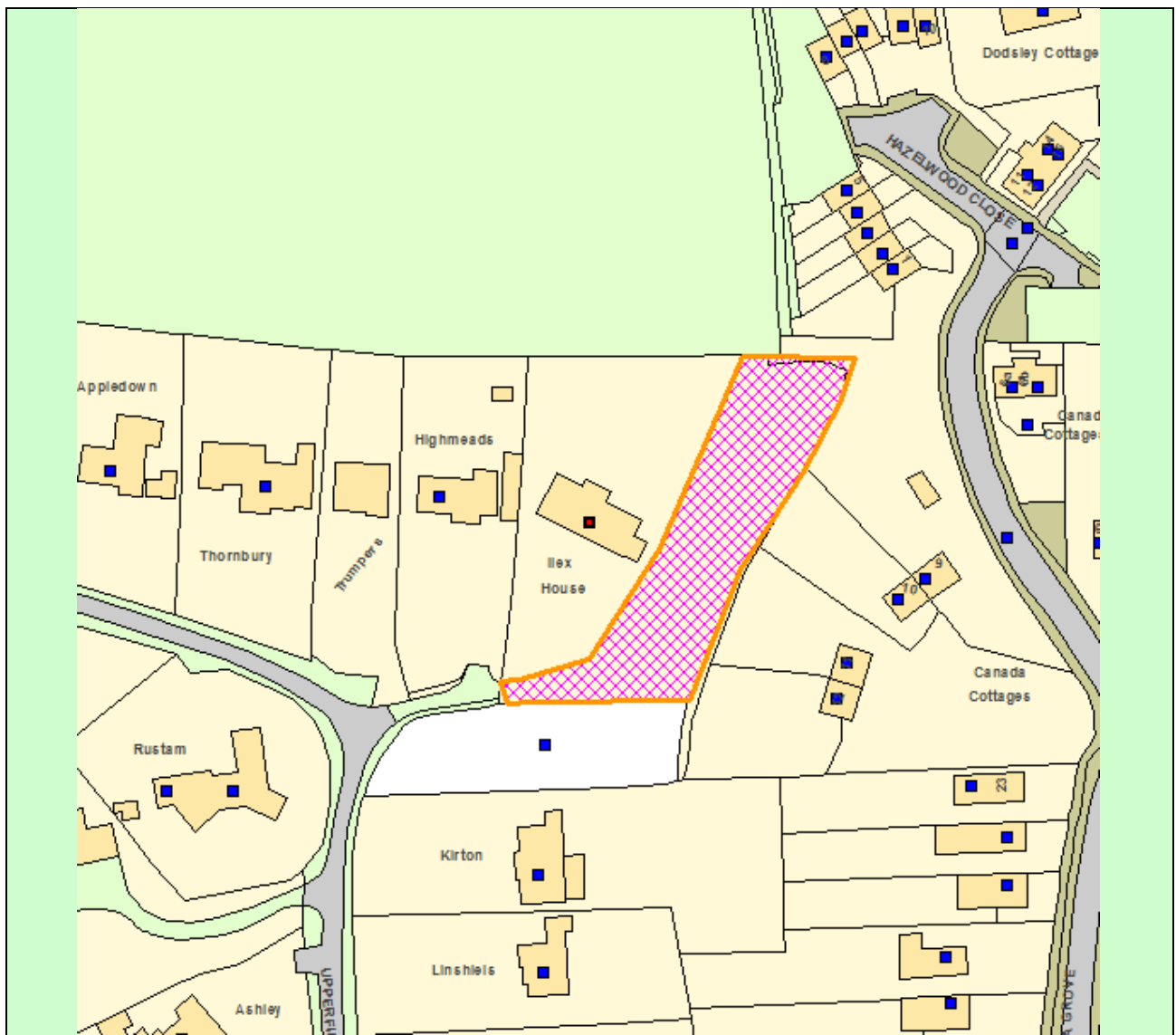
Appendices Appendix 1 - Site Location Map
Appendix 2 – Plans Referred to in Consideration of this Application

SDNPA Consultees None

Background Documents Relevant planning history, CDLPFR 1999, South Downs Management Plan, Draft South Downs Local Plan 2015, NPPF, NPPG

Appendix 1

Site Location Map



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Appendix 2 – Plans Referred to in Consideration of this Application

The application has been assessed and recommendation is made on the basis of the following plans and documents submitted:

Plan Type	Reference	Version	Date on Plan	Status
Plans - Proposed site plan	101	A	23.01.2017	Approved
Plans - Proposed garage	105	B	23.01.2017	Approved
Plans - Proposed elevations	104	B	23.01.2017	Approved
Plans - Proposed elevations	103	B	23.01.2017	Approved
Plans - Proposed plans	102	C	23.01.2017	Approved
Plans - Drainage layout	1102	P01	23.01.2017	Approved
Plans - Drainage details	1103	P01	23.01.2017	Approved
Application Documents - Construction Environment Management Plan - December 2016			23.01.2017	Approved
Application Documents - Schedule of materials and finishes - 23.01.2017			23.01.2017	Approved
Application Documents - CMS (as amended 01.03.2017)			23.01.2017	Approved

Reasons: For the avoidance of doubt and in the interests of proper planning.

Agenda Item 13

Report to **Planning Committee**
Date **29 March 2017**
By **Director of Planning**
Local Authority **Chichester District Council**
Application **SDNP/16/05377/FUL**
Number
Applicant **Mr Christopher Duncton**
Application **Change of use from golf clubhouse and office to office (B1A).**
Address **Petworth Downs Golf Course London Road Petworth West Sussex
GU28 9LX**

Recommendation: That the application be approved for the reasons and subject to the conditions set out in paragraph 10 of this report.

Executive Summary

Reason for Planning Committee referral - Applicant is related to a Council member

The application is to regularise the use of the former golf clubhouse and shop for B1(a) (Office) use. The building is modest in scale and the use is accommodated wholly within the building. Both national and local policies support economic diversification in the rural area and this proposal is considered to result in an appropriate, low-key re-use of the building, which would not have a detrimental impact on the character, appearance or special qualities of the South Downs National Park.

1 Site Description

1.1 The building subject to the application is situated on Osiers Farm, which is located approximately 3.6km north of Petworth to the east of the A285. Access is via a semi-metalled single track road serving the farm as well as the farm house and cottages.

1.2 The building in question is of traditional construction of brick elevations under a hipped, clay tiled roof. It is sited just to the south of the access track and built into gently rising ground. To the south of the building on slightly higher ground is Osiers Farmhouse, a Grade II listed building.

1.3 The building was originally constructed in 1998 as a clubhouse and shop in connection with the previous use of part of the farm as a golf course under planning permission PW/97/01170/FUL. The planning permission limited the use of the building for those purposes, although the golf course has been closed for a number of years and the land reverted to agriculture. The building is currently in use as the administrative centre for a transport company.

1.3 The surrounding landscape comprises gently undulating pasture, with dispersed blocks of woodland, one of which is to the north west of the building, on the margins of which is the former golf club car park.

2 Proposal

2.1 The proposal is for the change of use of the building from use as a golf clubhouse and shop to a use within Class B1(a) (office). The office use is already taking place and therefore the application is retrospective.

3 Relevant Planning History

PW/97/01170/FUL - Erection of new club house/golf shop building (together with ancillary facilities) and provision of associated car parking facilities. PERMIT 09.04.1998.

4 Consultations

Parish Council Consultee

None received.

5 Representations

None received

6 Planning Policy Context

Applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory development plan in this area is the **Chichester Local Plan First Review (1999)** and the following additional plan(s):

- SDNPA Partnership Management Plan 2014
- South Downs National Park Local Plan - Preferred Options September 2015

The relevant policies to this application are set out in section 7, below.

National Park Purposes

The two statutory purposes of the SDNP designation are:

- To conserve and enhance the natural beauty, wildlife and cultural heritage,
- To promote opportunities for the public understanding and enjoyment of the special qualities of their areas.

If there is a conflict between these two purposes, conservation takes precedence. There is also a duty to foster the economic and social well being of the local community in pursuit of these purposes.

7 Planning Policy

Relevant Government Planning Policy and Guidance

Government policy relating to National Parks is set out in English National Parks and the Broads: UK Government Vision and Circular 2010 and The National Planning Policy Framework (NPPF) which was issued and came into effect on 27 March 2012. The Circular and NPPF confirm that National Parks have the highest status of protection and the NPPF states at paragraph 115 that great weight should be given to conserving landscape and scenic beauty in the national parks and that the conservation of wildlife and cultural heritage are important considerations and should also be given great weight in National Parks.

National Planning Policy Framework (NPPF)

The following National Planning Policy Framework documents have been considered in the assessment of this application:

The following paragraphs of the NPPF are considered relevant to the determination of this application:

7, 14, 17, 19, 28, 115

The development plan policies listed below have been assessed for their compliance with the NPPF and are considered to be compliant with the NPPF.

The following policies of the **Chichester Local Plan First Review (1999)** are relevant to this application:

- RE1 - Development in the Rural Area Generally
- RE12 - Rural Diversification
- RE14 - Conversions in the Rural Area
- BE11 - New Development

The following policies of the **SDNPA Partnership Management Plan 2014** are relevant to this application:

- General Policy 1
- General Policy 50
- General Policy 55

The following policies of the **South Downs National Park Local Plan - Preferred Options September 2015** are relevant to this application:

- SD5 – Landscape character
- SD27 – Sustaining the rural economy
- SD49 – Conversion of redundant agricultural buildings

The South Downs Local Plan: Preferred Options was approved for consultation by the National Park Authority on 16th July 2015 to go out for public consultation under Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The consultation period ran from 2nd September to 28th October 2015. The responses received are being considered by the Authority. The next stage in the plan preparation will be the publication and then submission of the Local Plan for independent examination. Until this time, the Preferred Options Local Plan is a material consideration in the assessment of this planning application in accordance with paragraph 216 of the National Planning Policy Framework, which confirms that weight can be given to policies in emerging plans following publication. Based on the early stage of preparation the policies within the Preferred Options Local Plan are currently afforded limited weight and are not relied upon in the consideration of this application.

8 Planning Assessment

8.1 The main issue is considered to be the effect of the proposed use of the building for office purposes on the character and appearance of the surrounding area.

8.2 The B1(a) use is wholly contained within this existing, modestly sized building, with staff parking available immediately to the front of the building. The floorspace of the building totals 71.2 square metres, generating a requirement for 2 parking spaces. The modest size of the building determines that the level of activity associated with the use of the building for office purposes is considered to be relatively low-key and is unlikely to have an adverse impact on the immediate area or the highway network and is markedly less than the activity associated with its former use as a 'pay and play' golf course.

8.3 The building was originally purpose designed to service both the administrative and social requirements of the golf course and therefore it is considered that the change of use to an office use would represent the optimum viable use for the building. No external alterations are proposed by this proposal.

8.4 Both national and local planning policies support the appropriate re-use of buildings in the rural area and the diversification of the rural economy (NPPF paragraphs 7, 18 and 28; Local Plan policies RE12 and RE14). The building is currently in use as the administrative offices for a transport company.

9 Conclusion

9.1 The change of use of the building to enable its use as B1 (a) offices would represent an appropriate, low-key use of the building that would not result in harm to the character, appearance or special qualities of this part of the South Downs National Park by reason of the modest level of activity that would be associated with such a use. Therefore it is considered that the proposal would be in accord with national and local planning policies referred to above.

10 Reason for Recommendation and Conditions

It is recommended that the application be approved for the reasons and subject to the conditions set out below.

1. Notwithstanding the provisions of Part 3, Class O of the Town and Country Planning (General Permitted Development) Order 2015, the building shall be used for B1(a) (Office) and for no other purpose (including any other purpose in Class B1 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 control the future use of the building in this sensitive rural location, where non-essential residential development is restricted and to ensure the use of the building does not have a harmful environmental effect in the interests of amenity.

11. Crime and Disorder Implications

- 11.1 It is considered that the proposal does not raise any crime and disorder implications.

12. Human Rights Implications

- 12.1 This planning application has been considered in light of statute and case law and any interference with an individual's human rights is considered to be proportionate to the aims sought to be realised.

13. Equality Act 2010

- 13.1 Due regard has been taken of the South Downs National Park Authority's equality duty as contained within the Equality Act 2010.

14. Proactive Working

- 14.1 In reaching this decision the local planning authority has worked with the applicant in a positive and proactive way, in line with the NPPF.

Tim Slaney
Director of Planning
South Downs National Park Authority

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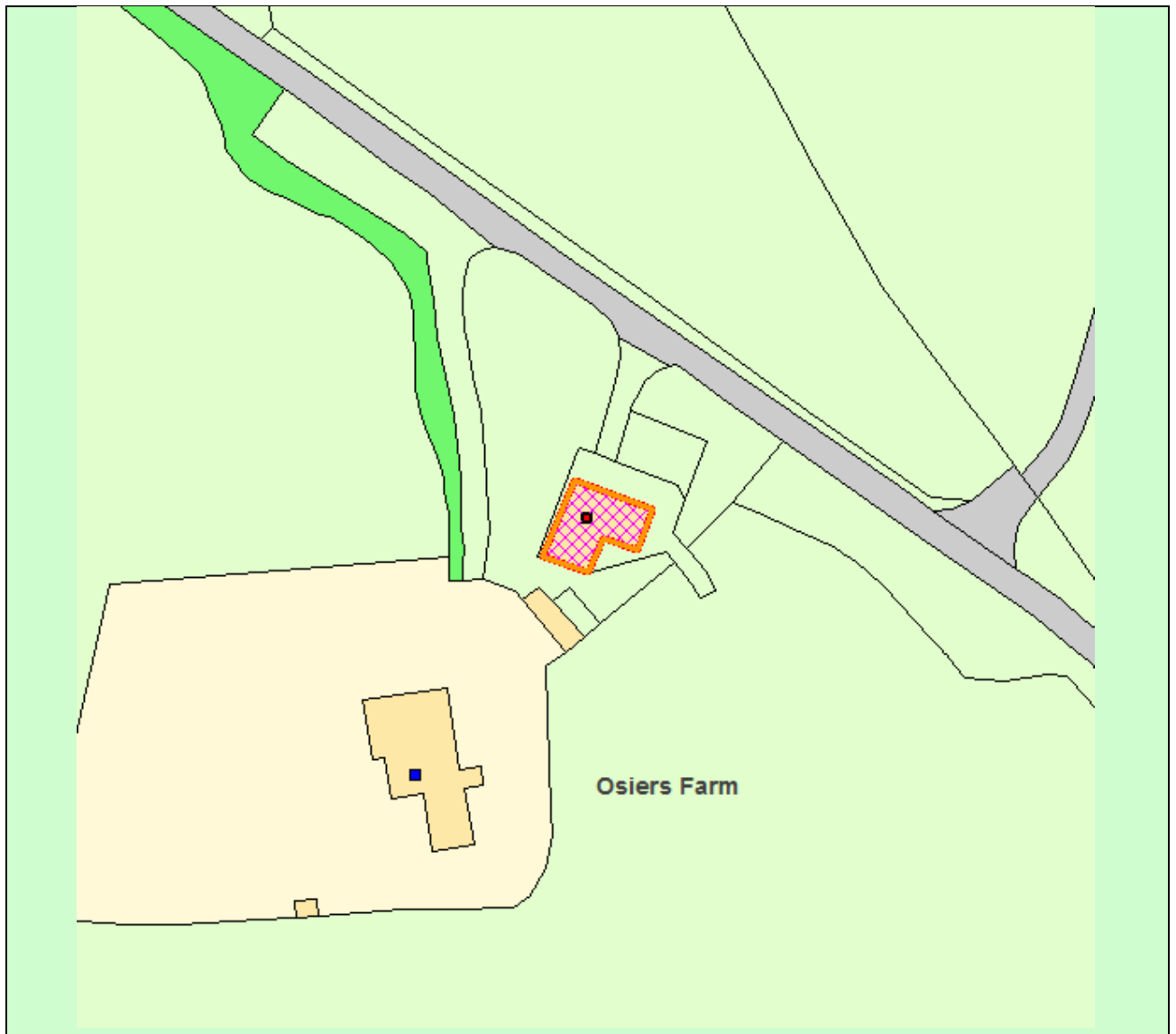
Appendices Appendix 1 - Site Location Map
Appendix 2 – Plans Referred to in Consideration of this Application

SDNPA Consultees None

Background Documents 1998 planning permission, CDLPFR 1999, South Downs Management Plan, Draft South Downs Local Plan 2015, NPPF, NPPG.

Appendix 1

Site Location Map



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Appendix 2 – Plans Referred to in Consideration of this Application

The application has been assessed and recommendation is made on the basis of the following plans and documents submitted:

Plan Type	Reference	Version	Date on Plan	Status
Plans - Location plan	001		25.10.2016	Approved

Reasons: For the avoidance of doubt and in the interests of proper planning.

Item 14 POLICY AND PROCEDURE UPDATE

Items

- Use and Discharge of Planning Conditions
- CDC Pre-application Charging Scheme
- Historic Environment Strategy and Action Plan

Date of Implementation January - March 2017

Contact Details Tony Whitty

Background

On 31 March 2016 the Business Routing Panel resolved that a Task and Finish Group (TFG) should be set up to look at three areas within the Planning Services Service Plan; a review of the pre-application advice charging scheme, a review of planning conditions and their enforcement and the proposed Historic Environment Strategy and Action Plan. The resultant revised pre-application advice charging scheme and the procedure for the use and enforcement of planning conditions were agreed by Cabinet on 6 December 2016. The Historic Environment Strategy and Action Plan was agreed by Cabinet separately on 4 October 2016.

Overview of changes

Pre-application charging scheme

The Pre-application charging scheme has been reviewed and is now operating in its revised form, since 1 February 2017 (a copy of the scheme is included as appendix 1). The main changes introduced within the revised scheme are set out below.

- *Increased choice in advice offered & opportunities for greater cost recovery*
 - Duty Planning Officer service to be increased to include 1 afternoon per week
 - A Listed Building pre-application specific service centred around a site visit
 - A formal minor works to listed buildings advice service
 - A new planning surgery - (30min) bookable slots every Tuesday and Thursday morning to provide advice on the general issues and opportunities around developing a site
 - Introduction of a DINPP (Do I Need Planning Permission) service
 - An advert pre-application advice service
 - A review of all fees and charges across existing and proposed categories of service
- *A responsive service and expedient turnaround of advice*
 - A reduction in response time to pre-application advice from 25 working days to 20 working days in most cases
- *Transparency of service*
 - Pre-application advice and associated documentation will be published once the resultant formal planning application has been submitted to the Council.

- *Managing expectations*
 - The wording within the Pre Application Advice Scheme has been adjusted to clarify the advantages and limitations of each service.
 - An advice note is included as part of any application form in relation to the Pre Application Advice Service setting out not only the benefits of each type of pre-app advice, but also the limitations.

The procedure for the use and enforcement of planning conditions

There are three main functions in the use and enforcement of planning conditions (a) the use of conditions in the decision making process (i.e. to the granting of planning permission) (b) the discharge by the Council of details submitted pursuant to conditions and (c) the adherence to and enforcement of conditions during the construction process and beyond. In reviewing these key areas potential weaknesses in current procedures and opportunities for best practice were identified with regard to guidance, the use of standard conditions, the order and prominence of conditions on the decision notice, how conditions were discharged, and the information available to the Planning Committee when considering proposed conditions. A summary of the main changes to processes is set out below.

Guidance and Principles

10 Principles relating to the use and enforcement are have been devised and are set out in both officer procedure notes and the Council's standard conditions document. The principles encourage open discussion with applicants/agents about the use of conditions to make a proposal acceptable and to discourage the use of conditions to impose control where the plans to be approved are clearly annotated in the same respect e.g. the use of materials or levels. The engagement of planning enforcement in the use of phasing conditions on Major schemes is encouraged to identify any shortcomings or obstacles which may prevent a development being delivered in a timely and efficient manner.

Review of Standard Conditions

The Council's standard conditions that are used to control development have been reviewed to reduce the number of conditions by removing duplication and the refinement of those that remain to ensure that their meaning is clear and precise. Where standard wording is not appropriate the principles set out in the preceding paragraph (included within the revised Standard Conditions 'booklet') are to be used to ensure bespoke conditions are appropriate. In addition emboldening has been used within the conditions to draw attention to the need to discharge conditions prior to a particular event in the course of the development (implementation, occupation, etc.)

A copy of the Council's Standard Conditions Book is available via the Member's Desktop.

Revision of planning application decision notices

A revised decision notice template has been implemented which includes headings beneath which conditions are imposed having regard to the timing and phasing of the development. In addition, the importance of discharging pre-commencement conditions will be set out in an enhanced informative at the end of the decision

notice to underpin the objective of securing conditions compliance at an earlier stage and so reduce the need for formal enforcement action. A copy of an example decision notice is included as appendix 2.

How conditions are discharged

In addition to approval or refusal of individual elements of a Discharge of Condition (DOC) application; a single decision notice will now be issued at the end of the process and registered against the full planning permission to which the conditions are attached.

Condition monitoring and engagement with developers

The Enforcement team will now use a bespoke area of the Council's UNIFORM data base to track compliance with controlling conditions attached to planning permissions.

A notification slip is now included as part of all decisions which applicants/agents are requested to return to planning enforcement. This alerts the service to the commencement of a development and prompts a desk top 'investigation' of related planning permissions to ascertain whether the requirements of pre commencement conditions have been adhered to.

Enforcement resources will be directed towards Major Development sites and those sites which attract complaints. All interested parties are informed of matters arising from these investigations.

The reporting of proposed conditions to Planning Committee

The full wording of planning conditions are now included as part of the agenda papers when considered by the Planning Committee. Prior to this amendment committee reports included a section that set out the significant conditions proposed to control development as part of the officer recommendation, in the event permission was granted. As proposed conditions are now be included in full as part of the agenda it is considered by officers that for non-major applications this section is now unnecessary and will no longer form part of the agenda papers for those applications. However the conditions relating to major applications can often be numerous and complex and it is therefore intended to continue to include a summary of the significant conditions for Major applications.

The reporting of conditions in full on Planning Committee agendas is subject to review within a year of implementation as to whether the practice is worthwhile and appropriate.

Historic Environment Strategy and Action Plan

The Historic Environment Strategy has been prepared to set out the Council's approach to the management of the Historic Environment in Chichester District. A copy of the Strategy is attached at appendix 3.

It is intended that the Strategy document will be used as a procedural document in the development management process to ensure that the council continues to meet its duties and responsibilities in relation to the historic environment having regard to the Planning (Listed Buildings and Conservation Areas) Act 1990. The document

also sets out priorities for future work in relation to the historic environment and includes an Action Plan that will be regularly refreshed.

The Strategy embraces all aspects of the historic environment including the built environment, archaeological remains or features and man-made landscape and recognises that it is dynamic and changes over time. The aim of the strategy is to manage change by ensuring that development or change affecting the historic environment is appropriate in terms of its impact, and to ensure appropriate policies and programs of work are developed and put in place for its management. It is supported by a more detailed action plan setting out prioritised actions linked to strategic priorities to secure best use of available resources to achieve the Strategy objectives.

The Strategy describes and explains the various powers, processes and tools available which can contribute to conserving the historic environment and sets out our approach to their use to secure positive conservation and enjoyment of the historic environment. It also sets out areas of work to secure proactive conservation of the Districts heritage assets. These include advice on development proposals, preparation of conservation area appraisals, use of Article 4 Directions, approaches to Heritage at Risk and preparation of technical guidance.

The aim of the document is to provide a clearly defined approach to the conservation of the historic environment and to give developers certainty about the internal procedures for assessing proposals and the processes we will employ.

Recommendation

The Planning Committee is asked to note 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.

Pre Application Advice Charging Scheme (Revised February 2017)

Why make a pre application enquiry?

The Council has operated a pre application advice scheme since 2010 and this has demonstrated the value of early discussions with agents and developers as part of the development management approach to facilitating acceptable development. The National Planning Policy Framework also encourages engagement with Local Planning Authorities and local communities to achieve early consideration of fundamental planning issues and improved outcomes. Discussions about schemes before they are formally submitted as a planning application can help steer proposals into a form that are more likely to be acceptable whilst leading to the reworking or dropping of proposals that appear to be fundamentally unacceptable. Entering into pre application discussions may help save time, wasted expense and avoid frustration.

Further benefits include:

- Avoiding incomplete applications that cannot be registered
- Reducing the number of unsuccessful applications
- Reducing confrontation in the planning process
- Raising the quality of development
- Gaining community acceptance
- Securing satisfaction with the process

We will expect that guidance given by the Council's officers is taken into account in the preparation and working up of your proposals. Where it is evident that pre application advice has not been sought or taken into account in a subsequent planning application, the Council may not be able to negotiate significant amendments on a scheme.

What is covered by the Charging Scheme?

The charging scheme covers all requests for pre application and planning advice. The scheme includes the ability to seek further specialist advice linked to the submission of a planning application such as historic building or environmental health advice for an additional fee.

The following exemptions apply:

- General planning advice given by the duty officer or Customer Service Centre
- Incidental advice or information given by telephone
- Where the works are required to meet the needs of a registered disability
- Discussions in relation to enforcement matters

In addition, the charging scheme will not apply to advice given to the following organisations:

- Parish Councils
- West Sussex County Council
- Housing Associations (where the development is solely affordable)

We expect developers to seek advice on management of trees from arboricultural consultants and will not therefore generally provide advice on tree matters.

Advice in relation to the highways aspects of development is available from West Sussex County Council as the Highway Authority, this may be accessed via the following link; <https://www.westsussex.gov.uk/roads-and-travel/information-for-developers/pre-application-advice-for-roads-and-transport/>. Advice in relation to flood risk and environmental impacts is available from the Environment Agency/Natural England via the following link; <https://www.gov.uk/guidance/developers-get-environmental-advice-on-your-planning-proposals>.

How do I obtain advice?

All requests for **written pre application advice** or 'Do I Need Planning Permission' enquiries must be submitted via the relevant form (link provided in table below) by e-mail to dcplanning@chichester.gov.uk with a subject heading of *Pre Application Advice*. Alternatively, you may wish to complete and send to us the Pre Application Advice form which is available on our website. This form sets out the information required for a request to be accepted.

Upon receipt of your request for pre application advice, we will aim to contact you within 3 working days either to request further details or to confirm that your request has been allocated to a Case Officer for action.

Advice from the **Duty Planning Officer** may be obtained by visiting the Council Offices between 9am and 1pm, Monday, Tuesday, Thursday and Friday and between 9am and 5pm on Wednesdays. There is no need to book an appointment, however if we are particularly busy their may be a short wait to be seen. If you are unable to visit the Council Offices in person you e-mail your query to dcplanning@chichester.gov.uk. You will receive a response within 10 working days.

You may make an appointment for the **Pre-application Surgery** up to 48hrs prior to the allocated sessions. These run from 9am to 12pm on a Tuesday and Thursday morning and are bookable as a 30 minute slot. You will need to complete a form to enable us to accurately identify the site and provide some basic information on what you might be proposing.

Listed building advice is offered by one of our specialists with the Conservation and Design Team. Once you have submitted the relevant form you will be contacted to arrange a site visit meeting within 10 working days. A summary note of the meeting will be provided (normally by e-mail) after the site visit has taken place.

What will it cost me to obtain advice from Chichester District Council?

Enquiry/Advice Service	Time scale	Fee	Fee for <u>additional</u> advice/meetings
ADVICE IN PERSON			
Duty Planning Officer Service <i>9am to 1pm Monday, Tuesday Thursday & Friday; 9am to 5pm on Wednesdays</i> <i>Appointments limited to 15 minutes</i>	Instant	Free	N/A
Pre-application surgery <i>Service operates on Tuesday and Thursday mornings</i> <i>30mins per appointment</i>	Set days per week (48hrs notice req.)	£150	N/A
Listed Building Advice (on site) <i>Site visits are arranged within 10 working days of receipt of application form</i>	10 working days	£245	N/A
WRITTEN ADVICE			
Do I Need Planning Permission (DINPP) – Permitted development enquiries	15 working days	£97	N/A
Listed building advice on minor works/maintenance	10 working days	£95	N/A
Householder	20 working days	£100	£80 (up to 30 mins)
Adverts	20 working days	£120	£80 (up to 30 mins)
Other e.g. replacement dwellings, changes of use, variation and removal of conditions	20 Working Days	£220	£80 (up to 30 mins)

Small Scale Minor e.g. 1-3 dwellings, non-residential (less than 500m2 gross floor space)	20 Working Days	£350	£120 (up to 30 mins)
Large Scale Minor e.g. 4-9 dwellings, non-residential (500-1000m2 gross floor space)	20 Working Days	£550	£200 (up to 45 mins)
Small Major e.g. 10-49 dwellings, non-residential (1000m2 - 2499m2 gross floor space)	Bespoke service/timetable to be agreed	£2,000 <i>Where a PPA is sought we will agree a bespoke fee</i>	£250 (up to 1hr)
Major e.g. 50-99 dwellings, non-residential (2499m2 - 5000m2 gross floor space)	Bespoke timetable to be agreed	£2,500 <i>Where a PPA is sought we will agree a bespoke fee</i>	£250 (up to 1hr)
Large Major e.g. 100+ dwellings, non-residential (more than 5000m2 gross floor space)	Bespoke timetable to be agreed	£4,500 or 10% Planning Application Fee (whichever is greater) <i>Where a PPA is sought we will agree a bespoke fee</i>	£400 (up to 2hrs)
Advice from CDC Technical Specialists	Within timescales of written pre-app response	£75	N/A

The relevant fee must be paid by Debit Card to the Councils Customer Services Team. All fees are inclusive of VAT.

For the most significant schemes or strategic scale development, a Planning Performance Agreement (project management plan) may be appropriate in which the process of dealing with the proposal in accordance with a timetable, principles and procedures are agreed together. A Planning Performance Agreement would be drawn up at the pre application stage which would lead the process through the application stage and ensure sufficient resources are available to meet identified targets and commitments (please see the [National Planning Practice Guidance](#) for further information). This will involve agreeing a bespoke fee to ensure the aims of the Planning Performance Agreement can be achieved.

What do I need to do before advice can be given by the Council?

We will expect the following to be provided to enable your request to be actioned:

- Payment of relevant fee (by debit card only)
- Completion of the relevant Pre Application Advice form
- Location and site plans

- Relevant photographs to provide the case officer with an appreciation of the site and its surroundings

Where formal written advice is sought the following material will normally be expected:

- Sketch or indicative plans of the proposal
- Supporting studies/information (for major schemes)

To ensure that requests for pre application advice are as productive as possible, applicants or their agents will be expected to provide sufficient information and plans to describe and explain their proposals including:

- An assessment of the character of the area
- An analysis of the opportunities and constraints of the site in its context.

These details will be used to promote a design led approach to the scheme and will enable the Council to assess whether a development team including specialist officers should be brought together.

What can I expect from the process?

Requests for advice will be allocated to officers according to the level of advice requested and the complexity of the proposal. Major schemes will normally be dealt with by a senior officer.

The Duty Planning Officer and general enquiries service will only answer the most basic of queries. The service is primarily aimed at assisting applicants and the public to understand the planning process and to direct them to relevant legislation and policies. The Pre-application Surgery is designed to provide a forum for discussion of proposals that have not been significantly advanced, whereby applicants would value a face to face discussion about the broad principles of developing a site.

The various 'Written Advice' services are designed to provide more detailed feedback on specific proposals. The DINPP Service will provide you with an informal opinion as to whether planning permission is required for your proposal within 15 working days. In most other pre-application advice cases we will aim to provide a written reply or arrange a meeting within 20 working days from the date your request is accepted as complete, except for the more complex proposals where we may need to agree a longer timescale with you. We will endeavour to reply to householder enquiries quicker than this where possible. Where a meeting is held, a written account of the main points will be sent within 10 working days of the meeting. Our preferred method of written communication is via e-mail and this will be used where possible.

In the case of major development proposals, it may (at the officer's discretion) be necessary to consult statutory consultees and other groups prior to providing advice. In such cases, the pre application process may take longer in order that we are in a position to provide a comprehensive response.

The case officer (and development team where applicable) will assess the submitted information and will aim to provide you with constructive comments on the scheme in relation to the following so far as they are relevant:

- Relevant development plan policies and other Council strategies that may have a bearing on the proposal
- Site constraints, e.g. statutory designations such as conservation areas, AONB's, Tree Preservation Orders and other constraints including listed buildings, flood zones and rights of way.
- Relevant planning history
- The details of the proposal, i.e. the acceptability of the land use, design and amenity considerations and highways and access issues where appropriate
- Infrastructure requirements, including CIL, the need for affordable housing, open space, community facilities and ecological mitigation. Any other contributions that may be required by West Sussex County Council will need to be established directly with that Authority.

We will indicate the likely information requirements (plans and supporting details/studies) to assist with the validation of any subsequent planning application. We will also explain how the development management process operates, the consultation process, decision making arrangements including committee information and the likely timetable for assessment of a planning application.

A summary of the key elements to each part of the scheme is provided as guidance notes to the relevant application form.

What if a subsequent decision on an application does not follow the advice I was given?

Advice given will be based on the case officer's professional judgement and assessment of the information provided. Pre application advice whether favourable or not is given on a 'without prejudice' basis since the Council must on submission of an application go through the statutory procedures and formal consultations and assess the outcomes before a decision can be made. Whilst advice will be given in good faith, we cannot guarantee that a subsequent planning application will be successful. We nevertheless believe that pre application advice is an extremely important part of the planning process. Fees for pre application advice will not be refunded and do not affect any statutory planning application fee subsequently required.

What if I disagree with the advice received?

We recognise that you may not agree with the advice you receive and it remains open to you to reject the advice and submit a formal application for determination. You may pay a further reduced fee for an additional meeting in relation to advice previously given on a previous proposal. However, significant changes to a submitted enquiry may need to be the subject of a new enquiry and may require a further full fee.

Confidentiality and Freedom of Information

The advice we provide under this service is generally confidential until a related planning application is submitted and development proposals are publicly available. Under the Freedom of Information Act 2000 or Environmental Information Regulations 2004 we often receive requests to disclose advice we have provided, so from February 2017 we will automatically publish any submitted documentation and advice we have provided once the related planning application is submitted. At that point there is normally no reason under the legislation to insist the pre application advice or related documentation is confidential.

We may continue to receive requests for advice to be disclosed at earlier stages, which will need to be assessed individually under the legislation. If you think there are sufficient reasons under the legislation that your request and advice should remain confidential at those earlier stages please advise us in writing of the reasons at the time of your request. We will not respond at the time of your request but will take it into account when deciding whether to release information earlier than usual.

CHICHESTER DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE
ORDER) 2015 (now, as amended)

Agent Details:

Mr Ian Butter BSc FRICS MRTPI
Rural & Urban Planning Consultancy
121 Abbey Road
South Shore Blackpool
Lancashire FY4 2PY United Kingdom

Applicants Details :

Park Holidays UK
Coghurst Hall
Ivyhouse Lane
Hastings East Sussex
TN35 4NP United Kingdom

In pursuance of their powers under the above mentioned Act and orders, the council hereby notify you that they **PERMIT** the following development, that is to say:

Use of land and associated operational development for the stationing of 34 no. lodge style holiday caravans and associated facilities.

Lakeside Holiday Park Vinnetrov Road Runcton West Sussex PO20 1QH

to be carried out in accordance with your application and plan no. NM/15/02356/FUL as modified by the under mentioned conditions if any submitted to the Council on 27 July 2015 and subject to compliance with the conditions specified hereunder:

Time limits and general implementations conditions:

1) The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

Conditions requiring Local Planning Authority written approval or to be complied with prior to commencement of development:

2) The development shall be carried out in accordance with plans: 14017.PO1.005, 14017.PO1.007, 14017.PO1.008, RUPC.1, RUPC.2

Reason: to ensure a satisfactory development.

3) No development shall commence on site, including demolition, until protective fencing has been erected around all trees, shrubs and other natural features not scheduled for removal in accordance with the recommendations of BS5837:2012. Thereafter the protective fencing shall be retained for the duration of the works, unless otherwise agreed in writing by the Local Planning Authority. No unauthorised access or placement of goods, fuels or chemicals, soil or other materials shall take place inside the fenced area; soil levels within the root protection area of the trees/hedgerows to be retained shall not be raised or lowered, and there shall be no burning of materials where it could cause damage to any tree or tree group to be retained on the site or on land adjoining at any time.

Reason: To ensure that trees, shrubs and other natural features to be retained are adequately protected from damage to health and stability. It is considered necessary for this to be a pre-commencement condition as these details need to be agreed prior to the construction of the development and thus go to the heart of the planning permission.

4) No development shall commence on site, including demolition, until the existing hedgerow to be retained has been protected by a fence providing a landscape buffer in accordance with a scheme that shall first have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include plans showing the type and position of all protective fencing. The landscape buffer shall be undisturbed during the construction period and the fencing shall be maintained until all equipment, machinery, surplus materials and soil have been removed from the site.

Reason: To protect foraging areas for bats and in the interests of preserving the visual amenities of the area. It is considered necessary for this to be a pre-commencement condition as these details need to be agreed prior to the construction of the development and thus go to the heart of the planning permission.

5) **No development shall commence** until details of the proposed overall site wide surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The design should follow the hierarchy of preference for different types of surface water drainage disposal as set out in Approved Document H of the Building Regulations and the SUDS Manual produced by CIRIA. Winter ground water monitoring to establish highest annual ground water levels and Percolaton testing to BRE 365, or similar approved, will be required to support the design of any Infiltration drainage. The surface water drainage scheme shall be implemented as approved unless any variation is agreed in writing by the Local Planning Authority. No building shall be occupied until the complete surface water drainage system serving that property has been implemented in accordance with the approved surface water drainage scheme.

Reason: The details are required pre-commencement to ensure that the proposed development is satisfactorily drained with all necessary infrastructure installed during the groundworks phase.

6) **No development shall commence** until the discharge of any flows to a watercourse has been approved in writing by the Local Planning Authority, in consultation with the Lead Local Flood Authority (WSCC). Any discharge to a watercourse must be at a rate no greater than the predevelopment run off rates. The approved discharge rates must be adhered to.

Reason: The details are required pre-commencement to ensure that the proposed development is satisfactorily drained with all necessary infrastructure installed during the groundworks phase.

7) Notwithstanding any details submitted, **no development shall commence** until details of a system of foul drainage of the site have been submitted to, and approved in writing by the Local Planning Authority. Any variance in the approved details must be agreed in writing with the Local Planning Authority prior to the commencement of any development in relation to the foul drainage of the site. Thereafter all development shall be undertaken in accordance with the approved details and no occupation of any of the development shall take place until the approved works have been completed. The foul drainage system shall be retained as approved thereafter.

Reason: To ensure adequate provision for drainage. It is considered necessary for this to be a pre-commencement condition as such details need to be taken into account in the construction of the development and thus go to the heart of the planning permission.

8) **Construction work shall not begin** until a written scheme for protecting the occupants of the proposed lodges from noise from the A27 has been submitted to and approved by the Local Planning Authority; all works, including the instillation of the acoustic barrier hereby permitted which form part of the scheme shall be completed before the lodges are occupied and be thereafter retained.

Reason: In order to mitigate and reduce to a minimum the adverse impacts of noise on the health and quality of life of the occupiers.

Aim: The external amenity areas of the lodges shall be required to achieve a 16Hr LAeq of less than 55dB (WHO target to avoid "serious annoyance") The internal accommodation shall achieve noise levels in compliance with BS8233:2014 while also allowing windows to be open or providing alternative methods of ventilation and cooling.

9) **No development shall commence**, including any works of demolition, until a Construction and Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved CEMP shall be implemented and adhered to throughout the entire construction period unless any alternative is agreed in writing by the Local Planning Authority. The CEMP shall provide details of the following:

- (a) the anticipated number, frequency and types of vehicles used during construction,
- (b) the provision made for the parking of vehicles by contractors, site operatives and visitors,
- (c) the loading and unloading of plant, materials and waste,
- (d) the storage of plant and materials used in construction of the development,
- (e) the erection and maintenance of security hoarding,
- (f) the provision of road sweepers and/or wheel washing facilities to mitigate the impact of construction upon the public highway
- (g) measures to control the emission of dust and dirt during construction, to include where relevant sheeting of loads, covering and dampening down stockpiles
- (h) measures to control the emission of noise during construction,
- (i) details of all proposed external lighting to be used during construction and measures used to limit the disturbance of any lighting required. Lighting shall be used only for security and safety,
- (j) appropriate storage of fuel and chemicals, in bunded tanks or suitably paved areas, and
- (k) waste management including prohibiting burning.

Reason: These details are necessary pre-commencement to ensure the development proceeds in the interests of highway safety and in the interests of protecting nearby residents from nuisance during all stages of development and to ensure the use of the site does not have a harmful environmental effect.

Conditions requiring Local Planning Authority written approval or to be complied with prior to specific construction works:

10) All hard and soft landscape works shall be carried out in accordance with the approved details and in accordance with the recommendations of the appropriate British Standards or other recognised codes of good practice. **These works shall be carried out in the first planting season after practical completion or first occupation of the development**, whichever is earlier, unless otherwise first agreed in writing by the Local Planning Authority. Any trees or plants which, within a period of 5 years after planting, are removed, die or become seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To ensure the provision and establishment of a reasonable standard of landscape in accordance with the approved designs.

11) **The development hereby permitted shall not be first brought into use** until a scheme detailing hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include plans showing the proposed finished levels or contours; means of enclosure; car parking layouts; other vehicles and pedestrian access and circulation areas; details and samples of the hard surfacing materials; and a planting plan and schedule of plants noting species, plant sizes and proposed numbers/densities and a programme for the provision of the hard and soft landscaping. Thereafter the scheme shall be carried out in accordance with the approved details and once provided, the works shall be retained in perpetuity.

Reason: In the interests of amenity and of the environment of the development.

12) No development shall commence on the Sustainable Urban Drainage System (SUDS) until full details of the maintenance and management of the SUDS system, set out in a site-specific maintenance manual, has been submitted to and approved in writing by the Local Planning Authority. The manual shall include details of financial management and arrangements for the replacement of major components at the end of the manufacturers recommended design life. Upon completed construction of the SUDS system serving each phase, the owner or management company shall strictly adhere to and implement the recommendations contained within the manual.

Reason: To ensure the efficient maintenance and ongoing operation for the SUDS system and to ensure best practice in line with guidance set out in the SUDS Manual CIRIA publication ref: C687 Chapter 22. The details are required pre-commencement to ensure the SUDS are designed appropriately and properly maintained and managed as soon as they are installed.

13) No development shall commence on the foul water drainage system until full details of the maintenance and management of the foul water drainage system (including the on-site sewage treatment works where appropriate), set out in a site-specific maintenance manual, has been submitted to and approved in writing by the Local Planning Authority. The manual is to include details of the owner or management company, financial management and arrangements for the replacement of major components at the end of the manufacturers recommended design life. Upon completed construction of the foul water drainage system serving the development, the owner or management company shall strictly adhere to and implement the recommendations contained within the manual.

Reason: The details are required to ensure the foul water drainage system is designed appropriately and properly maintained and managed as soon as it is installed to ensure its long-term effectiveness.

Conditions requiring Local Planning Authority written approval or to be complied with by developer prior to occupation:

14) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, re-enacting or modifying that Order) the proposed accommodation shall be used for holiday accommodation only and shall not be used for any individual's main or sole residential dwelling and for no other purpose (including any other purpose in Class C3 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 2015, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order).

The owners/operators of the site currently known as Lakeside Holiday Park shall make provision for the following requirements as part of the overall management of the park:

The provision of a letter to accompany the annual pitch fee invoice sent out to caravan/lodge owners and new purchasers, which will stipulate the caravan/lodge is for holiday use only and cannot be used for residential purposes (i.e. as a person's main residence). The letter will require a caravan/lodge owner to produce on an annual basis a satisfactory written proof of their main residence (evidence to comprise payment of Council Tax in their name at their main residence or alternative evidence if the owner's main residence is outside of the UK). Furthermore this letter shall require the owner to sign up annually confirming their understanding and acceptance of the holiday use restriction.

A register of all occupiers, detailing dates, names and usual addresses, shall be maintained by the owner/operators and shall be kept up to date and available for inspection at all reasonable hours by the Local Planning Authority. The evidence of their place of primary accommodation submitted annually by the caravan/lodge owner shall be recorded on the register.

The owner/operators of the site shall submit a summary report of the register for all occupiers to the Local Planning Authority on an annual basis. The annual report shall detail:

- o How many caravan/lodge owners have submitted Council Tax evidence demonstrating their main place of residence
- o Which caravan/lodge owners have submitted evidence of their main place of residence but not supported by Council Tax evidence

- o Which caravan/lodge owners have not provided any evidence of their main place of residence or did not respond
- o The action being taken on the caravan/lodge owners who did not respond or have not provided accurate up to date council tax evidence and the timescale for resolution.

New purchasers at the point of sale shall be made aware that they must sign a declaration their use of the caravan/lodge will be for holiday purposes only and not as their only or main residence. A record of these declarations shall be kept as part of the register.

Such measures must be in force within 1 month of the date of this decision and shall remain in force in perpetuity.

Reason: To ensure that the accommodation is only used as holiday / tourist accommodation, since the site lies within an area where additional residential properties would not normally be permitted and to prevent the creation, by conversion, of inappropriate units of accommodation, possibly leading to over intensive use of the site.

Conditions to be compiled with at all times following completion of the development:

15) The external amenity areas of the lodges shall be required to achieve a 16Hr LAeq of less than 55dB (WHO target to avoid "serious annoyance") The internal accommodation shall achieve noise levels in compliance with BS8233:2014 while also allowing windows to be open or providing alternative methods of ventilation and cooling.

Reason: The accommodation provided on the site shall comply with the acoustic parameters of BS3632:2005 (or better) to ensure that it's construction achieves an appropriate sound reduction index.

16) The caravans ('Lodge style holiday caravans') hereby permitted cabins shall be occupied for holiday purposes only and shall not be occupied as a person's sole, or main place of residence.

Reason: The permanent use of the cabins would be contrary to the policies of the Local Planning Authority regarding residential development.

INFORMATIVE(S)

1) The flow rate from the Holiday park should be reduced to a maximum of 8.0l/s before any further connections are made to the internal drainage system. Flow monitor/s to be installed at an agreed point with Southern Water Services.

2) The applicant is reminded that no work may commence on site until the necessary planning permission has been granted.

3) Your attention is drawn to the provisions of the Countryside and Rights of Way Act 2000, Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2010 (as amended).

These make it an offence to:

- Kill or injure any wild bird or bat;
- Damage, destroy or take the eggs or nest of any wild bird (when the nest is being built or is in use);
- Damage or destroy the breeding sites and resting places (roost) of certain animals including those used by all bats and certain moths.

The onus is therefore on you to ascertain whether such birds, animals or insects may be nesting or using the tree(s), the subject of this consent, and to ensure you do not contravene the legislation. This may, for example, require delaying works until after the nesting season for birds. The nesting season for birds can be considered to be March to September. You are advised to contact the local office of Natural England at Lewes for further information (tel: 01273 476595).

If the tree is being used as a breeding site or resting place (roost) by bats, then a Natural England Licence would be required before removal of the tree. You are advised to contact Natural England for more information on 0845 601 4523.

4) The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

5) The applicant is reminded that contact will need to be made with the Licensing Team at Chichester District Council in order to apply for a Caravan Site Licence under the Caravan Site and Control of Development Act 1960.

Please Note: The headings to the Conditions are inserted for ease of reference only and shall not affect the interpretation of the Condition(s).

The applicant is reminded that the Council operate a formal procedure for the discharge of conditions. Details of this procedure can be found on the Council's website (<http://www.chichester.gov.uk/planningadvice#planningapplications>) or by telephone (01243 534734).

The plans the subject of this decision can be viewed on the Council's website www.chichester.gov.uk quoting the reference number of the application. For all applications after May 2003, the relevant plans are listed as "Plans-Decided".

Decision Date : 1 March 2017

Signed:



Andrew Frost
Head of Planning Service
Chichester District Council

NOTES

Town and Country Planning Act 1990 Town and Country Planning (Control of Advertisements) Regulations 1992 Town and Country Planning (Trees) Regulations 1999

Your attention is directed to the following notes. They are for information only and do not pretend to set out the whole of the law on the subject. It would be well for you to consult your solicitor if you are in any doubt.

1. If the applicant is aggrieved by the decision of the District Planning Authority to refuse permission for the development, or is aggrieved by a condition imposed on a planning permission, he may appeal to the Secretary of State in accordance with Section 78 of the Town and Country Planning Act 1990 within six months* from the date of notice or determination giving rise to the appeal. (All appeals must be made on a form which is obtainable from The Planning Inspectorate, Room 3/04A Kite Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN. <https://www.gov.uk/planning-inspectorate>. Advertisements and ELD/PLD appeal forms are available from County House, Portland Square, Bristol; Tree Preservation Order appeals forms are available from Government Office from The Planning Inspectorate, The Environment Appeals Team, Trees and Hedges, Room 3/25 Hawk Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Email – environment.appeals@pins.gsi.gov.uk

Telephone – 0303 444 5584. One copy of the appeal form must be submitted to the Head of Planning and Building Control Services, Chichester District Council, East Pallant House, Chichester, West Sussex PO19 1TY).

The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the District Planning Authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements to the provisions of the development order, and to any directions given under the order.

*** APPLICANTS SHOULD NOTE THAT THE PERIOD FOR MAKING AN APPEAL IN RESPECT OF HOUSEHOLDER APPLICATIONS (SUFFIX /DOM) IS 12 WEEKS FROM THE DATE OF THIS NOTICE; FOR ADVERTISEMENT APPLICATIONS (SUFFIX /ADV) IT IS 8 WEEKS; AND FOR TREE APPLICATIONS (SUFFIX /TPA) IT IS 28 DAYS.**

2. If permission to develop land is refused or granted subject to conditions, whether by the District Planning Authority or by the Secretary of State, and the owner of the land claims that the land has become incapable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Council of the County District in which the land is situated a purchase notice requiring that Council to purchase his interest in the land in accordance with the provisions of Part V of the Town and Country Planning Act 1990.
3. In certain circumstances a claim may be made against the District Planning Authority for compensation where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in the Town and Country Planning Act 1990.
4. By Section 195 of the Town and Country Planning Act 1990 where an application is made to a District Planning Authority for a Certificate of Lawful Use or Development and is refused in part, the applicant may by notice under this sub-section appeal to the Secretary of State and on any such appeal the Secretary of State shall:
 - (a) if and so far as he is satisfied that the Authority's refusal is not well-founded, grant to the appellant a Certificate of Lawful Use or Development accordingly or, as the case may be, modify the certificate granted by the Authority on the application, and:
 - (b) if and so far as he is satisfied that the Authority's refusal is well-founded, dismiss the appeal.
5. Applicants are advised to consult Regulation (15) of the Advertisements Regulations 1992 regarding appeals in respect of advertisements.
6. Where this notice conveys approval or permission, conditional or unconditional please note that the decision given does not purport to convey any consent or approval which may be required under the Public Health Acts and Building Regulations. Additionally applicants are advised to check the need for notice to be given under the Party Wall etc. Act 1996.
7. Where this notice conveys approval or permission subject to conditions, applicants are reminded that the onus is on them to ensure the conditions have been complied with. Under some circumstances a failure to comply with a condition may result in the whole development being unauthorised.



OFFICIAL USE ONLY

Ref No: **NM/15/02356/FUL**

Date of Receipt

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

We need to know when you intend to start development

It is requested that you complete this form and return it to Chichester District Council no less than 14 days before work commences on site.

Planning Application
Reference Number/Address

NM/15/02356/FUL
Lakeside Holiday Park Vinnetrow Road Runcton West
Sussex PO20 1QH

Full name and address of
person(s)/ company carrying
out the development

Full name and address of all
owner(s) of the land to be
developed (if different from
applicant):

IMPORTANT: FAILURE TO DISCHARGE PRE-COMMENCEMENT CONDITIONS PRIOR TO COMMENCING WORK MAY INVALIDATE THE PLANNING PERMISSION

Signed Date
.....

*On behalf of *Delete where inappropriate

Please send this completed form to:

Chichester District Council, Planning Enforcement, Development Management, East Pallant House, 1 East Pallant, Chichester, West Sussex, PO19 1TY.

Telephone: 01243 534734 email: planningenforcement@chichester.gov.uk

Visit: www.chichester.gov.uk



CHICHESTER

Historic Environment Strategy and Action Plan



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Chichester Historic Environment Strategy and Action Plan - Overview ~~Consultation Draft~~

Chichester's historic environment is one of our greatest assets. It makes a very real contribution to our quality of life and the quality of our places, providing a sense of identity and a connection to the past; it is highly valued by residents and visitors. It is also an important asset that can help attract inward investment and provides a focus for tourism; evidence of, and information about, our past constitutes a powerful educational tool; and it can provide opportunities for improving public health and well-being through encouraging positive engagement with the historic environment as well as its contribution to maintaining familiar and stable environments.



*The pParish cChurch, Earnley - Grade II**

The Strategy defines some key objectives and priorities to inform our policies and target our resources and sets out our approach to achieving these. It is structured into four broad sections:-

- Part One: Introduction, and Objectives
- Part Two: Context (Policy and Chichester's Historic Environment)
- Part Three: Heritage Assets
- Part Four: Action Plan with a list of prioritised actions which will be refreshed regularly.

The Strategy and Action Plan has been drafted to **support** ~~set out a~~ **the Local Plan to inform the** positive strategy for the Historic Environment as recommended by the NPPF. It applies to the Chichester District Local Plan area. Whilst the Strategy does not apply to those areas of the District that are within the South Downs National Park, the Action Plan covers the specialist planning services we provide to the National Park Authority in relation

to the historic environment under the terms of a delegation agreement in respect of planning authority functions. It does not cover other aspects of Historic Environment Actions within the National Park, such as conservation area appraisals, for which the National Park Authority has responsibility. Throughout this document references to Chichester District relate specifically to the Chichester District Local Plan Area, unless otherwise stated.



Chichester District

KEY

- Chichester District – Local Plan Area
- South Downs National Park Area

Part One – Introduction and Objectives

Background

This Strategy has been prepared by the Conservation and Design Team as part of Chichester's commitment to ensuring that the benefits of our heritage are fully realised and that changes to the city and the wider district are guided and managed in a way that is informed, strategic and shared and understood by all. It sets out our approach to achieving these aims to inform our policies and target our resources.

The production of this strategy is intended to enable a clear understanding of District's historic environment and the Council's approach to its management and conservation. It is seen as contributing to delivering the locally specific spatial vision for a quality environment, envisaged in the Council's Design Protocol to ensure that in meeting the needs of our current and future communities the contribution the historic environment makes is understood and appreciated

The document has been written to promote greater awareness of the historic environment, and understanding of the pressures that it faces. It identifies the opportunities that it provides and sets out the Council's role in its conservation and enhancement, including actions that are required to ensure that Chichester's historic environment is conserved for future generations.

The strategy will ensure that Chichester's historic environment is valued and understood, protected, conserved, cared for and where appropriate enhanced. The historic built environment requires broad public support and understanding, and this strategy will promote the important contribution it makes to the District's special environmental qualities and underpin the Council's commitment to its proper management for the benefit of future generations.

In Neighbourhood Plan areas, Parish or Town Councils will have an important role in protecting and conserving the historic environment within their areas. The District Council will provide support and advice to help communities achieve this objective.

Purpose of the Strategy

The Government attaches great importance to the protection and enhancement of the historic environment as one of key dimensions of sustainable development as identified within the National Planning Policy Framework (NPPF). Conserving heritage assets in a manner appropriate to their significance, so they can be enjoyed for their contribution to the quality of life of this and future generations is identified as one of the core planning principles on the Framework.

The Historic Environment Strategy and Action Plan set out to define the character and special significance of the historic environment within the Local Plan Area of Chichester District and the Council's approach to its protection conservation and management. It underpins our commitment to achieving sustainable development as set out in National Policy and Chichester's Local Plan. This strategy sets out how we will ensure that the special qualities of the buildings, features, places, spaces and the networks that make up our city and towns and rural areas contribute to the quality of our environment, both now and in the future.

This Strategy and associated Action Plan will guide the Council's approach, in association with the South Downs National Park Authority, where appropriate, to positively managing

change within the district's historic environment and ensure that available resources are put to best use.

The Strategy identifies priorities for action to ensure resources are directed to best effect. It will assist the making of bids for resources, including partnership funding, to deliver regeneration projects that respect the historic environment and a quality conservation service. It will be consistent with and help achieve the council's corporate goals and commitments set out in the New Local Plan through the environment, social and economic dimensions of sustainable development including cultural infrastructure.

The **Strategy** and **Action Plan** will:

- Clarify the council's responsibilities and reaffirm its commitment towards the conservation of Chichester's historic environment;
- In particular, the Strategy sets out the processes and tools available for protecting and maintaining the historic environment to ensure Chichester's distinctive historic and natural environment is conserved and enhanced. The Action Plan sets out the Council's approach to the use of these processes and tools to secure appropriate planning decisions that facilitate constructive conservation and management of the historic environment;
- Seek to make best use of this considerable asset, and to drive forward projects for the continued preservation and enhancement of this heritage;
- Define a series of key principles for management and protection of the historic environment; and
- Include a programme of action for the future management of the district's historic environment and cultural heritage.

Why the Historic Environment is Important

Evidence from the historic environment is important for its potential to increase future knowledge and for its value as a cultural, social, leisure, education and tourism resource. These survivals are finite and non-renewable, and are vulnerable to loss and damage from development activities and also by cumulative erosion through small scale change.

The historic environment represents tangible evidence of the District's past and is what defines our district. There are also sound economic reasons why the historic environment is important to Chichester in terms of making an attractive location to live and work and many visitors are keen to visit and learn more about the District's history and heritage. Understanding how the district has historically developed over time can help inform how it should grow in the future whilst conserving or enhancing these special characteristics.

Objectives and Priorities

To ensure a clear and consistent approach to the management of Chichester's historic environment it is necessary to take a strategic and holistic approach to its management. It is, therefore, helpful to define an underpinning set of objectives and priorities, however, they are not fixed and will be re-examined and reviewed regularly to ensure they remain current and relevant.

Objectives: The Chichester Historic Environment Strategy and Action Plan will:-

- Promote the sustainable management of the historic environment;

- Promote local community participation in the management of the historic environment resource.
- Promote greater awareness of the historic environment amongst decision makers;
- Provide a strategic overview of the historic environment resource in the district;
- Identify the key issues and opportunities facing the historic environment in the district;
- Identify the key priorities for action to improve the management of the historic environment;
- Produce a targeted action plan;
- Promote a partnership approach to the management of the historic environment;
- Promote public understanding and enjoyment of the historic environment.

These objectives and priorities recognise that:

- All aspects of Chichester's environment, rural and urban, are 'historic' and its diversity is recognised;
- Change is inevitable and frequently necessary therefore all plans, policies and proposals affecting the historic environment should be based on a thorough understanding of the significance of any assets affected.
- Opportunities to better reveal or enhance significance can help our understanding of the historic environment to ensure that it is valued.
- The processes of historic land use and management and building craft traditions enshrined within the district's historic environment are what gives the area its local distinctiveness and special character;
- The historic environment belongs to the whole community, residents and visitors alike, and has great social value in the way it contributes to sense of place and through that to individual, communal and regional identity.
- Some features of the historic environment are of such significance that their conservation should be an overriding concern
- In delivering change, working with the historic environment can provide more sustainable and long term solutions for communities;
- that there are real economic benefits to be gained from the conservation of the historic environment

This Strategy and associated Action Plan will guide future work programmes, influence investment decisions and ensure the District's historic built environment is managed in a co-ordinated, structured and corporate way. It will be subject to widespread consultation and involvement in its development and delivery.

Part Two – Context

Definition of the Historic Environment

The term historic environment represents the material and natural remains of the past as shaped by people's activities through time and perceived by people now and, therefore, covers "all aspects of the environment resulting from the interaction between people and places through time, including all surviving physical remains of past human activity, whether visible, buried or submerged, and landscaped and planted or managed flora" (**National Planning Policy Framework (NPPF) Annex 2 – Glossary**). The historic environment, therefore, provides the context for our everyday lives, comprising the places and buildings in which we live or work or which we enjoy to visit in our leisure time. It helps to define a sense of place that in turn promotes civic pride. As such the interpretation of the historic environment is different for everyone and can be very diverse.

In formal terms the historic environment comprises ~~protected~~ **designated** heritage assets such as listed buildings, registered parks and gardens, scheduled monuments, conservation areas, World Heritage Sites, protected wrecks and registered battlefields. **The National Planning Policy Framework (NPPF) Paragraph 132 identifies heritage assets of the highest significance, including scheduled monuments, grade I and II* buildings, protected wreck sites and grade I and II* registered parks and gardens.** But these designated assets represent only a small proportion of the historic environment that also includes, the countryside, towns and villages and the city itself all of which have physical evidence for past human activity, over thousands of years.

Therefore, the historic environment also includes this wider landscape and the various individual features of places which give them their special character. Anything which has over time been influenced by the activities of humans can form part of our historic environment: for instance historic settlements; farmsteads; street and field patterns; the walls, ancient trees and hedgerows, footpaths and numerous things which adorn our streets like finger posts and milestones, post boxes and telephone kiosks. These features all come together to create the historic environment that people recognise and relate to.

In addition **to the** physical expression of the historic environment, there is also valuable documentary evidence in the form of collections, archives and hidden evidence of people's stories, photographs and memories, and artefacts that help us to understand how and why the historic environment was created. However we view our historic environment, it is a record of the past and a resource we should manage carefully for future generations.

Protecting the Historic Environment

The District Council has a statutory duty to protect the Historic Environment in the exercise of its planning functions. With respect to Listed Buildings and Conservation Areas this is set out in the Planning (Listed Buildings and Conservation Areas) Act 1990.

With respect to Listed Buildings

S.16 subsection (2) states:-

*"In considering whether to grant listed building consent for **any works** the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses".*

And, Section 66 Subsection (1) provides:

“In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.”

With respect to Conservation Areas

S.69 Subsection (1) states:-

“ Every local planning authority—

(a) shall from time to time determine which parts of their area are areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance, and

(b) Shall designate those areas as conservation areas.”

And Subsection (2)

It shall be the duty of a local planning authority from time to time to review the past exercise of functions under this section and to determine whether any parts or any further parts of their area should be designated as conservation areas; and, if they so determine, they shall designate those parts accordingly.

S.71 Subsection (1)

“It shall be the duty of a local planning authority from time to time to formulate and publish proposals for the preservation and enhancement of any parts of their area which are conservation areas.”

S.72 Subsection (1) Imposes a general duty on local planning authorities in the exercise of its planning functions, with respect to any buildings or other land in a conservation area, to pay special attention to the desirability of preserving or enhancing the character or appearance of that area.

With respect to Archaeology and Scheduled sites, the Ancient Monuments and Archaeological Areas Act 1979 (as amended) enables the Secretary of State for Culture, Media and Sport, normally acting on the advice of Historic England, to provide legal protection for nationally important ancient monuments. Other provisions of the 1979 Act enable Historic England and local authorities to give grants, enter into management agreements and take monuments into guardianship.

Part II of the Ancient Monuments and Archaeological Areas Act 1979 (as amended) introduced measures for archaeology planning control through the creation of Areas of Archaeological Importance, and the Act makes provision for investigation, preservation and recording of matters of archaeological or historical interest and for the regulation of operations or activities affecting such matters.

Some large-scale developments are covered by the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 which require that the potential environmental impacts of development are assessed prior to any decisions being made. The Regulations may apply to developments which fall outside the remit of local planning authorities, such as trunk roads and other infrastructure developments pursued under the Transport and Works Act and major pipeline schemes.

Policy Context

National Policy

The Government's planning policy is set out in a single unified document known as the National Planning Policy Framework (NPPF). The NPPF requires each Local Planning Authority to produce a local plan for its area which includes a positive strategy for the conservation and enjoyment of the historic environment taking into account: the desirability of putting heritage assets to a viable use and sustaining and enhancing their significance; the contribution that the historic environment makes to wider sustainability aims; the desirability of new development to contribute to local character and; the opportunities to draw on the contribution that the historic environment makes on the character of a place (NPPF, paragraph 126).

Local Plan Policy

Chichester's Local Plan sets the Vision for the sort of place that the District should be by 2029.

The Vision for Places recognises the area's unique strengths and opportunities, including its valued and cherished historic environment, that have contributed to its success and which will underpin its future prosperity. Aspects of the Vision specifically relating to the Historic Environment include:-

By 2029, Chichester will be a place where people can:

- Enjoy a vibrant historic city, thriving towns and villages and areas of attractive, accessible and unspoilt harbours, coast and countryside;
- Have a quality of life that is enriched through opportunities to enjoy our local culture, arts and a conserved and enhanced heritage
- The conservation and enhancement of the historic environment, the high quality landscapes and the agricultural and other rural activities that support it will remain paramount

The Plan embraces all aspects of the historic environment including the built environment, archaeological remains or features and man-made landscape and recognises that it is dynamic and changes over time. The aim of the plan is to manage change by ensuring that development or change affecting the historic environment is appropriate in terms of its impact and to ensure appropriate policies and programs of work are developed and put in place for its management

The Plan contains policies that are consistent with the policies in the NPPF setting out how we will deliver sustainable development within our area. The Local Plan sets out the strategic policy necessary to deliver conservation and enjoyment of the historic environment To support these more strategic policies this Strategy sets out in greater detail how these policies will be implemented in practice including information on the procedures that we adopt, the more detailed advice on management of development affecting the historic environment of the district. The Action Plan sets out a programme of key activities the Council will undertake to ensure good management of the historic environment including the approach to preparing and reviewing character appraisals for the Districts conservation areas, the identification and management of heritage at risk,

the making of Article 4 Directions to control small scale incremental changes within conservation area, and the processes and procedures we employ in identifying undesignated heritage assets.

Alongside the NPPF and the new Local Plan the Localism Act (2011) has given powers to local communities and parish and town councils to produce their own Neighbourhood Plans. The NPPF sets out the Government's concept for Neighbourhood Plans which are intended to give local people an opportunity to become involved in shaping a shared vision for their community and to ensure that the right types of development are delivered locally.

Historic Context - Geology

Chichester District, which is divided by the area within the National Park, is unusual in including significant areas of each of the dominant geographical zones of its region: coastal plain, chalk downland, Greensand belt and Weald. **The geology of the area is often reflected in local architecture in terms of building materials and associated construction techniques.** Each zone has been utilised by mankind in different ways and each contains specific relics of settlement pattern and ritual activity. **The variety of geology and of vernacular building materials needs to be understood whenever designing new buildings or extensions to existing ones, wherever they may be located.**

The coastal plain

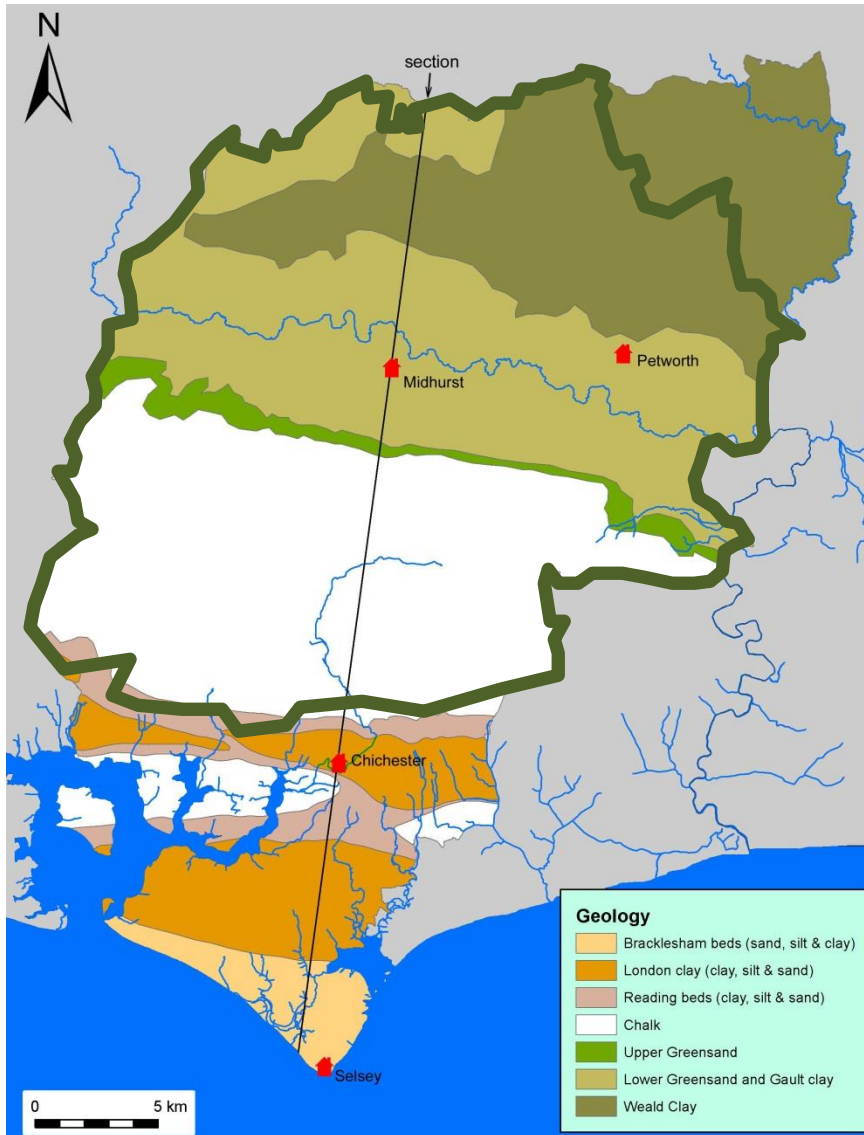
The dip slope of the chalk Downs and the clays at its base were flattened **by a succession of** during the last Ice Ages **or glaciations and** by marine erosion and regression, leaving a series of 'raised' beaches backed by "cliffs". These were then covered by a variety of sediments including gravels and clays as well as alluvial deposits from former streams.

The South Downs Dip Slope

The gentle, dip slope of a prominent chalk escarpment, the southern remnant of a vast dome that once covered the whole Weald blends into the coastal plain along the southern fringes of the South Downs National Park. The dip slope is interrupted by a series of valleys formed by streams, mostly now dry with the (intermittent) exception of the Rivers Lavant and Ems.

The Weald, underlying most of the North-East part of the District, outside the National Park

The Western Weald is dominated by the clays with occasional outcrops of sandstone that underlie the Greensands. This has produced a rolling landscape with considerable surface water draining into meandering valleys.



South Downs National Park Area



Figure 1: Geology Plan

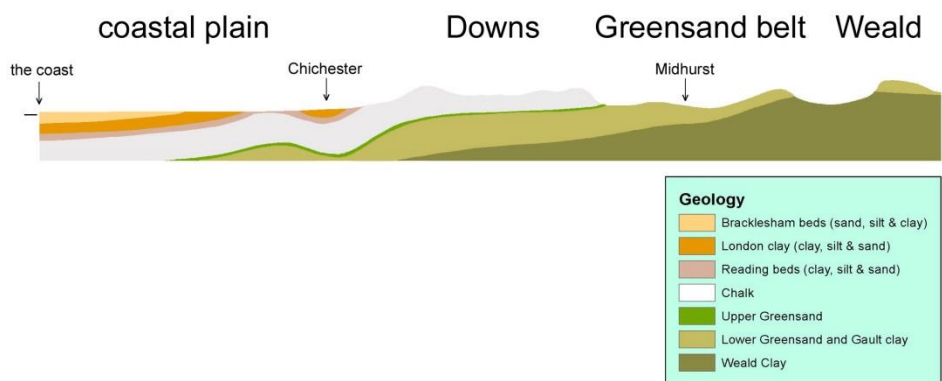


Figure 2: Geology Section

The extent to which these zones have been utilised at different times has depended on topography, abundance or scarcity of food, water and raw materials, soil fertility, drainage, climatic effects and technological change.

Historic Context - Chichester District Timeline

Palaeolithic - Mesolithic (c. 500 000 – 4500BC)

The Palaeolithic marks the first inhabitation of Britain by humans and the people of the Palaeolithic and Mesolithic periods hunted and gathered wild food using simple stone, bone and wooden implements. The environment varied considerably during this period, from frozen tundra to warmer than present. The degree of human activity is likely to have varied in relation to the environmental conditions. Sea levels rose and fell in relation to the advance and retreat of the ice sheets, and for the majority of this period Britain was connected to the continent, allowing the ingress and egress of the small, migrant human population. They were probably highly mobile, living in temporary structures leaving little trace. Their management of the environment may have been limited to the clearance of woodland to create hunting vistas.

Archaeological evidence indicates that the coastal plain was a wooded environment that was extremely rich in plant and animal resources. Early hunters and hunter-gatherers used flint tools to hunt for food and to process other natural materials.

Remains of the earliest known inhabitants of Britain, dating from 500 000 BC, have been found at Boxgrove, where early humans came down onto the beach to hunt large animals such as horse and rhinoceros.

Neolithic - Bronze Age (c. 4500 – 800BC)

The Neolithic period saw ~~arguably~~ some of the most important advances in human history, with the cultivation of cereal crops and the adoption of animal husbandry and ~~with it came the utilisation of the kinder soils and climate of the coastal plain and the need to settle permanently nearby.~~ The benefits of agriculture and a sedentary lifestyle led to changes in technology, society, and economics, notably the ~~vast increase in the use~~ **introduction of pottery, the appearance of communal monuments and the systematic exploitation and trading of raw materials such as flint. The area was dominated both physically and spiritually by the chalk downland, with its burial mounds, flint-mining complexes and ritual enclosures. Of the latter the most important was the causewayed enclosure at The Trundle, which seems to have been a place where people came together to make and reinforce relationships, to exchange food and special materials and to swap ideas. The evidence of Neolithic settlement on the coastal plain is restricted to individual and small groups of pits, often containing placed 'ritual' deposits, which presumably represent houses made from flimsy material that leaves no other trace.**

The Bronze Age saw an increase in the size and social complexity of communities, and, ~~notably,~~ the first use of metalworking in Britain. The expanding population and the advent of metal tools allowed forests to be cleared on a larger scale to provide land for agriculture, **and there is the first evidence for the development of social hierarchies. Large parts of the coastal plain seem to have been exploited in an organised way, with integrated systems of farming and the exploitation of fluvial and marine resources, and the landscape was peopled with communities in small**

groups of round-houses. The dead were generally cremated and their remains were buried in urns in cemeteries and burial mounds, but most of the latter clustered along the downland ridge.

Cleared land was often divided up into field systems, reflecting the increasing social complexity that was developing and specialisation of food production allowed more time for social gathering, leading to the appearance of the first ritual monuments, and the systematic exploitation and trading of raw materials such as flint.

Iron Age - Roman (c. 800BC – AD400)

The Iron Age sees **saw a series of technological and social advances. As well as** the development of iron-working technology, ~~Social relations become more complex and the development of new technologies and trade routes led to an increase in the range of goods people had access to. It was not until the Iron Age that the~~ **using minerals exploited in resources of the Weald began to be exploited, and a system of coinage based on those in use in the Mediterranean, there was a rapid growth in the use material culture and the development of a tribal system including rulers and a military elite.** ~~by which time organised commerce and political control resulted in the development of a tribal centre in the Chichester-Fishbourne area. The long distance trade routes, both maritime and insular, that this encouraged persuaded the Romans to annexe Britain and to impose their own sophisticated consumer economy. Sophisticated farms utilised the coastal plain. Major roads crossed the region from the only major town, at Chichester, to Winchester, Silchester and London. Other roads connected with the ports.~~ **This resulted in the need for fortified settlements, such as The Trundle hillfort, which served as the capitol, the royal palace, the religious centre and the place where food and grain and other riches were stored. In the late Iron Age the hillforts declined in importance and were replaced by a ‘territorial oppidum’, a sort of disparate proto-urban centre, on the coastal plain in the Chichester/Fishbourne area. This was defined and protected by a vast series of linear earthworks known as the Chichester Entrenchments and would have relied upon a major port at Fishbourne for the trade in raw materials to and luxury goods from the fledgling Roman Empire. Ordinary communities also seem to have coalesced into larger settlements than before, and most of the countryside was probably filled with small fields employing an arable/pastoral rotation system. The local tribe seem to have been called the Regini, which means something like ‘the proud people’.**

The sophisticated economy, rich mineral resources and the political advantage to be gained from a quick military victory made Britain too tempting a prospect to be ignored, and the Romans successfully invaded in AD43. Within a fairly short space of time they had established an urban centre, Noviomags Reginorum, the ‘new market of the Regini’, at Chichester, and a palatial residence, presumably for their chieftain who would have had the status of a client king, at Fishbourne.

Saxon (c. AD400 – 1066)

~~Following the withdrawal of the Roman army from Britain c. AD 410, the eastern areas of Britain began to be settled by peoples from northern Germany and southern Scandinavia, namely the Angles, Saxons, and Jutes. The collapse of the Roman economy there was a reversion to an agricultural subsistence reminiscent of the later prehistoric period. The intermingling of significant numbers of Germanic immigrants with the native population eventually resulted in a village society that remained in place until the agricultural revolution of the seventeenth and eighteenth centuries. Towns~~

~~developed either as reused ancient defensive sites (Chichester) or through commercial enterprise in previously underutilised areas.~~

By the end of the 4th century AD, following a series of disastrous barbarian invasions and civil wars, the economy of the Empire was close to collapse. The last units of the army had been shipped out and Roman administration ceased by AD 410. Commercial activity had virtually ceased, Chichester was abandoned and the countryside reverted to self-sufficiency. At the same time large numbers of settlers from northern Germany and southern Scandinavia were arriving on the east and south coasts of Britain. They brought with them a vibrant social system much more suited to a subsistence economy and soon either exterminated or subsumed what was left of the Romano-British population, ultimately into a Kingdom of the South Saxons. The intermingling of significant numbers of immigrants with the native population eventually resulted in a village society that remained in place until the agricultural revolution of the seventeenth and eighteenth centuries.

The Anglo-Saxons were pagans at first, and the South Saxons were amongst the last to be converted to Christianity, in the 7th century by Wilfrid, who established what became a cathedral at Selsey. At about the same time that the kingdom was being absorbed into Wessex and came under the rule of its royal house, from which sprang the first kings of all England. It was under the most dynamic of these, Alfred the Great and Athelstan, that urban centres were redeveloped as bulwarks against the Vikings in ancient defensive sites such as Chichester.

Medieval (c. 1066 – 1485)

~~Most of the landscape was formed in the medieval period, as small Saxon settlements grew into larger villages and towns. Following the Norman Conquest there was an increased focus on architecture created by the military and for religion. Thus many small wooden Saxon churches were rebuilt in stone, some on a monumental scale. The church became very powerful during this period, and held land and properties across the country. Towns developed either as reused ancient defensive sites (Chichester) or through commercial enterprise in previously underutilised areas.~~

The Norman invasion brought a new ruling class protected by a series of castles, not only dominating the populations of the old urban centres, like Chichester, but also to protect strategically important ports and new commercial centres. They also brought a new religious architecture and had the financial resources to rebuild many of the existing churches and to endow new monasteries. The cathedral at Selsey was closed and a replacement was built in Chichester in 1070. Throughout the middle ages the principal landowners were the Crown, the Church and major lords such as the Earl of Arundel.

But for most people in the countryside a change of landlord made very little difference; the small hamlets and villages that had developed in the late Saxon period mostly continued to do so until the arrival of the Black Death in the 14th century.

Post medieval Tudor to Victorian (c. AD 1485 – 1837)

The post-medieval period sees ~~saw~~ a rapid and extensive growth of the population and an increased strain on the agricultural resources needed to support them. ~~and~~

~~subsequently their impact on the landscape.~~ **The dissolution of the monasteries enabled a redistribution of property and the rise of a new landed class, and encouraged an increase in commercial activity. Increased literacy and interest in science, the arts and exploration encouraged ambition.**

In the wider landscape the enclosure of open fields began to take place and landowners accumulated large estates. Shipbuilding was a major industry and would have been supported by local coppices and woodlands. Dell Quay was the official quay for the port of Chichester at this time and exports included wheat and malt. Mills were built to mill corn for export as flour. Major iron and glassworking production sites developed out of medieval cottage industries in the Weald.

~~In the 18th century the population of Chichester City was around 4,000. It started to rise towards the end of the period but was still less than 5,000 at the time of the first census in 1801.~~ **By the 18th century Chichester had dwindled to being a quiet market town with population of around 4,000. It started to rise towards the end of the period but was still less than 5,000 at the time of the first census in 1801.** In 1724 Daniel Defoe wrote that Chichester was: 'not a place of much trade, nor is it very populous'. The City was largely rebuilt during this century. ~~Many houses~~ **the medieval timber framed buildings** were either rebuilt in brick, or faced up with brick in the **Georgian style** made from local clay and brick making became an important local industry.

In addition to a vast increase in settlement size, there has been a great increase in industry, while other institutions, such as the church, have declined in importance. Georgian Chichester was a town of craftsmen working in their own workshops with an apprentice including carpenters, bricklayers and glaziers, blacksmiths, wheelwrights, coopers, saddlers, tailors and shoemakers.

Enclosures of the medieval open fields, commons and wastes were a feature of Chichester's landscape setting – many brought about by Parliamentary Enclosure Act. The Portfield and Guildenfields which had been the Medieval open fields were enclosed and consolidated into one ownership. At this time Chichester was a remarkably compact city with views of the city dominated by the cathedral due to the absence of perimeter development beyond the walls and the open nature of the surrounding land.

The 18th and 19th Centuries saw the development of **new schools and** new transport links, most notably increases in the road network and the construction of canals. Commercial use of the canals was short-lived and the arrival of railways during the 19th Century led to a decline in commercial canal traffic resulting in their eventual closure and abandonment during the late 19th and early 20th Centuries.

George Loaders survey of the city in 1812 shows a city which is still substantially within the Roman walls. All north-south traffic passed through the centre of the town, although it was possible for east-west traffic to travel via lanes around the north walls. Changes since Nordens map of 1595 are principally the developments within the south-east and north-west quarters of the city, which had been largely undeveloped in the 16th century. Additional development had occurred to the east along the side of the river Lavant in St Pancras, St James and the Hornet. The Chichester Ship canal was built in 1822, to designs by John Rennie, coming in from the south, joining the turnpike road which led to the Manhood Peninsula and Dell Quay. At this time Chichester Harbour still provided an important transport link, as well as remaining a source of fish and other goods.

Victorian to Modern (c AD 1837 – 1935)

In 1846 the first Railway to Chichester opened linking the City to Brighton following on from the opening of the London to Brighton Line in 1841. The relatively short lived Chichester Line, linking Chichester and Midhurst was eventually opened in 1881 but closed to passenger traffic in 1935. Parts continued to be used for goods traffic and the section from Lavant to the Junction with the South Coast Line remained in operation until 1991 serving gravel workings and before that for the transport of sugar beet. Other railways in the District included the even shorter lived West Sussex Railway which opened in 1897 as the Hundred of Manhood and Selsey Tramway, running from Chichester to Selsey. It gradually declined in the face of competition from road traffic and eventually closed in 1935.

Chichester City



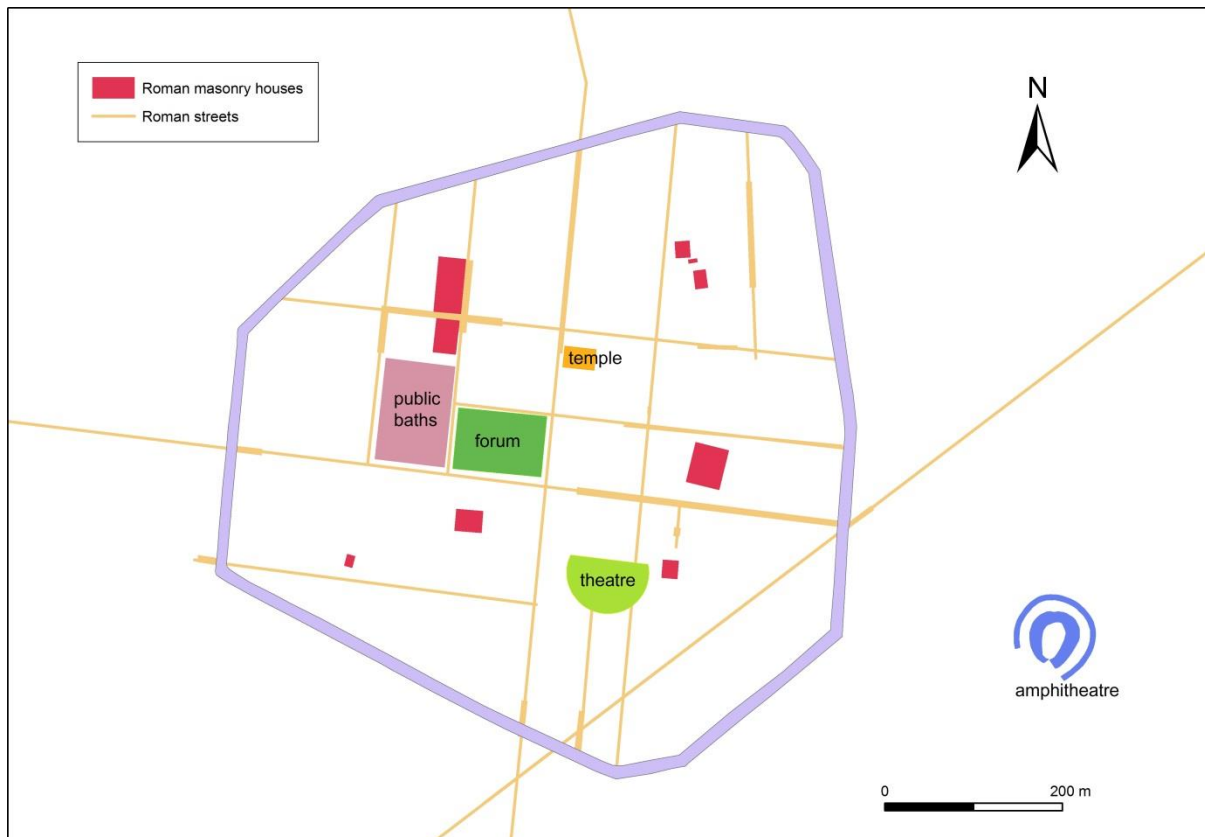
Chichester - John Norden 1595

The Roman and medieval city of Chichester lies at the heart of a rural District containing fine examples of archaeology from half a million years ago to the birth of the Industrial Revolution and historic buildings from the Anglo-Saxon period to the 1960s. **Of particular interest are the almost complete circuit of Roman City Walls, the Norman Cathedral, the medieval Market Cross and examples of unspoilt Georgian town planning.**

Roman Chichester was founded **one of a network of military roads that had been built for the invasion and soon converted to general use. These connected it to local ports and to other Roman centres at Winchester, Silchester and London, as well as to the palace at Fishbourne.** near the site of an Iron Age royal centre. It was the principal Roman town on the south coast between ~~Clause~~ **Clause** ~~tum~~ (near Southampton) and Dubris, or Dubrae (Dover) and became a stronghold against the Vikings and the only cathedral city in Sussex. ~~Of particular interest are the almost complete circuit of Roman City Walls, the Norman Cathedral, the unique Market Cross and examples of unspoilt Georgian town planning.~~ **It was provided with a series of public buildings including a court-house and town hall (the forum basilica) a large public bath-**

house (the *thermae*), a theatre and an amphitheatre, a series of temples to house the gods and, eventually, a protective town wall. The better houses were of masonry and had mains water and sewers, but poorer people had to make do with wells and cess-pits, and continued to live in fairly basic timber-framed houses.

For around 350 years Chichester was the principal administrative and market centre of the region, the focus for Roman culture and commerce. It was surrounded by a wealthy agricultural area containing many small farms and villas and occasional wayside temples.



Conjectural plan Plan of Roman Chichester –SE Winbolt, 1928

Chichester was designated as a fortified burgh by Alfred the Great in 875. The walls were rebuilt and by 895, the Anglo Saxon chronicle tells us that the people of Chichester were able to defeat a band of marauding Danes. In 928, the city had a mint, and in 930 the south gate is mentioned. A charter mentions a monastery in 956. During this time surrounding villages also thrived.

The most significant and symbolic change in Chichester was the relocation of cathedral church of the diocese, at that time occupying the extent of the old kingdom of the South Saxons from Selsey to Chichester, following the Norman Conquest. The building of the new cathedral church within the town, probably on the site where the monastery mentioned in 856 was located in the south west quadrant of the city close to the junction of the four streets which divided the walled city into quarters. The whole quadrant was set out at this time for the houses of the bishop, dean and chapter officials (together with the establishment of the castle in the north east quadrant) reinforced the fact that Chichester was

reviving and on the map. Had this not been the case it might have suffered the same fate as Silchester.

Medieval Chichester was not a conspicuously prosperous or well-populated town. Its port was limited, and the cloth trade never brought the wealth enjoyed by other provincial towns. **It developed as a moderately successful market and religious centre. By the 15th century it had two religious orders: the Grey Friars in what became Priory Park and the Black Friars in the south-east quadrant. It also had at least eight churches in addition to the Cathedral and the Bishop's Palace and six hospitals, two within the walls to house the poor and four beyond the suburbs for lepers. Trade depended largely on agricultural produce, especially grain and wool, but also timber, and there were regular specialist livestock meat and fish markets in the streets.** For most of the period from 1100-1500 the population stayed below 2,000.

In 1501 Bishop Storey erected the market cross in Chichester **at the intersection of the four main streets to provide shelter for people selling butter, fowls and vegetables. During the same period (late 1400s or early 1500s) the buildings of Dell Quay were built by the Lord Fitzwilliam of Cowdray.**

In 1538 Henry VIII closed the friaries in Chichester and sold their property. **This freed up a large amount of the land within the city which had been owned by two religious orders, the Greyfriars, and the Dominicans, allowing further development of trade.** A mansion was built on the site of the **Blackfriars Friary** in East Street and the surrounding land became its gardens. The **Greyfriars Friary** was demolished but its church survived and in 1541 it was sold to the corporation and made the guildhall. During the 16th century Chichester declined in importance. The wool trade declined. The main exports became wheat and malt. Other industries in Chichester were ~~brewing~~ **malting** and tanning. In 1578 the streets of Chichester were paved for the first time by an Act of Parliament.

John Norden's 1595 map of Chichester shows very little housing beyond the old walls. Both these and the main street layout are relics of the first Roman city layout some 1500 years earlier. A cluster of housing lies outside both the west and the east gates, and housing also straddles the River Lavant next to the Southgate. At this stage the course of the River Lavant is seen to flow alongside the southern city walls. The western half of the city is relatively undeveloped apart from the cathedral and some houses along West and Tower Streets.

The Civil War (1625-1649) caused considerable damage to the city, which was divided over the cause. It was twice besieged and buildings were burnt down. The contents of the cathedral were also damaged. It took many years before the city was fully revived.

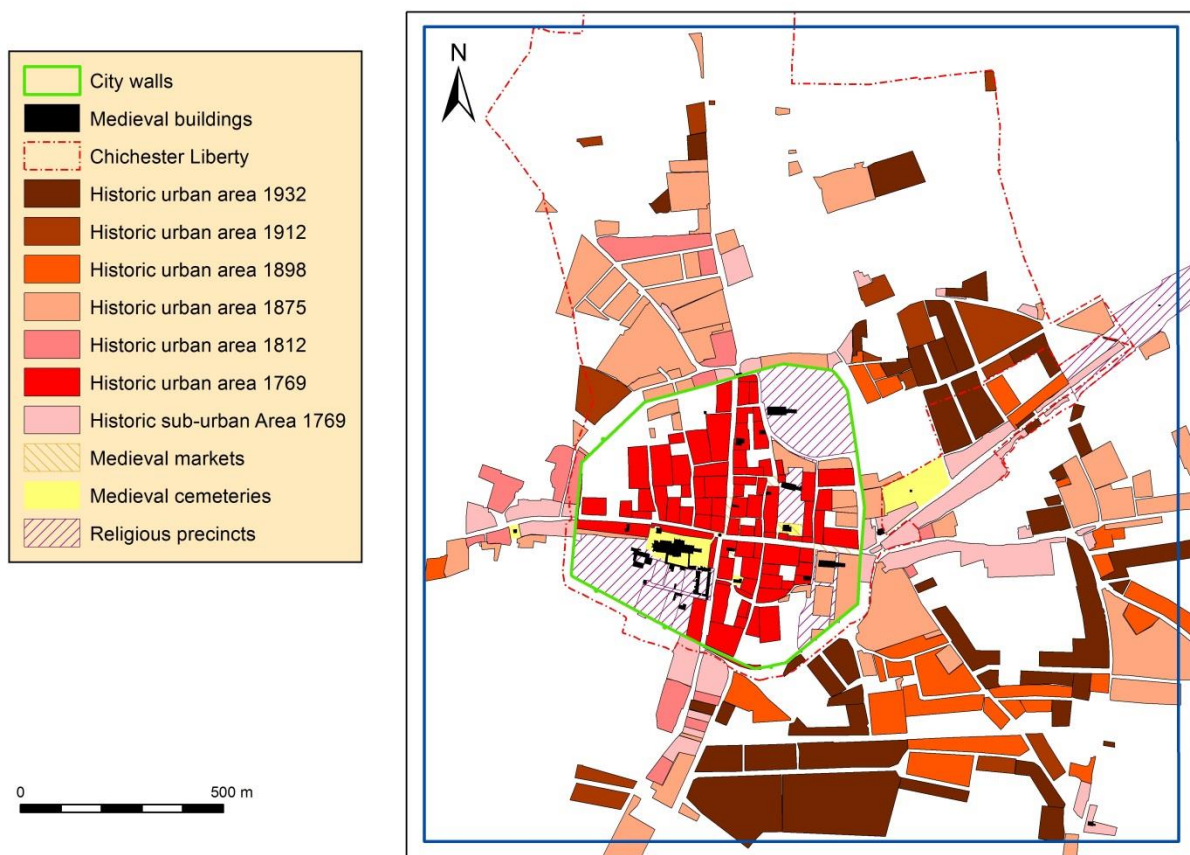
Most of the houses in Chichester in the early 17th century were timber-framed **mostly with tiled or slate roofs with a variety of outbuildings comprising kitchens, barns, bake-houses and stores mainly with thatched roofs.** In the late 17th century people in Chichester began to build houses in brick. **Notable early C18th buildings are John Edes House was built in 1696 in West Street, and Pallant house in The Pallants. Edes house was marked as Westgate House on 19th century Ordnance Survey mapping.** ~~(It is sometimes known as Wren House. In fact Wren did not build it).~~ **By the 20th Century it became, incorrectly, called known as Wren House.**

The council house in North Street was built in 1731 and extended with assembly rooms in 1783. At this stage various industrial processes were still taking place within the city walls, e.g. brick furnaces in East Pallant. The increasing population and changing social structure had led to the building of a workhouse, and hospital. New turnpikes were being built to allow better road traffic. Chichester was on a coaching route between Brighton and Portsmouth, and coaches stopped at either the Dolphin or Anchor opposite the cathedral.

In the early nineteenth century the marketing of butter, fish, poultry and vegetables moved to the butter market in North Street and the sale of corn moved into the new corn exchange. Cattle and pigs continued to be sold in North and East Streets until the market was built in 1871.

Graylingwell Hospital and the Roussillon Barracks were also established in the 19th Century – Graylingwell Hospital was built 1894-97 as the West Sussex pauper asylum with an extensive, purpose-built designed landscape.

At the beginning of the 20th Century terrace development had already spread along radial routes beyond the city walls engulfing the former hamlets of Whyke and Portfield. Considerable growth occurred about a mile to the north of Chichester in the spacious suburb of Summersdale. Interwar suburban growth occurred around Cedar Drive (to the west), Stockbridge, Summersdale and infill in Whyke and St. Pancras. Meanwhile development of Graylingwell Hospital continued. Incremental growth occurred until the 1940s when town and country planning legislation was introduced.



The development of Chichester from the Middle Ages to the 1930s

Chichester's District's Historic Environment

The district, including the South Downs National Park, has a very fine historic environment and as a whole contains a large number of "Heritage Assets", both designated and undesignated, including over 200 scheduled monuments, over 3,200 Listed Buildings, 86 conservation areas, 17 registered parks and gardens and the Chichester Harbour Area of Outstanding Natural Beauty; significant areas within the District have been identified as having archaeological potential. There are also a number of other buildings, which have been identified through a process of appraising the character of the District's conservation areas as making a positive contribution to their special character and appearance and a number of which have been included on a "local buildings list" currently focused on Chichester city. These combine to define the character and quality of the District as a whole and provide a rich and varied environment providing a highly desirable place in which to live, work and study and also to visit. 70% of the District falls within the South Downs National Park for which the South Downs National Park Authority is the planning authority. Within this area of the national park, Chichester District Council provides a service under a delegation agreement, this service includes advice on planning related historic environment issues, and we work closely with the Park Authority historic environment officers. This Strategy, therefore, makes reference to the historic environment of the national park within Chichester District in terms of the wider context of Chichester historic environment and also our working relationship with the National Park. The historic environment is central to Chichester's cultural heritage and sense of place therefore the resource should be managed for the benefit of present and future generations.

The local distinctiveness in the historic built environment of the District is largely derived from the historic use of locally sourced materials, reflecting the changing geology and landscape across the district and the vernacular craft traditions employed in the construction of buildings and more recently access to different materials from further afield through the growth in transport infrastructure. This distinctiveness is further defined by the characteristic ways in which people have occupied the landscape over millennia. Understanding the influences of topography, historic movement routes, responses to natural resources, the characteristic qualities of historic streets and spaces, building types and materials and settlement growth patterns should inform how and where development occurs in the future.

As well as locally sourced materials, material has always been imported for prestigious buildings: Caen stone from Normandy, Quarr from the Isle of Wight and Ventnor greensand for the Bell Tower to Chichester Cathedral. West Country slate could be shipped to Sussex for roofing material in the middle ages but it is the availability of Welsh slate from the railway age onwards that would transform the appearance of many roofs in terms of texture and colour. Understanding these characteristics and influences can help to shape our modern communities, giving them a sense of history and distinct local identity whilst supporting sustainable development.

However, the value of the historic environment is by no means confined to the most important places. Outside statutorily designated areas a diversity of historic settlements, townscapes and landscapes make up the remainder of the district, containing buildings, structures and features of historic and/or architectural value. In the rural areas, there are a number of estates, villages, farmsteads and historic houses of exceptional conservation importance and some highly valued landscapes. These different character areas warrant protection in their own right. Once lost, the historic environment is irreplaceable and therefore every effort should be made to ensure appropriate protection and enhancement.

The Significance of Chichester's District's Historic Environment

The historic environment is one of the main contributing factors that define our sense of place contributing to regional and local distinctiveness. The value of the historic environment is defined by way people engage with the places in which they live and work or visit. The sense of place and strong cultural identity provided by the historic environment plays a crucial part in the sustainability of communities and in promoting a positive image of our District.

The historic environment is important in its own right, providing key evidence of the lives and creativity of our ancestors. It also makes an important contribution to our physical and social wellbeing and the District's economy including tourism and culture. It also facilitates public participation, and lifelong learning. It is dynamic and ever-changing and that dynamism lies at the heart of the need for sound principles of stewardship.

For the benefits of the historic environment to be fully realised it needs to be understood, valued and championed. This requires a strategy for its management, and a series of coordinated actions by a range of players from the public, private and the third sector through which this strategy can be delivered.

As **Both individually and as** a group, the heritage assets in Chichester District are considered to be of outstanding significance. The District's archaeology, monuments, earthworks, hill-forts, historic buildings and historic landscapes are of national and international importance. Discoveries ranging from Boxgrove man and Racton man burial and major projects including the managed realignment of the coast at Medmerry have helped to improve our understanding of the movement of peoples, ideas and goods in the prehistoric period. Major heritage sites such as Fishbourne Roman palace have been known about for much longer, but nevertheless are likely to contain important evidence that could further improve our understanding of key events and periods in British history evidenced within our District.

Significant Components and Themes of the Historic Environment in Chichester

- **Early Occupation.** A number of excavations on the coastal plain-have significantly increased our understanding of this area which was densely populated.
- **Roman Occupation** and the building of the walled City of Chichester and associated infrastructure.
- **Rural villages and hamlets** defined by historic settlement patterns, manorial groups, vernacular buildings and rural churches.
- Isolated **farmsteads**
- Development of rural **Market Towns**
- **Enclosure** and impact on field patterns, farmsteads and villages
- Medieval and Georgian **City of Chichester**
- Growth in **transport infrastructure**
- **Urbanisation** and growth of the city and market towns

Within the National Park, additional components include

- The large, post Norman Conquest, rural **manorial estates** of Cowdray,

Goodwood, formerly Halnaker, West Dean and Leconfield (Petworth).

- **Medieval Deer Parks**

Part Three – Heritage Assets

Definition of a heritage asset

A heritage asset is a building, monument, site, place or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage assets include designated heritage assets and assets identified by the Local Planning Authority (including Local Listing) (NPPF Annexe 2).

In planning terms the concept of 'heritage assets' was a key feature of Planning Policy Statement 5 which unified previous planning policy guidance. This principle of considering the historic environment in a holistic manner is continued in the Government's National Planning Policy Framework (NPPF) and the concept of heritage assets remains a key building block of the framework. Elements of the historic environment that are worthy of consideration in planning matters were termed 'heritage assets'.

A heritage asset will hold meaning to individuals and groups of individuals beyond their purely functional utility. Heritage assets have been shaped by people responding to their local environment, but will also help to shape that environment in the future. They have a significant role to play in creating a sense of place and acting as a catalyst for regeneration. The District's heritage assets add distinctiveness, meaning and identity to the place and are an exceptionally valuable local resource.

It is therefore important that the significance of the District's heritage assets, both designated and undesignated, is taken into account as part of any future development management, regeneration or maintenance decisions and opportunities are sought, wherever possible to enhance the District's heritage assets.

Types of assets and designations

The term heritage assets encompasses all sorts of features, including buildings, structures and features, parks and gardens, standing and buried remains, areas, sites and landscapes. Some heritage assets possess a level of significance that justifies designation.

Designated Heritage Assets: The following statutory designations covering heritage assets exist within Chichester:-

- Scheduled Monuments
- Listed Buildings
- Conservation Areas
- Registered Parks and Gardens

Full details of designated heritage assets can be found on the National Heritage List for England (NHLE) a searchable online resource which covers all listed buildings, scheduled monuments, protected wrecks and registered parks, gardens and battlefields, see link below.

<https://www.historicengland.org.uk/listing/the-list>

Scheduled Monuments

Chichester District, including the South Downs National Park has over 200 Scheduled Monuments. These are sites (which may include sub-surface remains and standing ruins or buildings) that are protected under the Ancient Monuments and Archaeological Areas Act 1979 and are included in a schedule compiled and maintained by Historic England for the Secretary of State for Culture, Media and Sport. The monuments are considered to be of national importance and worthy of statutory protection and preservation in situ. Any proposal which may affect a Scheduled Monument requires an application to be made to

Historic England (who advises the Secretary of State) for Scheduled Monument Consent.



Chichester - City Walls

Listed Buildings

Significant historic buildings or structures are provided with statutory protection by being placed upon the Statutory List of Buildings of Special Architectural or Historic Interest. Buildings which have been placed upon this statutory list are known as Listed Buildings and are graded using the following criteria:

- Grade I buildings are of exceptional interest, sometimes considered to be internationally important; **nationally** only 2.5% of Listed Buildings are Grade I, **2.5% in Chichester, including the South Downs National Park.**
- Grade II* buildings are particularly important buildings of more than special interest; **nationally** 5.5% of Listed Buildings are Grade II*, **3.7% in Chichester District, including the South Downs National Park**
- Grade II buildings are nationally important and of special interest; 92% of all Listed Buildings **nationally** are in this class, **93.8% within Chichester District, including the South Downs national Park**, and it is the most likely grade of listing for a home owner.

Chichester District, including the area covered by the South Downs National Park, has 3296 buildings on its List of Buildings of Special Architectural or Historic Interest. Of these, 206 are Grade I or II* or equivalent. Within the Chichester Local Plan area Listed Buildings include the Cathedral, Market Cross and Chichester City Walls, country houses such as Rymans, Apuldram, through Parish Churches like those at Wisborough Green, Oving and Westbourne through to humble village telephone boxes. Many Listed Buildings are in everyday residential and commercial use.



*Shillinglee House, Plaistow - Grade II**

Conservation Areas

Conservation Areas are designated where a place is of special historic or architectural interest, and where it is desirable to preserve or enhance the character and appearance. Conservation Areas are mostly designated by the Local Planning Authority. Owners or users of a property in a Conservation Area require permission to carry out certain types of alterations to that property, to demolish or substantially demolish a building and to notify their intention to cut down or prune trees in the area. Additional restrictions on small scale development and alterations within a Conservation Area can be secured through the application of Article 4 Directions which can be used to remove permitted development rights.

Chichester District, including the area covered by the South Downs National Park, has 86 Conservation Areas, of which 61 are in the National Park and 2 shared between the District and the National Park. They range from the internationally important Chichester City Conservation Area to those in the town of Selsey and villages such as Bosham in the South and Kirdford in the North.

A list of the Conservation Areas within the Chichester District Local Plan area is attached at Appendix 1.



Bosham

Registered Parks and Gardens

Since 1983 Historic England (formerly English Heritage) has maintained a Register of Historic Parks and Gardens of special historic interest in England. This Register is specifically concerned with gardens, grounds and planned open-spaces and the emphasis is on the significance of the place as a designed landscape, rather than its botanical importance. Although inclusion on the Register brings no additional statutory controls, registration is a 'material consideration' in the planning process, meaning that planning authorities must consider the impact of any proposed development on the landscape's special character. As with Listed Buildings, the Registered Parks and Gardens are graded as per the following criteria:

- Grade I sites are of exceptional interest
- Grade II* sites are particularly important, of more than special interest
- Grade II sites are of special interest, warranting every effort to preserve them

Chichester District, including the area covered by the South Downs National Park has 17 such entries on the list, of which just 2 are within the Chichester District Local Plan Area ranging in scale from the recreated Roman formal gardens within the Fishbourne Roman palace complex to the landscaped grounds of the former Graylingwell hospital. Sites are graded Grade I, II* or II. They are not afforded any Statutory protection but registration is a material consideration in planning terms. There are also a number of gardens recorded on the Parks and Gardens UK database including Priory Park and a number of private gardens including Rymans, Apuldram and Itchenor Park House

A list of Historic Parks with the Chichester District Local Plan Area is attached at Appendix 1.



Fishbourne Roman Palace

Areas of Outstanding Natural Beauty (AONB)

Natural England is responsible for formally designating AONBs and advising on policies for their protection. Designation seeks to protect and enhance natural beauty whilst recognising the needs of the local communities and economies within the areas designated. Heritage assets may form an important part of what makes an AONB special and great importance is attached to the conservation of archaeological, architectural and vernacular features within the landscape, therefore providing heritage assets with a degree of indirect protection. Within Chichester there is one AONB encompassing Chichester Harbour.

National Parks

National Parks are protected areas which are designated by Government under the National Parks and Countryside Act 1949. Under the Environment Act 1995 each is managed by its own national park authority, which acts as the local planning authority for their area. The South Downs National Park was designated in shadow form on 31st March 2010 and assumed its duties in April 2011 and extends over about 70% of Chichester District.

Non-designated Heritage Assets

There are many assets that are widely recognised for their heritage importance such as un-registered historic parks and gardens such as Priory Park in Chichester City, historic graveyards and burial grounds and streetscape features such as street signs, fingerposts, hedgerows, lamp standards and historic paving which are afforded little protection outside designated conservation areas, unless statutory listed, but nonetheless contribute significantly to the character of our city, towns, villages and the rural area.

The majority of **these** heritage assets will not be designated. Some heritage assets may be of a level of significance which would not warrant formal designation, whilst other assets may not currently be designated either because their significance has only recently been revealed or has never been formally considered. Some of the undesignated heritage assets are of equivalent significance to those that are designated.

Local Non-Statutory Designations – Local Buildings List

Some assets may have a locally-defined designation; these do not have any statutory framework underpinning them but represent recognised heritage assets of local significance or value. This includes the local list of buildings in Chichester City and positive buildings identified within conservation area character appraisals and could extend to locally significant Historic Parks and Gardens.

These comprise buildings which are important in a local context but not nationally important enough to have a statutory listing. The local buildings list is made up of buildings with historic or architectural associations which are particular to the City of Chichester. These include buildings by local architects, local landmarks or a buildings associated with a locally important persons or event. They also include buildings which contribute to the local character of the area in their identity and distinctiveness and help to promote a greater sense of place.



A locally Listed Building - The Chapel, University of Chichester, Bishop Otter Campus

Details of the buildings on the local buildings list can be found by following the link below:-

<http://www.chichester.gov.uk/article/24655/List-of-locally-important-buildings>

Non-designated heritage assets

Non-designated heritage assets are all those recognised elements of the historic environment not covered by one of the above designations. These include standing

buildings, below-ground archaeology and archaeological findspots, earthworks, maritime features and aircraft crash sites (though most of the latter are covered by the Protection of Military Remains Act 1986). **Details of non-scheduled archaeological remains can be found by consulting the District's Historic Environment Record, details can be found by following the link below:-**

<http://www.chichester.gov.uk/article/25592/Historic-Environment-Record-HER>

Non designated assets are often identified as a result of the planning process, either through archaeological investigation or closer inspection of historic buildings or structures, including curtilage structures and through the process of appraising conservation areas. With respect to buildings, this is often the case in Chichester due to the fact that the Statutory List covering West Sussex was compiled many years ago and comprised a less than comprehensive survey of the area resulting in many buildings being overlooked. The significance of a building may not be obvious and it is only following closer inspection, particularly of the roof structure and interior that the true significance of a building or structure is revealed.

While there are unlikely to be resources made available in the immediate future for a complete review of the Statutory List for West Sussex, where opportunities arise the Council will work with Historic England to undertake area reviews, through the conservation area appraisal process, to identify further buildings for assessment for potential inclusion in the Statutory list. Historic England also provide charged for enhanced services including "Fast Track Listing" and "Listing Enhancement" to give greater clarity over the extent of statutory protection within a guaranteed timeframe. There is also the possibility for applying for a Certificate of Immunity from Listing (COU), which will allow the significance of a building or structure to be formally assessed.

Historic Places and Landscape

The historic character of local landscapes outside the National Park and the Chichester Harbour Area of Outstanding Natural Beauty, are also important aspects of Chichester's historic environment. This character is defined by historic settlements and farmsteads, landed estates, the mosaic of historic field boundaries, rural roads, sunken lanes, canals, railways and street patterns, historic land-use patterns and the relationship of buildings and settlements to the wider landscape as well as more designed and formalised landscapes in the form of parks and gardens. These dynamic, living landscapes do not lend themselves to normal statutory designation regimes. In response techniques of Historic Landscape Characterisation has developed as a methodology for spatial historic analysis which has been developed as a tool for historic environment management. Historic Environment Characterisation of Chichester District was undertaken by West Sussex as part of a County HLC project, which in itself was part of a larger project for Characterisation of England and information is held on the District's and County's Historic Environment Records.

Other assets

~~There are many assets that are widely recognised for their heritage importance such as un-registered historic parks and gardens such as Priory Park in Chichester City, historic graveyards and burial grounds and streetscape features such as street signs, fingerposts, hedgerows, lamp standards and historic paving which are afforded little protection outside of designated conservation areas, unless statutory listed, but nonetheless contribute significantly to the character of our city, towns, villages and the rural area.~~

Part Four – Action Plan for the Management of the Historic Environment

Introduction

The Historic Environment Action Plan sets out the Council's approach to deliver the Strategy's Objectives, to help positively manage change within the District's Historic Environment in a way that promotes understanding, conserves special interest and enhances the way it is valued by the people who live, work or visit Chichester District. It brings together the various strands of heritage management identified above into a prioritised program of work.

While much of the onus for implementation rests with the Planning Service, the historic environment impacts on most aspects of local life. It is clear, therefore, that everyone has a part to play in positive management of the historic environment. Successful management will require commitment by all Council services and their partners to ensure the sensitive exercise of controls, such as planning permissions, listed building consents, enforcement, building control, fire regulations and highways standards. Likewise, it is important that when resources are deployed, they should be coordinated to ensure that the investment is in the best interests of the historic environment. This will, therefore, be a shared commitment to define, understand and manage the special character of the area in a way that ensures its contribution to sustainable development and to promote interest in the historic environment by all sectors of society including architects, planners, developers, property owners, amenity groups and members of the public.

Action Plan Approach

The previous sections of this document have set out the background to and the context for the historic environment of Chichester District. It shows that the resource is varied and extensive, and that it includes many elements that are highly significant. There are a range of issues facing the resource and its management and the Action Plan provides real opportunities to ensure future long-term management.

The Plan identifies necessary, appropriate and realistic actions that will help deliver the sustainable management of the historic environment resource. It is also important to establish what the priorities should be for the coming years. The action plan that follows is an attempt to define the Council's priorities and to suggest mechanisms for how those priorities could or should be met.

Council's roles and responsibilities in respect to historic environment

The main focus of the Council's responsibilities in respect of the Conservation and Design Service is in relation to planning in terms of formulating policies for positive management of the historic environment within the Chichester Local Plan area and provision of specialist technical and design advice in relation to development proposals affecting the historic environment.

Services and Activities provided by Chichester District Council

1. Identifying opportunities for promoting and protecting the historic environment through advice in relation to policy documents including, masterplans, development briefs,

planning concept statements and development management functions.

2. Provision of specialist technical advice on all aspects of the historic environment including archaeology, including site visits and meetings through the Council's HEPE and PE schemes
3. Support for the Council's enforcement service to investigate and resolve planning contraventions harming the special interest of heritage assets
4. Maintaining the District's Historic Environment Record as a publicly accessible resource for the purposes of planning, conservation, research, education and general interest. There is a ~~charged for~~ **chargeable** HER enquiry service which provides information from the HER and specialist interpretation of that information
5. Preparing and publishing guidelines to assist owners and applicants on **the implications of owning and/or managing heritage assets** and how to assess significance and prepare heritage impact statements to help streamline the planning application process
6. Managing its own historic environment assets
7. Signposting of sources of information and research relating to the historic environment
8. Where opportunities arise help secure funding for projects for conservation and enhancement of the historic environment

This work includes preparation of guidance and advice notes, review and appraisal of conservation areas, monitoring of heritage at risk and specialist policy advice including on heritage aspects of neighbourhood plans. The Council also has responsibilities in respect of the management of its own heritage estate and doing so in a way that sets an example to other heritage asset owners.

Main Areas of Work:-

- Providing advice on heritage issues in relation to major developments including masterplans, major infrastructure projects, area action plans and other policy documents
- Providing specialist advice on development proposals through the preliminary enquiry schemes and in response to consultations on planning applications
- Designating and reviewing conservation areas;
- Commissioning, preparing and reviewing conservation area character appraisals;
- Maintaining and rolling out a Local List of Buildings of Special Architectural or Historic significance;
- Maintaining and providing access to information held on the District Historic Environment Record;
- Assessing the need for additional planning controls to preserve the special character of conservation areas through the use of Article 4 Directions;
- Contributing to heritage crime initiatives
- Advice on management of heritage assets
- Provide specialist advice in relation to enforcement and where appropriate use of Statutory powers
- Monitoring heritage at risk and liaising with owners to find solutions to bring heritage

assets at risk back in to viable economic use

- Advising on enabling development
- Preparation of technical advice and guidance notes
- Preparing and/or contributing to funding bids

The Action Plan provides an opportunity to balance these varied priorities in a managed way. The action plan sets out a broad list of objectives that builds on the assessment contained in sections 3 and 4 above, structured under three main themes.

Action Plan Themes

Protecting the Historic Environment

- Providing Advice on proposals affecting the Historic Environment, including major developments, infrastructure projects and other policy documents
- Advising on Heritage Significance
- Advising on enforcement issues
- Advising on the use of Statutory Powers
- Proactive action in relation to heritage at risk
- Advising on up-to-date policies for the protection of the historic environment
- Guidance notes on good practice in relation to proposals affecting the historic environment or their setting

Managing the Historic Environment

- Ensuring the historic environment is sustained for the enjoyment of future generations
- Promote care and protection of the designated and non-designated historic environment
- Advise on the Management of Heritage Assets
- Preparation of Guidance on maintaining heritage assets
- Maintaining up to date Character Appraisals and Management Proposals for all Conservation Areas
- Promoting the contribution that the historic environment makes to our sense of place
- Facilitate positive change in the Historic Environment

Engaging with the Historic Environment

- Working in close partnership with the South Downs National Park Authority and other partners such as local amenity societies, Sussex Archaeological Society, **Sussex Industrial Archaeology Society** and the **Sussex Gardens Trust**.
- Public engagement on heritage projects and initiatives,, including character appraisals and the local buildings list
- Identification of opportunities to better reveal the historic environment
- Promoting access to the historic environment and information about the historic environment
- Supporting local communities in managing their local historic environment

Protecting the Historic Environment

The Conservation and Design Team, is responsible for assisting the development of heritage protection policies and providing advice to the Council's Development Management Service, property owners and agents and the South Downs National Park Authority on the potential impact of development on heritage assets including archaeological deposits, historic

buildings and areas and provides advice on appropriate forms of development and/or intervention to minimise potential harm and where necessary recommends appropriate mitigation strategies.

We will, therefore, ensure the highly valued historic environment is protected by:-

- A. Developing robust **Local Plan** policies for the protection and conservation of the historic environment **in accordance with the NPPF** and advising on and providing input into the preparation of policy documents including masterplans and site development/planning briefs
- B. Ensuring the historic environment is given appropriate and proportionate consideration in major and strategic developments
- C. Encouraging applicants/agents to use the Council's pre-application advice schemes
- D. Providing pre-application advice to applicants/agents in a timely manner
- E. Providing professional advice to the Development Management Service in response to consultations on development proposals
- F. Providing specialist advice to the Enforcement Service in relation to breaches of planning control
- G. Providing advice to the Council's property service in relation to heritage assets the Council owns and manages.
- H. Providing advice to planning and other services on use of statutory powers in relation to listed buildings or other assets in a poor state of repair and/or buildings/sites the condition of which harms the visual amenity of the historic environment including setting of listed buildings and conservation areas
- I. Actively seek solutions with asset owners in respect of heritage at risk

Advice on policy development and on proposals affecting the Historic Environment, including major developments, infrastructure projects and other policy documents

Masterplanning for Delivering Strategic Growth and Regeneration

Masterplanning provides a means to shape a site, area or whole town centre often within a specific time frame. The historic environment provides a good opportunity to contribute to successful place-making. The adopted Design Protocol sets out the Council's approach to the preparation of masterplans. In terms of the historic environment we will ensure that they take full account of the historic environment, including protection of heritage assets, including buildings, important views, from within or across the site, or other features within or within visible proximity to the site and their settings.

Our approach to the protection of the Historic Environment through the preparation of Planning Policy Documents

The Council's Design Protocol sets out the Council's overall approach to Masterplanning, and the preparation of Planning Concept Statements, Development Briefs and Design Codes in Chichester District. The Council will provide information and advice on the existing

historic environment to contribute to the scoping evidence and site appraisals. Advice will also be provided on issues relating to particularly sensitive assets and features and the potential impact on their settings.

Where design codes are prepared the Council will advise on appropriate design approaches that respect the areas historic character and setting, including landscape setting, taking into account other influences, such as the aspirations of the site promoters.

Planning Policy Development

Chichester's Local Plan contains robust policies for protection and conservation of the historic environment. It is important that future reviews of the local plan, other planning documents and also local neighbourhood plans maintain firm policies and that these are based on a sound evidence base and informed by this Historic Environment Strategy.

Our approach to the review and maintenance of robust planning policy for the Historic Environment

1. Review emerging Local Plan Policy ensuring that it reflects up to date national policies, guidance and advice and is relevant and effective
2. Encourage Neighbourhood Plan groups to address the Local Historic Environment in their plans
3. Provide information from the Historic Environment Record and advice on the historic environment to Parish Councils preparing local **Neighbourhood Plans**

This strategy explains why the historic environment should be considered as one of the District's most valuable assets. It therefore has a significant role to play in the future growth and regeneration agenda for the District. It should be used in a positive and proactive way to realise our District's potential, including its role in the sustainable development agenda promoted by the Government in the NPPF and Historic England's General Practice Advice Note: Historic environment in local plans. We will ensure that local plan policies promote the role of the historic environment in making positive improvements to people's quality of life and contributes to the local economy, for example, through potential growth of cultural and heritage tourism.

Specialist Advice on Development Proposals

Specialist pre Application Advice

To assist in the planning process the Council provides chargeable pre-application advice including on matters relating to the historic environment. This provides developers and property owners with access to specialist expertise to advise on any proposals affecting heritage assets.

The Pre application advice service provides the opportunity to discuss proposals at an early stage so that any issues or concerns can be identified and the capacity of the building to accept the level of change proposed and where appropriate alternative solutions identified, before plans are too advanced.

The District Archaeology Officer can advise on:

- Whether or not **a development site has** ~~there is known~~ potential for significant deposits to be present in the vicinity of an application site **depending upon past land use and extent of disturbance.**
- **Whether this potential translates into actual evidence of heritage assets so that the appropriate options for protecting them or** ~~The mitigation~~ **mitigating** measures **for damage can be considered and** ~~that are likely to be applied~~ (but not on the cost of such measures) **at the planning application determination stage.**
- Provide, for a charge, information from the Historic Environment Record and advise on interpretation of the information to assist applicants in understanding the heritage assets subject to proposals.

It is recommended that the developers of sites where archaeology is likely to be significantly affected should employ archaeological consultants at an early stage.

The District Historic Buildings Advisors can advise on:

- The significance of historic buildings and important features, whether designated or not, and their setting contributing to a building's significance based on desk based research and/or through a site visit
- Whether the works require Listed Building Consent
- Appropriateness of proposals affecting an historic building or area
- Use of appropriate materials, details and methodology for works affecting the existing fabric of historic buildings

Information required to support applications for planning permission or Listed Building Consent if proposals are to be pursued

The most common advice given includes:

- That a desk-top assessment should be supplied by the developer with their application for planning consent
- That a Heritage Statement should be supplied by the developer setting out the significance of the heritage assets affected by the proposals, a justification for the proposals and assessment of the impact of their proposals on the heritage asset
- Encouraging those preparing a Heritage Statements to consult the Historic Environment Record.
- That the site should be evaluated (normally by trial trenching) and that a report on the results of this should be supplied by the developer with their application for planning consent
- Identification of the level of harm to arising from the proposals on heritage assets, including their setting and whether or not the harm is considered to be substantial.
- Identify potential alternative design approaches that could be considered to avoid or minimise potential harm, without providing alternative design solutions

It is recommended that owners/agents proposing works likely to affect heritage assets or their settings consult Historic England General Practice Advice and Advice Notes, Particularly General Practice Advice Note 3: Setting of Heritage Assets and Advice Note 2:

making Changes to Heritage Assets and also the Councils published Guidance relating to the historic environment .

Advice on development proposals (Applications for Planning Permission and Listed Building Consent)

Specialist advice on applications for Listed Building Consent and Planning Applications, including Lawful Development Certificates, impacting on the historic environment is provided to the Development Management Service who will ultimately make recommendations on the determining of applications balancing this advice with other planning matters and considerations.

The advice of ‘in house’ archaeological and historic building expertise is invaluable in managing the impact of development and land use proposals upon the historic environment. It takes many years to acquire a level of understanding which leads to an instinctive approach to caring for the environment of a specific locality. This is based on a breadth of knowledge founded on personal experience of individual sites, buildings and case histories, local topography, geology, local building traditions and detailed factual information gained through experience of working in a particular geographical area. It is possible for external consultants to produce their own assessments of environmental impact but the quality and value of such work needs to be judged by in-house expertise.

The most common advice provided include;-

- There are no objections from an historic environment point of view to the proposals
- Recommendations with respect to any conditions that should be attached should permission be granted.
- Recommendations on how the proposals could be modified to avoid or mitigate harm to heritage assets.
- That there are objections to the proposals because of the perceived harm to heritage asset(s) **or its/their setting** and explanation of the harm identified.
- Where harm is less than substantial, advice on perceived public benefit in terms of securing optimum viable use of the asset to mitigate the harm in accordance with National Planning Policy Framework (NPPF) Paragraph 134.

The latter two are likely to apply when it can be demonstrated that nationally important archaeological deposits, or their settings, are threatened or proposals would be harmful to the character and/or setting of a designated or non-designated heritage asset.

Managing change within the settings of heritage assets, including archaeological remains, historic buildings, sites, areas, and landscapes is an important aspect of heritage protection. Setting is separate from the concepts of curtilage, character and context and the NPPF makes it clear that the setting of a heritage asset is the surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral (NPPF glossary). Historic England's General Practice Advice Note 3: Setting of Heritage Assets includes a stepped approach to assessing impact on setting and this underpins the Council's approach to advice on proposals within the setting of heritage assets.

The Council ~~supports~~ **makes an annual grant to** the Chichester Conservation Area Advisory Committee **who support the Council's officers by reviewing and** ~~that provides specific comments~~ **on planning applications in relation to development** within the Chichester Conservation Area **and providing specialist advice.** This helps utilise knowledge and expertise within the local community.

Use of Statutory Powers and Enforcement of Planning Control

Carrying out works that affect the character and special interest of a listed building without obtaining formal consent is a criminal offence. Where unauthorised works to listed buildings are reported these will be investigated accordingly. Where breaches of listed building controls occur the Conservation and Design Service will provide advice and support to the Council's Planning Enforcement Team in dealing with planning and listed building contraventions in relation to the historic environment and will discuss appropriate enforcement action and if appropriate progressing a listed building prosecution.

When it becomes evident that a listed building is being allowed to deteriorate, the District Council may take action to secure repairs through its powers under the Planning (Listed Buildings and Conservation Areas Act) 1990 to issue Urgent Works Notices and/or Repairs Notices. If your property is falling badly into disrepair the Council's Historic Buildings Advisers will provide both practical and technical advice. However, if the property remains neglected the Council has powers to serve a Repairs specifying what work needs to be done. Failure to comply with the Notice would allow the Council to compulsorily acquire the property.

If a listed building is unoccupied the Council can carry out the work itself to make a building wind and weatherproof and can then recover the cost from the owner. Historic England has similar powers with respect to unoccupied Council owned listed buildings and the Secretary of State also has similar powers in relation to unlisted buildings in conservation areas.

There are occasions where the condition of a particular site or property deteriorates to a point that it is considered harmful to local amenities. Where this occurs the District Council has powers through the issue of a S215 Notice to require an owner to undertake works to improve the appearance of the site. Where the site concerned comprises a listed building or is within a conservation area or the condition of the site has an adverse impact on the setting of a heritage asset the Conservation and Design service will liaise with the enforcement team to secure improvements through the use of these powers. Where an owner fails to comply with a S215 Notice the Council may itself pursue implementation of the works by undertaking it, following set procedures.

Heritage at Risk

Historic England undertakes an annual national survey and produces a Register of Heritage at Risk in relation to Scheduled Monuments and Grade I and Grade II* Listed Buildings, **Grade II Listed places of worship, all grades of Registered Historic Parks and Gardens and Conservation Areas.** In addition the District Council also maintains a register of Heritage at Risk **which** includes Grade II Listed Buildings as well as some undesignated heritage assets which is regularly monitored. This comprises a schedule of vacant or partially occupied listed buildings at risk, or vulnerable from neglect, based on an assessment of their condition and occupancy.

Our Approach to Heritage at Risk

We will record and monitor Heritage at Risk in Chichester District and publish it on our website. We will, where possible, work with the owners of heritage assets at risk to find solutions and secure repairs to bring them back into active use, including where appropriate viable new uses and/or proposals for enabling development so they are preserved for future generations.

Managing the Historic Environment

Through the Council's planning functions we will ensure that our policies acknowledge the contribution the historic environment makes towards creating places attractive to live and work, for its historic and cultural interest. We will ensure planning policies promote the historic environment as a facet of place making and ensuring that opportunities to enhance the understanding of the historic environment are maximised through the Council's planning functions and promote the value of heritage as a driver for economic regeneration. The Council recognises that heritage and development are not mutually exclusive and will promote a conservation dimension to other strategies and policy documents including Area Action Plans, the Vision for Chichester and Neighbourhood Plans.

Review, designation and management of conservation areas

The Council is committed to a programme for reviewing our conservation areas and where appropriate will identify new areas that have a special character that would merit designation. We will use these regular reviews to identify issues facing conservation areas and any actions needed for their management; we will also identify the need for further planning controls in the form of Article 4 Directions.

Our Approach to Conservation Area Review, Designation and Management

1. We will undertake regular reviews and, where appropriate revise the boundaries to the existing conservation areas and ensure they have an up to date appraisal and management plan. **An outline programme for the review of conservation areas is attached as an Appendix to the Action Plan.**
2. We will examine potential new areas for designation as new conservation areas in association with the review of existing conservation areas within the locality
3. We will regularly review, prepare and publish Conservation Area Appraisals and Management Proposals for all existing and proposed conservation areas
4. We will identify the need for additional planning controls and recommend potential Article 4 directions in conjunction with the regular reviews of conservation areas and appraisal of proposed new conservation areas.

Compilation of the Local Heritage List

The Council has recognised that there are many buildings in the District that whilst not meeting the national criteria for statutory listing are, nevertheless, of considerable local architectural interest and/or significant townscape merit and within Chichester City has compiled, in consultation with local amenity groups, a local buildings list. The ongoing review of conservation areas has also identified important local buildings and other features of architectural or historic interest and that would potentially merit local listing.

The approach to the local list also needs reviewing, including the selection criteria, to ensure it reflects current best practice and Historic England advice and provides for adequate

transparency and consultation with owners and other stakeholders in the listing process. The list also focuses on buildings, while local heritage assets can include a wide range of other structures and features such as walls, monuments, milestones, finger posts, local historic parks and archaeological features. This would suggest that there would be merit in overhauling and renaming the list as a Local Heritage List for Chichester District, as a supporting document to this Historic Environment Strategy or as a possible future Supplementary Planning Document (SPD) as recommended in the Historic England Advice.

Our Approach to compiling and maintaining a local list of buildings of architectural or historic significance:-

1. We will review the local buildings list, as a Local Heritage List, and extend it to other areas of the District, outside the South Downs National Park, through the programme of review of the District's conservation area and also in consultation with Parish Council's preparing neighbourhood Plans.
2. The Council will periodically review the Local Heritage List Criteria and nomination procedures to ensure they are consistent with National Guidance.
3. The Council will seek the retention and sensitive alterations to buildings included on the local buildings list

Identification and Recording and of the Historic Environment

Where, as a consequence of development proposals, the significance of a building, structure, feature or site becomes better understood the Council will if appropriate identify them as non-designated heritage assets and record them on the Historic Environment Record and advise on any proposal affecting them or their setting in accordance with the relevant planning policies within the Local Plan and the NPPF. If the significance is such that they would merit potential formal designation we will refer them for consideration by the relevant designating authority.

Our Approach to Identification of new heritage assets and recording of the historic environment

1. The Council will secure archaeological advice when determining applications for development affecting areas of known archaeological **sensitivity potential** and also in relation to potential national and local designations.
2. The Council will (where appropriate) take the opportunity to place conditions requiring the accurate recording of built fabric, archaeological remains or landscaping that will be altered, concealed or lost through the implementation of approved works.
3. The Council will maintain the Historic Environment Record as a digitised record of all known heritage assets in Chichester District supported by a much larger collection of paper based, map-based and photographic information.

Management of Historic Environment Assets

We support and advise owners and managers of heritage assets on the preparation of management plans to promote positive management of assets including management plans for scheduled sites, designated buildings and sites and other historic assets such as farmstead complexes or larger estates comprising groups of assets both designated and non-designated to ensure that future generations can enjoy them.

Advice is provided to owners and developers on how to maintain and repair heritage assets and the team will prepare, maintain and make publicly accessible a suite of guidance notes

on best practice for the maintenance and repair of heritage assets. and advice provided on the management of the historic environment.

We also provide input into public realm and other improvements and this can often provide opportunities to promote understanding of the historic environment by restoring historic spaces using appropriate materials and details.

Our Approach to Managing Heritage Assets

1. Provision of advice to land owners and agents on the management and policy for the protection of archaeological sites and landscapes.
2. Providing advice and guidance to Parish Councils and the Council's property management service on management, acquisition and/or disposal of heritage assets.
3. Development of strategic policy documents including public realm strategies in partnership with other stakeholders
4. Maintain good working relationships and contacts with local amenity groups, West Sussex County Council, Parish Councils and voluntary sector organisations
5. Maintain good working relationships and contacts with strategic partners at regional and national level including with Historic England
6. Prepare and regularly **review** detailed design guidance, good practice guidance and design briefs for identified sites, and publish on our website.
7. Develop our approach to tackling Heritage Crime through and working with local Parish Councils and/or other local groups and providing resources on our website.

Engaging with the Historic Environment

We actively consult on documents such as Conservation Area Character Appraisals and provide advice to Parish Councils and local groups on historic environment aspects of neighbourhood plans and other policy documents such as Village Design Statements. We encourage local involvement in heritage including nomination of buildings for local listing

We support proposals that would result in improving our understanding of the historic environment including reversal of inappropriate changes and extensions, providing access to information on the historic environment and supporting groups and asset owners with projects involving and improving access to the historic environment and information about it.

Services and Activities provided by Chichester District Council

1. Engaging with local communities and providing advice on historic environment content for Neighbourhood Plans, including advice on local assets of heritage value and Village Design Statement and possible additions to the Local Heritage List.
2. To promote local archaeology and history as a resource for education and enjoyment. In this way we can encourage a greater understanding and appreciation of the district's rich cultural heritage and promote greater public participation in its exploration.
3. Providing advice from the District's Historic Environment Record to local communities
4. Signposting of sources of information to help local groups understand and evaluate aspects of their historic environment
5. Identifying and supporting opportunities to better reveal our knowledge of the historic environment, including working with and supporting partners and community groups on

projects, through the development management process.

6. We will secure opportunities to provide greater access to information on the historic environment.
7. Involve local communities in heritage projects, such as reviewing and upgrading our Conservation Area Character Appraisals and developing the local buildings list.
8. Engage with local communities on heritage crime initiatives.
9. Provide training to officers and members on the significance of the historic environment and approaches to managing change.

We will work with Heritage Gateway, The Council's Museum Service, West Sussex County Council, the West Sussex Records Office and other groups and partners to promote greater access to information on the Districts Historic Environment.

Action Plan Programme

The Action Plan will prioritise the identified actions to the short, medium and long term timescales under a series of headings/action areas as and when they are included in this Strategy. The delivery of long term actions is dependent on the availability of resources.

The Action Plan provides a means of utilising stretched resources so they are effectively targeted at the prioritised actions. Decisions are often made on allocation of resources and the challenge is to ensure that those investments are made in ways that benefit the historic environment of the District. Similarly, there are areas of decision making where the exercise of discretion, such as planning controls, can have a major effect without any additional cost.

While significant and visible advances can be made by implementing high-profile projects for building repair and enhancement, these are heavily dependent on funding bids, such as from the Heritage Lottery Fund, which can be demanding on staff resources. More fundamental and of lasting value can be achieved through the development of sound policy and guidance. The adopted Local Plan emphasises the importance of the historic environment as a driver for quality, social cohesion and economic stability. There may be opportunities for securing project funding from, for example, the Heritage Lottery Fund and having sound policies for the protection and management of the historic environment will increase chances of attracting funding to give confidence that investment can be maintained and protected into the future.

The A full programme of prioritised actions will be reviewed and refreshed each year as part of the Planning Services Service Plan. The **detailed** Action Plan for 2016/17 is ~~set out below~~ **attached at Appendix 3 to the Strategy.**

Chichester District Historic Environment Strategy and Action Plan

Appendix 1 – Designated Conservation Areas and Historic Parks and Gardens

Conservation Areas

There are 25 Conservation Areas in Chichester District which are listed in table 1 below.

Table 1 – Conservation Areas

No	Area	Date Designated	Extended	CA Appraisal and Management Proposals
1	Bosham	06.10.69	10.06.08 30.05.2013	May 2013
2	Boxgrove	14.01.81	16.12.10	November 2010
3	Camelsdale and Hammer	14.11.84		No: Conservation Area shared with Waverley BC (Springhead) and South Downs NP. Joint approach required
4	Chichester	16.03.70		November 2016
	[Westgate and Other]		14.01.81	
	[Canal Basin]		25.09.90	
	[College Lane]		15.11.94	
			10.06.08	
	[Various]		12.2016	
5	Dell Quay (Appledram)	04.02.76	10.06.08	September 2006
6	Donnington	02.06.76	10.06.08	September 2006
7	Earnley	04.02.76	10.06.08 30.05.2013	May 2013
8	Fishbourne	14.01.81	10.06.08	March 2007
9	Graylingwell (Chichester)	20.11.90		
10	Halnaker (Boxgrove)	14.01.81	16.12.2010	November 2010
11	Hunston	02.06.76	10.06.08	September 2006
12	Kirdford	14.11.84	16.12.2010	November 2010

No	Area	Date Designated	Extended	CA Appraisal and Management Proposals
13	Oving	14.01.81	10.06.08	September 2007
14	Plaistow	14.11.84	30.05.2013	February 2013
15	Prinsted (Southbourne)	14.01.81		March 2007
16	Runcton (North Mundham)	02.06.76	10.06.08	March 2007
17	Selsey	21.05.75	10.06.08	January 2007
18	Sidlesham Church (Sidlesham)	04.02.76	10.06.08	September 2006
19	Sidlesham Quay (Sidlesham)	04.02.76	10.06.08	September 2006
20	Somerley (Birdham, East Wittering & Earnley)	04.02.76	10.06.08 30.05.2013	May 2013
21	Tangmere	14.01.81	10.06.08 26.03.15	December 2014
22	Westbourne	14.01.81	10.06.08	March 2007
23	West Itchenor	04.02.76	16.12.2010	November 2010
24	West Wittering	04.02.76	21.03.84 10.06.08	September 2006
25	Wisborough Green	14.11.84	16.12.2010	November 2010

Further information can be found, as follows:-

Chichester District Council

<http://www.chichester.gov.uk/conservationareas>

<http://www.chichester.gov.uk/article/24659/Conservation-Area-Character-Appraisals>

Historic England

<https://historicengland.org.uk/advice/planning/conservation-areas/>

Historic Parks and Gardens

There are 2 Registered Historic Parks and Gardens in Chichester District which are listed in table 2 below.

Table 2 – Registered Parks and Gardens

No	Name	Grade	Register Entry
1	Graylingwell Hospital	II	https://www.historicengland.org.uk/listing/the-list/list-entry/1001555
2	Fishbourne Roman Palace	II*	https://www.historicengland.org.uk/listing/the-list/list-entry/1001211

Further information can be found, as follows:-

Historic England

<https://historicengland.org.uk/listing/what-is-designation/registered-parks-and-gardens/>

The Gardens Trust

<http://thegardenstrust.org/>

The Sussex Gardens Trust

<http://www.sussexgardenstrust.org.uk/>

Parks and Gardens UK – Online Database

<http://www.parksandgardens.org/>

Chichester Historic Environment Strategy and Action Plan

Appendix 2: Glossary of Terms

Alteration

Work intended to change the function or appearance of a place

Adaptation

The process by which an asset might be changed to a new use to ensure its survival. Such uses should be sympathetic to original use and pose no, or only minimum, threat to longevity by intensification of use.

Ancient Monument

Building place or structure designated as of national importance and protected in the UK under Ancient Monuments and Archaeological Areas Act 1979. See Historic Scotland Memorandum of Guidance 1998. Currently there are some 19,500 entries in the lists covering Schedule Monuments with approximately 35,000 sites ranging from standing stones to telephone kiosks. Scheduled Monument Consent is required before undertaking any work to a scheduled monument.

Anglo-Saxon

The main inhabitants of Britain before the Norman Conquest in 1066. The Angles and the Saxons were Germanic peoples that migrated to eastern England during the 5th and 6th Centuries from Northern Europe, after the end of Roman rule.

Appraisal

A brief review, often within the planning framework, of the SMR, Historic Maps and other sources to establish whether a proposed development has the potential for archaeology. The appraisal may or may not become a condition.

Archaeology

The scientific study of past human life and change through analysis of material remains that humans have left behind (from the Greek root archaeo, meaning ancient and logos, meaning study)

Archaeological interest

There will be archaeological interest in a heritage asset if it holds, or potentially may hold, evidence of past human activity worthy of expert investigation at some point. Heritage assets with archaeological interest are the primary source of evidence about the substance and evolution of places, and of the people and cultures that made them.

Artefact

An object or part of an object which has been used or created by a human and provides physical clues to the activity carried out by humans in the area of discovery (This can range from Pottery, Metalwork, Woodwork, Worked Stones through to mortar samples)

Article 4 Directions

A direction made by a local planning authority which limits the scope of permitted development rights granted by the Town and Country Planning Act (General Permitted Development) Order 1995, as amended.

Asset

Building, structure, landscape, object or artefact that helps a society to recall its history by reference as a primary source: Contributing by its presence, in authentic form through conservation and preservation and allowing society to form an opinion about that society's historic development and influences.

Bronze Age

The first period in which metal implements and ornaments were made. (C.2000-c.700BC)

Building archaeology

The process of investigation of an asset, often standing buildings, without the stripping down required by pure archaeology. It will use methods and principles that will allow recording and investigation/analysis without loss of fabric or damage to structure. It will involve non-invasive, none destructive methods of investigation/understanding that may include:

- Analysis of the asset itself as a primary source
- Analysis of documentation providing record of the asset and its development/history
- May involve other methods of investigation such as: dendrochronology, ultra sound, photogrammetry, rectified photography, infra-red scanning, etc

Building recording

A system of recording a building which may involve similar methods to those defined in building archaeology above: the aim being to provide a set of data from which judgements may be made to assist understanding of an asset. Data thus provide should be stored in easily accessible archives for future reference. Data may involve historical analysis of an asset as well as information relating to contemporary methods of intervention and reasons for such intervention in order to inform future generations.

Burra Charter

Australian ICOMOS charter originating in 1981, revised to 2004. First to establish definition of cultural significance: "...means aesthetic, historical, scientific or social values for past, present and future generations." It also defined the fact that conservation should be tailored to suit "local need". It set down a total of 29 Articles including: Definitions, Conservation Principles, Conservation Processes and Conservation Practice.

Conservation

The process of managing change to a significant place in its setting in ways that will best sustain its heritage values, while recognising opportunities to reveal or reinforce those values for present and future generations.

Conservation Area

'An area of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance', designated under

what is now s69 of the Planning (Listed Buildings and Conservation Areas) Act 1990

Conservation Management Plan

A plan that identifies how an asset or site might respond to future development or need: probably a dynamic process that identifies significance, vulnerabilities and how these are to be addressed in any future plan to develop, adapt or change a site without loss of significance, authenticity or originality.

Conservation Plan

A document which sets out the significance of a site and how that significance will be retained in any future use, alteration, repair, management or development.

Context (In relation to Archaeology)

The position of an archaeological find in time and space. Established through studying and recording an artefacts relationship to its surroundings, this is important in order to develop an understanding of events that happened to artefacts before and since their deposition in the ground.

Context (in relation to planning)

Any relationship between a place and other places, relevant to the values of that place.

Cultural Heritage

Defined in 1972 by the World Heritage Convention as including monuments, groups of buildings (“ensembles”) and sites. It included historic buildings, historic areas and towns, archaeological sites and the contents therein, as well as historic and cultural landscapes. It will also encompass historic artefacts, art and culture.

Cultural significance

“...means the aesthetic, historic, scientific or spiritual value for the past, present and future generations.” Burra Charter.

It can also attach to emotional value: why and how society uses an asset to reinforce its understanding of history, development and influence. In simple terms it is the perceived value of an asset, established as a result of its continuity of presence and worth to society.

Designated heritage asset:

A World Heritage Site, Scheduled Monument, Listed Building, Protected Wreck Site, Registered Park and Garden, Registered Battlefield or Conservation Area designated under the relevant legislation.

Designation

The recognition of particular heritage value(s) of a significant place by giving it formal status under law or policy intended to sustain those values

Desk-based assessment (DBA)

An assessment of both the known and potential archaeological resource within a specified area. A study is carried out on available sources such as SMRs, Map Evidence, Documentary Sources and Aerial Photographs. The study will provide a background for a decision to be reached on the potential

archaeological resource in a local, regional, national context within the review area.

Excavation

Intrusive fieldwork with a clear purpose, involving The digging of archaeological sites during which the soil is methodically removed to reveal archaeological features and finds, the positions of which are recorded in 3 dimensions. This will lead to both a further programme of Post Excavation and Publication and perhaps further excavation.

Evaluation

A limited programme of non-intrusive and/or intrusive fieldwork, which determines the presence or absence of archaeological features, structures, deposits, artefacts, or ecofacts, within a specified area. This may take the form of an intrusive investigation of a percentage of the site, geophysical or topographical survey. The results of this investigation will establish the requirements for any further work. (see also Field Survey)

Fabric

The material substance of which places are formed, including geology, archaeological deposits, structures and buildings, and flora

Feature

An archaeological find that cannot be removed from the site, such as a pit, ditch, hearth or building.

Field survey

A multi-disciplinary study of the long-term settlement history of a region and its environmental setting; closely related to landscape archaeology.

Geophysical survey

A method of seeing beneath the ground surface using a number of methodologies, including Ground Penetrating Radar (GPR), Resistivity and Magnetometry. It takes a specialist to both uses the field equipment and interpret the data. When used with Topographic survey the results can be very effective, though it is very dependent on soil and geological conditions within the site area.

GIS (Geographical Information System)

A range of techniques using the graphic capabilities of computers for an integrated analysis of maps, images, sites and finds. GIS has rapidly become essential in the interpretation of fieldwork data and is used within Units and County archaeological offices to interpret the landscape to asses potential for archaeology within an area.

Harm

Change for the worse, here primarily referring to the effect of inappropriate interventions on the heritage values of a place

Heritage asset

A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage asset includes designated heritage assets and assets identified by the local planning authority (including local listing).

Historic Environment

All aspects of the environment resulting from the interaction between people and places through time, including all surviving physical remains of past human activity, whether visible, buried or submerged, and landscaped and planted or managed flora. Such assets may be physical in the form of the built environment, structures, landscapes, vehicles, artefacts, etc as well as spiritual/emotional in the form of knowledge, beliefs and understanding about the factors that have shaped and influenced history and may influence the present and the future.

Historic England

The government agency charged with the protection and care of the monuments and heritage resources of England

Historic environment record (HER)

A database/index that provide[s] access to systematically organised information relating to the historic environment of a defined geographic area for public benefit and use. It is maintained and updated for public benefit in accordance with national and international standards and guidance.” Review of Heritage Protection: The way forward LINK NEEDED Department of Culture Media and Sport 2004.

ICOMOS

Acronym for International Convention on Monuments and Sites formed in 1965 following the Venice Charter of the previous year, which charter was adopted by ICOMOS as its own formative response to conservation ethics and principles.

In situ

Archaeological evidence that is in its original location.

Intervention

Any work[s] to change, modify, repair or maintain the historic environment, which has a physical effect on the fabric of a place.

Iron Age

The first period in which iron was used to make weapons and tools, in Britain the Iron Age lies between the Bronze Age and the Roman invasion (c.700 BC-AD 43). This period is distinctive for its strong tribal societies who defended their settlements in hillforts, usually located on a natural promontory and defended by a series of banks and ditches.

Local Development Order

An Order made by a local planning authority (under the Town and Country Planning Act 1990) that grants planning permission for a specific development proposal or classes of development.

Local Plan

The plan for the future development of the local area, drawn up by the local planning authority in consultation with the community. In law this is described as the development plan documents adopted under the Planning and Compulsory Purchase Act 2004. Current core strategies or other planning policies, which under the regulations would be considered to be development plan documents, form part of the Local Plan. The term includes old policies which have been saved under the 2004 Act

Object

Anything not (now) fixed to or incorporated within the structure of a place, but historically associated with it

Medieval

Traditionally the period 1066 – c.1500 AD

Mesolithic

The 'Middle Stone Age': Representing a period of transition from the Paleolithic hunter-gathers of the last glaciation, to the Neolithic farmers of the post-glaciation period.

Middle Ages

See Medieval.

Neolithic

The 'New Stone Age': A period in history beginning at the end of the last Ice Age, when people cultivated plants and kept animals but still used stone rather than metal tools. In northern Europe this period also sees the first pottery production. (c.4000-2000BC)

Norman

The period in Britain following the defeat of Harold at The Battle of Hastings in 1066 AD, after which William of Normandy (William the Conqueror) was proclaimed King of England. Also a descriptive term for the architectural style of this period, traditionally considered to continue until the 12th Century, the architecture is characterised by round headed arches which are often highly decorated.

Palaeolithic

'The Old Stone Age': The period before the end of the last Ice Age when people lived as hunter-gathers, using stone tools, without agriculture or pottery.

Patina

The acquisition, through time, of a coating or, change to an original surface of a material that may add authenticity and reinforce age by its accretion.

Preservation

Action taken to maintain an asset in a stable, existing form or state and to stop or slow the process of deterioration and to maintain integrity.

Public Benefit

Anything that delivers economic, social or environmental progress as described in the National Planning Policy Framework. Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and should not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits.

Public benefits may include heritage benefits, such as:

- sustaining or enhancing the significance of a heritage asset and the contribution of its setting
- reducing or removing risks to a heritage asset
- securing the optimum viable use of a heritage asset in support of its long term conservation

Rebuilding

Remaking a building, part of a building or artefact based on recorded drawings or known previous state of a place, building or artefact following damage or destruction. For example, the new roof and stairs at Uppark . New material may be required as part of this process, such new work not be easily obvious to a casual observer and it will be necessary, in order to avoid deceit, for the new work to be discretely labelled or made obvious.

Reconstruction

“...returning a place as near as possible to a known earlier state and is distinguished by the introduction of materials (new and old) into the fabric.”
Burra Charter.

“Re-establishment of what occurred or what existed in the past, on the basis of documentary or physical evidence.” B.S.7913: 1998

Repair

Work beyond the scope of maintenance, to remedy defects caused by decay, damage or use, including minor adaptation to achieve a sustainable outcome, but not involving restoration or alteration

Restoration

To return a place as near as possible to a known earlier state by removing accretions or by reassembling existing components, on the basis of compelling evidence, without conjecture or introduction of new material.”

Restoration (period)

That period in history which involved the re-establishment of the Stuart Monarchy in Great Britain and Ireland in 1660.

Reversibility

A defining principle in conservation work; dictating that works of intervention should be capable of being removed and returned to a former state without further damage in the event of future work or research determining that an improved form of intervention becomes available.

Setting of a heritage asset:

The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.

Significance (for heritage policy):

The value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset’s physical presence, but also from its setting.

Significance [of a place]

The sum of the cultural and natural heritage values of a place, often set out in a statement of significance

Site & Monument Records (SMR)

Nationally available record data base offering simple information specific to a

site, building or asset: normally available from local planning authorities or National Monument Records Office. See also HERs.

Society for the Protection of Ancient Buildings (SPAB)

Formed as a reaction to the restorationist principles of subjective/conjectural intervention affecting much medieval church architecture in the mid 19th century. Also known as the anti-scrape movement: a fashionable practice of removing rendered finished on stone structure buildings to expose the texture of the underlying stone. The SPAB manifesto of 1877 set down the principles of the society and is considered the genesis of the conservation movement in the UK. Founder members of the SPAB included William Morris, John Ruskin, et al.

Sustainable

Capable of meeting present needs without compromising ability to meet future needs

Test pits

A series of small (usually 1m x 1m) excavations to give an indication of the underlying soil /deposit profiles. These may take place prior to full evaluation, or may be all that is required on the site.

Topographic survey :

A detailed analysis of the ground surface of the site, a contour plan (from a flat 2D plan to a 3D computer model) is produced and can help to recognise buried landscape features or features that are too slight or too large to see with the naked eye.

Value

An aspect of worth or importance, here attached by people to qualities of places

Value, aesthetic

Value deriving from the ways in which people draw sensory and intellectual stimulation from a place

Value, communal

Value deriving from the meanings of a place for the people who relate to it, or for whom it figures in their collective experience or memory

Value, evidential

Value deriving from the potential of a place to yield evidence about past human activity

Value, historical

Value deriving from the ways in which past people, events and aspects of life can be connected through a place to the present

Venice Charter 1964

Prepared by a second (first in Paris in 1957) Congress of Architects and Specialists of Historic Buildings in Venice in 1964: It agreed that, "It is essential that the principles guiding the preservation of ancient buildings...be agreed and be laid down on an international basis..." It defined 16 Articles including Definitions, Aim, Conservation, Restoration, Historic Sites, Excavations and Publication.

Vernacular architecture

May be traditional in form, built with traditional materials using traditional methods, may be peculiar to an area and generally small in scale: unpretentious, simple, indigenous and generally using local materials, generally, agricultural, domestic and local industrial buildings; following a local tradition and style.

Watching brief

A formal programme of observation and investigation conducted during any operation carried out for non-archaeological reasons within a specified area or site on land or underwater, where there is a possibility that archaeological deposits may be disturbed or destroyed. The programme will result in the preparation of a report and ordered archive.

Written Scheme of Investigation

A document detailing the approach to meeting the requirements of the Brief. Can also be called Project Outline.

Chichester Historic Environment Strategy and Action Plan

Appendix 3: Action Plan Programme

Action Plan Summary April 2016 – March 2017 February 2017 - March 2018					
No	Action	Priority	Responsibility for Delivery	Outcomes	Target Date
1	Adoption of the Historic Environment Strategy	H	Planning Policy, Conservation and Design Manager	Adopted Historic Environment Strategy to support the Local Plan and prioritised approach to guide future work	Feb 2017
2	Completion of the Review of the Chichester Conservation Area Appraisal	H	Conservation and Design Manager	Up to date character appraisal for Chichester and identification of need for boundary changes and additional planning controls	Sept 2016
2	Completion of the Selsey Conservation Area Appraisal	H	Conservation and Design Manager Historic Environment Team	Up to date character appraisal for Selsey and identification of need for boundary changes and additional planning controls	Mar 2017
4	Further consultation in respect of additional extensions to Chichester conservation area	H	Conservation and Design Manager	To inform final decision on changes to Chichester conservation area boundary	Oct 2016
5	Final approval of boundary changes to Chichester Conservation Area and Article 4 Directions	H	Conservation and Design Manager	Authority to proceed with implementation of conservation area boundary changes and making of Article 4 Directions	Nov 2016

Action Plan Summary ~~April 2016 – March 2017~~ February 2017 - March 2018

No	Action	Priority	Responsibility for Delivery	Outcomes	Target Date
3	Implement designation of extensions to Chichester and Selsey Conservation Areas following further consultation and boundary changes to Selsey conservation area.	H	Conservation and Design Manager Historic Environment Team	Implementation of decision above	Nov 2016 June 2017
4	Implementation of Article 4 Directions for Chichester and Selsey	H	Conservation and Design Manager Historic Environment Team/ Committee Services	Additional planning controls to conserve the character and appearance of the conservation areas from small scale alterations.	Dec 2016 Feb 2017
5	Confirm immediate and make non-immediate Article 4 Directions for Chichester Conservation Area	H	Historic Environment Team/ Committee Services	Additional planning controls to conserve the character and appearance of the conservation areas from small scale alterations.	July 2017
6	Implementation of Article 4 Directions for Selsey and Old Selsey	H	Historic Environment Team/ Committee Services	Additional planning controls to conserve the character and appearance of the conservation areas from small scale alterations.	June 2017
7	Confirm immediate and make non-immediate Article 4 Directions for Selsey and Old Selsey Conservation Areas	H	Historic Environment Team/ Committee Services	Additional planning controls to conserve the character and appearance of the conservation areas from small scale alterations.	November 2017

Action Plan Summary ~~April 2016 – March 2017~~ February 2017 - March 2018

No	Action	Priority	Responsibility for Delivery	Outcomes	Target Date
8	Commence Complete Review of Fishbourne and Westbourne Conservation Areas	H	Conservation and Design Manager Historic Environment Team	Up to date character appraisals for Fishbourne and Westbourne and identification of need for boundary changes and additional planning controls	October 2016 September 2017
9	Complete Review of Westbourne Conservation Area	H	Historic Environment Team	Up to date character appraisal for Westbourne and identification of need for boundary changes and additional planning controls	February 2018
10	Publish Guidelines on making good listed building consent and planning applications affecting the historic environment and preparing heritage statements.	M	Historic Buildings Advisors	To encourage better applications and to speed up the planning application process by avoiding the need to ask for additional information/clarification	Nov 2016 June 2017
11	Prepare a short owners guide explaining implications of owning a listed build for distribution to Estate Agents and Building Owners	H	Historic Buildings Advisors	To set out the basics of what owning a heritage asset means to improve understanding of what they can and cannot do without formal consent and advice on good practice.	March 2018
12	Prepare a validation checklist/process for Heritage Statements	M	Historic Building Advisors	A means for overcoming problems of validation of applications with very poor quality heritage statements	Nov 2016 April 2017

Action Plan Summary ~~April 2016 – March 2017~~ February 2017 - March 2018

No	Action	Priority	Responsibility for Delivery	Outcomes	Target Date
13	Complete suite first tranche of listed building guidance notes (Windows/Common types of work that require/may not require Listed building Consent) and publish on web	M	Historic Buildings Advisors/ADC	Wide range of advice and guidance for agents and planning officers to reduce enquiries and formal advice from HBAs.	Nov 2016 July 2017
14	Complete second tranche of listed building guidance notes (Shop fronts/Pointing/ Flint walls and flint wall repair) and publish in web	M	Historic Buildings Advisors	To encourage better applications and to speed up the planning application process by avoiding the need to ask for additional information/clarification	November 2017
15	Complete third tranche of listed building guidance notes (External fixtures and fittings/External elevations/External doors and windows/ Architectural features/ Roofs/Interiors and finishes) and publish in web	M	Historic Buildings Advisors	To encourage better applications and to speed up the planning application process by avoiding the need to ask for additional information/clarification	March 2018
16	Commence Reviews of Hunston, Donnington and Prinsted Conservation Areas	L	Historic Environment Team	Up to date character appraisal for Chichester and identification of need for boundary changes and additional planning controls	March 2018

Chichester Historic Environment Strategy and Action Plan

Action Plan Programme

Appendix: Conservation Area Character Appraisal Programme for Review

Year	Conservation Area	Notes
Year 1: 2017-18	Westbourne Review	
	Fishbourne Review	
Year 2: 2018-19	Hunston Review	
	Donnington Review	
	Prinsted Review	
Year 3: 2019-20	Graylingwell – New Appraisal	Anticipated completion of development in 2017
Year 4: 2020-21	West Wittering Review	
	Siddlesham Church Review	
	Siddlesham Quay Review	
Year 5: 2021-22	Oving Review	
	Runcton Review	
	Dell Quay Review	
Year 6: 2022-23	West Itchenor Review	
	Boxgrove	
	Halnaker	
Year 7: 2023-2024	Kirdford Review	
	Wisborough Green Review	
	Plaistow Review	
Year 8: 2024-2025	Bosham Review	
	Earnley Review	
	Somerley Review	
Year 9: 2025-2026	Tangmere Review	
	Selsey Review	
	Old Selsey Review	
Year 10: 2026-2027	Chichester Review	

Agenda Item 15

Chichester District Council

Planning Committee

Wednesday 29 March 2017

Report of the Head of Planning Services

Schedule of Planning Appeals, Court and Policy Matters

This report updates Planning Committee members on current appeals and other matters. It would be of assistance if specific questions on individual cases could be directed to officers in advance of the meeting.

Note for public viewing via Chichester District Council web site To read each file in detail, including the full appeal decision when it is issued, click on the reference number (NB certain enforcement cases are not open for public inspection, but you will be able to see the key papers via the automatic link to the Planning Inspectorate).

- WR – Written Representation Appeal
- H – Hearing
- I – Inquiry
- FT – Fast Track (Householder/Commercial Appeals)
- () – Case Officer Initials
- * – Committee level decision

1. NEW APPEALS

Reference/Procedure	Proposal
SDNP/16/02175/FUL WR (B Stubbington)	Timberley Farm Bury Common Bury Pulborough West Sussex RH20 1NP - Widen existing farm entrance.
SDNP/16/04313/FUL WR (L Kent)	Highfield 161 Bury Road Bury Pulborough West Sussex RH20 1NL - Erection of replacement dwelling - revised scheme to that granted under SDNP/15/05945/FUL.
SDNP/16/05456/HOUS WR (J Shore)	Hollow Farm The Street Bury Pulborough West Sussex RH20 1PA - Construction of outdoor swimming pool and associated changing room building.
CC/16/02363/FUL WR (C Boddy)	34 Ormonde Avenue Chichester PO19 7UX - Demolition of existing dwelling and erection of 3 no. dwellings, with associated access, parking and landscaping.

Reference/Procedure	Proposal
SY/16/02196/FUL WR (P Hunt)	Arun Posts Southern Road Selsey Chichester West Sussex PO20 0BD - Change of use of existing ancillary outbuilding to a 2 bedroom dwelling with external alterations, formation of a projecting front gable and new access
WE/16/00565/FUL WR (C Boddy)	Land West Of Jubilee Wood Hambrook Hill North Hambrook West Sussex - Agricultural building, compound and access track.
WE/16/01218/OUT WR (C Boddy)	Land At Mill Lane Westbourne Emsworth West Sussex PO10 8RT - Construction of 3 no. dwellings.

2. DECISIONS RECEIVED

Reference/Decision	
BX/16/01909/FUL WR (J Cross) DISMISSED	Land North East Of 51Halnaker Boxgrove West Sussex - 2 bedroom single storey oak framed self-catering holiday accommodation unit.
<p>Planning Decision "... As it would be intended to be rural tourist accommodation, then it follows that a rural location would be required. I have no evidence before me that it could be accommodated elsewhere, but any location outside the countryside would not have the same attractions for the intended tourists. Whilst it may be the case that other, more appropriate sites are available within existing built up settlements, no substantive evidence is before me in this regard and such locations would not provide countryside tourist accommodation. ... I note that there is development nearby, which would have the effect of increasing ambient light levels. However, I did not observe any building in the locality so close to the SDNP boundary with similar patterns of glazing. In the absence of substantive evidence to the contrary, even though the proposed development is small scale and its rear glazing would be broken up, the appeal proposal would be likely to increase light levels close to the SDNP and result in harmful light spill, so as to adversely affect its tranquillity and character. ..."</p> <p>Cost Decision "... The appellant suggests that the Council, in concluding that the appeal development does not require a rural location and results in unnecessary reliance on the private motor vehicle, acted unreasonably, in light of the facts of the case. However, the Council acknowledges that the appeal development would be close to a bus route but considers that it would not provide access to wider parts of the District and its major tourist attractions. In light of this, its conclusion that it would result in unnecessary reliance on the private motor vehicle is reasonable. Whilst I have taken a different view to the Council on this matter, I consider that the Council acted reasonably in coming to the conclusion that it did. Further, the appellant suggests that the Council was inconsistent in its arguments regarding the appeal site's proximity to 'local tourist attractions' and 'more minor or localised places of interest'. The Council explains that the former relates to places likely to attract visitors from outside the District, the latter to those likely to attract visitors from within the District. In referring to both, and concluding that the appeal site was not close to many of the former, although again, I took a different view, I consider that the Council acted reasonably. In having come to such a conclusion on the</p>	

Reference/Decision - Continued	
<p>principle of the proposed development, I consider that the Council acted reasonably in not requesting amendments to the rear elevation of the proposed tourist accommodation to overcome its concern regarding light spill. In any event, bearing in mind the Council's first reason for refusal, this matter would not have avoided the need for an appeal. ..."</p>	
<p>CC/16/01842/FUL WR (C Boddy) PART DISMISSED, PART ALLOWED</p>	<p>North House, North Street, Chichester, West Sussex - Demolition of existing ground floor rear extensions and erection of single storey floor rear extension, with new vehicular access. Roof extension to provide 2 no. one-bedroom flats. Internal alterations to existing flats.</p>
<p>" In so far as it relates to the proposed roof extension, the appeal is dismissed. With regard to the remainder of the proposed scheme, the appeal is allowed. ... Neither... party raises any objections to the proposed rear ground floor extension, or the related demolition and access works, or to the internal alterations to the existing flats at first and second floor levels.Although not listed, it is an attractive and characterful building, and its neo-Georgian styling successfully complements the original Georgian architecture that predominates throughout the town centre. the building is prominent in the street scene. The draft CA Character Appraisal Review identifies it as a positive contributor to the CA. For the reasons given above, I concur with that assessment. ... The building is a heritage asset, although since the site is within the CA, it forms part of such an asset, and indeed a designated one, in any event. The proposed development wouldrepresent a tall and bulky addition above the existing parapet. And ... would be seen clearly in angled views along North Street, and from Crane Street..... would appear over-assertive and over-dominant in relation to its neighbours and the street scene as a whole. This would significantly damage the CA's architectural harmony and unity, and the settings of the listed buildings in the vicinity. In addition, the new rooftop structure would compete with the existing pediment feature at North House, detracting from the building's own distinctiveness and its under-stated charm. in the present case the development would be uncharacteristic and incongruous in relation to the appeal building and its setting. the harm that I have identified, to both the designated and non-designated heritage assets, would be to undermine their significance as heritage assets. In all these respects, the proposed new mansard roof extension would fail to preserve or enhance the character or appearance of the Chichester CA, or the settings of the nearby listed buildings detailed above. ... The creation of two additional residential units, to be provided within the proposed mansard roof, would constitute a public benefit, However, there is no evidence to suggest that the district's housing needs are so great that they cannot be met without accepting harm to heritage assets. The public benefits ..do not outweigh the harm. ... With regard to the SPA, I note that a payment has been made, and an undertaking entered into, towards the Solent Disturbance Mitigation Project. ... I have taken account of all the other matters raised,, I conclude that the proposed mansard roof extension would cause unacceptable harm to the character and appearance of the building and of the area. The appeal in respect of that element is therefore dismissed. ... In the circumstances, I have issued a split decision, allowing these parts of the development only."</p>	

Reference/Decision - Continued	
CH/16/00806/DOM FT (P Hunt) ALLOWED	3 Wayte Cottages Chidham Lane Chidham Chichester West Sussex PO18 8TQ - New rear facing dormer window.
<p>The main issue is the effect of the proposed dormers on the character and appearance of the host dwelling and the adjoining cottages and the wider landscape designated as an Area of Outstanding Natural Beauty (AONB). ... Wayte Cottages comprise two pairs of semi-detached cottages... with variations to both front and rear elevations, but each pair has its own symmetry... Immediately to the west of the group is 'Mardon', a chalet bungalow in a large plot with large dormers to the front and rear. ... I am unable to agree with the Council's assessment that the proposed dormers would 'be excessively large and dominate the roof'... The second point, the effect on symmetry, is more finely balanced... However, the cottages are not subject to the constraints of being listed buildings, located in a conservation area, or forming part of a street scene. ... The nub of this matter is therefore whether the introduction of proportionately sized dormers on one of the four cottages would have an unacceptable effect on the AONB landscape. On balance I consider that it would not, because of a combination of three reasons: (i) as the dormers are not disproportionate they would not draw the eye as an inappropriate or obtrusive addition; (ii) the perception of a high quality landscape would not be altered by an alteration seen only in the context and massing of the existing building and not in isolation and (iii) in terms of the relationship between roof forms and the surrounding countryside, the much larger dormer windows of the adjoining 'Mardon' (and arguably also the nearby 'Fieldgate' and 'St Anns') already have a visual impact at least equal to that now proposed.</p>	
CH/16/02071/FUL WR (R Ballam) DISMISSED	Land South Of Kings Meadow, Broad Road, Hambrook, Chidham, West Sussex - Revised house type on Plot 30 with attached single garage and drive, access onto Broad Road.
<p>"... I consider that the increased proximity to No 1 and the associated reduction in outlook would outweigh any limited benefit arising from the garage structure 'breaking up' the appearance of the main flank wall. The common boundary fence would partly screen the garage from view, but the pitched roof and top section of the wall would be visible above it. While the trees to the common boundary would soften the impact to a degree, they would not mitigate the additional proximity of built form to the principal south-facing elevation of No 1, or the further erosion of outlook from the rearward projection. While I have found no significant harm arising in relation to noise and disturbance, I have identified harm in relation to the proximity of the garage to No 1 and the erosion of the outlook therefrom. I therefore conclude that the proposed development would be harmful to the living conditions of the occupiers of 1 Kings Meadow. Accordingly, it would conflict with Policy 33 of the adopted Chichester Local Plan: Key Policies 2014-2029 (CLP) and Paragraph 17 of the National Planning Policy Framework. ..."</p>	
SDNP/16/04021/FUL FUNTINGTON WR (D Price) DISMISSED	Land South of Braefoot, Southbrook Road, West Ashling, PO18 8DN - Construction of three bedroom thatched roof dwelling and double garage/car port following clearance of site including a shed and two existing caravans one being residentially occupied, installation of access gate, fences and landscaping.

Reference/Decision - Continued	
<p>"... West Ashling is a small village the area has a very verdant and enclosed quality, and a strongly rural character and setting to the village. The detailed design and use of traditional materials would be similar to some other buildings found in the wider area. However, due to the open nature of the site and height of the site relative to the road, the house would be prominent with the long main elevation facing towards the road in fairly close proximity to it.Large areas of hardstanding and formal landscaping would introduce a stronger suburban character than exists even with the modifications made to the appeal site recently. Moreover, it would be located some distance away from Braefoot and this separation would appear strongly out of character with the tightly knit form of the village. The scheme would extend development in a ribbon form which would be to the detriment of the overall rural appearance of the road and entrance and exit to the village. I consider there would be a significant negative change in the character of the setting of the village. ... I conclude that the proposed development would cause significant harm to the character and appearance of the area. .. contrary to the provisions of the National Planning Policy Framework (the Framework) ... The combined adverse impact on the character and appearance of the area and SDNP would significantly and demonstrably outweigh the benefits of the scheme. The scheme would not be sustainable development for which there is a presumption in favour. ..."</p>	
<p>SDNP/16/03734/HOUS GRAFFHAM WR (J Shore) DISMISSED</p>	<p>Heath Ridge Graffham Common Road Graffham GU28 0PT - Erection of 2 storey side extension, single storey rear extension, double garage to rear and new access and egress.</p>
<p>"... The proposed side extension would be designed as a subsidiary element of the building, with a slight set-back at the front and a less stylised roof line. Although it would disrupt the formal symmetry of the house, I consider this to be acceptable in this rural, countryside situation where the house's formality sets it apart from others in the vicinity. The building's frontage and much of this side elevation would be seen from the lane, but would not be unduly intrusive due to a generous set back and the landscaping of the front garden. The garage wing to the rear would be lower and less prominent. It would be a minor and appropriate feature for a house of this scale, even with its dormer windows. ... The proposed double access arrangement, with frontage parking and manoeuvring space, would however urbanise the front of the site. It would reduce the amount of space available for landscaping and result in a frontage dominated by vehicles and hard surfacing. I fully share the Parish Council's reservations about this aspect of the proposal. ... "</p>	
<p>SDNP/16/01027/HOUS LAVANT WR (J Shore) DISMISSED</p>	<p>60 Midhurst Road, Lavant, West Sussex, PO18 0BP - Rear extension and conversion of outbuilding. LINKED TO SDNP/16/01028/LIS</p>
<p>"... The link element, even though predominantly glazed and mainly lightweight, would have some solidity and bulk at roof level and a large footprint. Overall, the effect would be to diminish the historic separate and physically and functionally subservient relationship between the outbuilding and the main house. In coming to this judgement, I have had regard to the fact that appreciation of the width of the proposed link would be from limited viewpoints. Furthermore, the appeal proposal would include the removal of sections of the outbuilding's walls and a section of the rear elevation of the main house, which would, together, result in more loss of historic fabric than those extant permissions. In removing window and door openings in the rear elevation of the main house, it would diminish reference in the listed building's history as two separate</p>	

Reference/Decision - Continued	
<p>dwellings. ... Overall, the loss of historic fabric, in the manner proposed, would further erode an understanding of the history of the listed building. As the historic fabric would be lost, in these circumstances, documentary evidence and recording of the listed building would not overcome my concerns in this regard. Moreover, the bulk of the proposed roof, at the point that it would join the outbuilding would be large in relation to it and significantly alter its simple clear roof slopes. ... The incorporation of a flat roof element and the use of modern materials such as fibre glass would appear out of place against the simple form of the outbuilding and the historic high quality materials of the listed building. When seen together with the existing rear additions it would diminish the simple, modest, rural, vernacular, character and appearance of the listed building. ... The proposed scheme would include a significant amount of glazing, both as part of the link and in the elevations of the outbuilding. Whilst I note that openings in the outbuilding were approved as part of the extant permissions brought to my attention, the glazed areas proposed would, together, erode the simple and solid appearance of the outbuilding. This would further erode its significance as a heritage asset. ..."</p>	
<p>SDNP/16/01028/LIS LAVANT WR (J Shore) DISMISSED</p>	<p>60 Midhurst Road, Lavant, West Sussex, PO18 0BP – Rear extension and conversion of outbuilding. LINKED TO SDNP/16/01027/HOUS</p>
AS ABOVE	
<p>SDNP/16/00067/OPDEV WR (J Shore) DISMISSED AND ENF NOTICE UPHELD</p>	<p>Wassell Barn Streels Lane Ebernoe Petworth West Sussex GU28 9LD – Erection of building.</p>
<p>"...Ground (b) appeal .. The hardstandings referred to in the enforcement notice exist as a matter of fact and therefore the ground (b) appeal does not succeed... Ground (a) appeal The unauthorised development does not make a positive contribution to its setting. The track, hardstandings and timber equestrian buildings are not in keeping with the character and appearance of the rural area... They are utilitarian in design and unsympathetic to the historic field pattern. The Appellant draws attention to tennis courts nearby but the prevailing character and appearance of the surrounding area is rural and any harm from other development nearby does not justify additional harm from the development the subject of this appeal. I note the use of the buildings for the rescue of animals but this does not outweigh the identified harm caused to the character and appearance of the area... I do not consider that landscaping, by for example the planting of native hedgerow as suggested by the Appellant, would remedy the identified harm... I conclude that the appeal should not succeed and I refuse to grant planning permission on the deemed application. Ground (f) appealThe Appellant says that the access track has not been completed and that allowing this to remain and infilling the depression with topsoil and seeding would facilitate year round access to the fields and remedy any injury to amenity. The Council argue that the topsoil would erode quickly and expose the hardcore base. I agree..... the ground (f) appeal does not succeed. Ground (g) appeal ...period for compliance... I consider that six months would strike an appropriate balance for the completion of all steps set out in the notice. I shall amend the notice accordingly... ground (g) succeeds to that limited extent..."</p>	

Reference/Decision - Continued	
Formal Decision ...the enforcement notice is varied by substitution of a six months period for compliance. Subject to that variation the appeal is dismissed and the enforcement notice is upheld..."	
WE/16/02259/FUL WR (R Ballam) DISMISSED	Yew Tree Cottage, North Street, Westbourne, PO10 8SN - Demolition of rear conservatory and construction of ground floor extension and part first floor infill extension. LINKED TO WE/16/02260/LBC
WE/16/02260/LBC WR (R Ballam) DISMISSED	Yew Tree Cottage, North Street, Westbourne, PO10 8SN - To demolish rear conservatory and construction of ground floor extension and part first floor infill extension. LINKED TO WE/16/02259/FUL
"The appeal proposals would seriously harm the modest rural character and appearance of the listed building. ... I have found that the appeal property positively contributes to the character and appearance of the WCA. I have also found that unacceptable harm to that property would be a consequence of the appeal development and works. It follows, therefore, that the appeal proposal would fail to preserve the character and appearance of the WCA. ... I conclude that the appeal proposal would fail to preserve the special architectural or historic interest of the listed building. The appeal development and works would fail to preserve the character and appearance of the WCA. It would therefore fail to accord with the Adopted Chichester Local Plan: Key Policies 2014-2029 (LP), Policies 1, 33 and 47. ... I consider that the harm to the significance of the listed building and the WCA would be less than substantial. However, I attach considerable importance and weight to that harm. In this case, no public benefits, as identified in paragraph 134 of the Framework, are before me, which would outweigh that harm. "	

3. OUTSTANDING APPEALS

Reference/Status	Proposal
BI/15/00139/CONSH PI (S Archer) In Progress Site Visit 20.03.2017 Adjourned until 27.03.17, 31.03.17 and 7.04.17 CDC Committee Room 2	Land North West Of Premier Business Park, Birdham Road Birdham, West Sussex – Access track, hardstanding and fencing. Linked to BI/15/01288/FUL and BI/15/00194/CONTRV
BI/15/00194/CONTRV PI (S Archer) Site Visit 20.03.2017 Adjourned until 27.03.17, 31.03.17 and 7.04.17 CDC Committee Room 2	Land North West of Premier Business Park Birdham Road Birdham, West Sussex - Use of land as a Traveller Site. Linked to BI/15/01288/FUL and BI/15/00139/CONSH

Reference/Status	Proposal
BI/15/01288/FUL PI (S Archer) Site Visit 20.03.2017 Adjourned until 27.03.17, 31.03.17 and 7.04.17 CDC Committee Room 2	Land north west of Premier Business Park, Birdham Road Birdham, West Sussex PO20 7BU - Proposed single pitch site including the provision of a utility building for settled gypsy accommodation together with existing stables. Linked to BI/15/00194/CONTRV and BI/15/00139/CONSH
BX/16/01909/FUL WR (J Cross) In Progress	Land North East Of 51, Halnaker, Boxgrove, West Sussex - 2 bedroom single storey oak framed self-catering holiday accommodation unit.
SDNP/15/00301/BRECON Bury WR (R Hawks) In Progress	1 Sutton Hollow The Street Sutton Pulborough West Sussex RH20 1PY - Breach of conditions - use and demolition
SDNP/14/04865/FUL BURY I (D Price) Awaiting Decision	Land North of Junction with B2138 Bury Road Bury West Sussex - Change of use from agricultural land to a Gypsy and Traveller's site. Linked to SDNP/15/00336/COU .
SDNP/15/00336/COU BURY I (R Hawks) Awaiting decision	Land North of Junction with B2138 Bury Road Bury West Sussex - Stationing of two caravans for human habitation. Appeal against enforcement notice Linked to SDNP/14/04865/FUL
CC/15/00409/CONBC WR (S Archer) In Progress	3 Pound Farm Road, Chichester, West Sussex, PO19 7PX - Residential occupation of games room. Appeal against enforcement notice.
CH/14/00399/CONMHC H (R Hawks) Hearing to be held on 6 June – Assembly Rooms Chichester City Council at 10am	Cockleberry Farm, Main Road, Bosham, West Sussex, PO18 8PN - Appeal against the stationing of 2 mobile homes (in livery yard) for purposes of human habitation. LINKED TO CH/16/01902/PA3P
CH/14/03647/OUT I (R Jones) Public Inquiry to to held 23-24 May – WSCC at 10am	Land North Of Aviary Close Hambrook Chidham West Sussex - Outline application for 39 no. dwellinghouses and open space.
* CH/16/01087/FUL WR (C Boddy) In Progress	Moola House, Main Road, Nutbourne, West Sussex, PO18 8RN - Construction of 5 no. dwellings and associated works including access and landscaping.

Reference/Status	Proposal
CH/16/01902/PA3P H (M Tomlinson) In Progress	Cockleberry Farm, Main Road, Bosham, West Sussex, PO18 8PN - Part 3 Class P application for prior approval - Proposed change of use of 3 no. B8 storage buildings to 3 no. dwellings. Revised application further to CH/15/02290/PA3P. LINKED TO CH/14/00399/CONMHC
SDNP/16/03955/HOUS Easebourne FT (R Grosso MacPherson) In Progress	The Old Pump House Henley Old Road Henley Easebourne GU27 3HQ - Two storey rear extension and front porch addition.
SDNP/15/03654/FUL Elsted & Treyford WR (D Price) In Progress	Elsted Road Bridge, Fitzhall Road, Elsted, West Sussex - Infill single span bridge with stone and foam concrete to provide long-term structural support to the bridge. Form new embankments to sides of bridge and drainage pipes laid at ground level.
SDNP/16/03109/FUL Harting WR (D Price) In Progress	Wattons Barn, Hollist Lane, East Harting, GU31 5LU - Demolition of the existing Atcost barn and the conversion of the existing brick and stone dairy building into a two bedroom dwelling house together with associated alterations and off-street forecourt car parking for two cars and a garden amenity area.
LX/15/00498/ELD I (C Boddy) Awaiting Decision	Beech Farm, Roundstreet Common, Loxwood, Wisborough Green, West Sussex, RH14 0AN. - The siting of a mobile home for the purposes of human habitation independently to Beech Farm House
SDNP/14/00448/COU Lurgashall WR (S Pattie) In Progress	Northurst Farm Dial Green Lane Lurgashall Petworth West Sussex GU28 9HA - Extension of residential curtilage.
SDNP/15/00361/COU Lurgashall H (R Hawks) In Progress	Old Hearne Farm, Jays Lane, Lurgashall, Haslemere, West Sussex, GU27 3BL - Without planning permission, the erection of a building and laying of a stone pavement. Linked with SDNP/16/04559/FUL
SDNP/16/04559/FUL Lurgashall H (J Shore) In Progress	Old Hearne Farm, Jays Lane, Lurgashall, Haslemere West Sussex, GU27 3BL - Retention of the east barn and its immediate surroundings for mixed agricultural and equestrian purposes. Linked with SDNP/15/00361/COU

Reference/Status	Proposal
NM/15/00375/CONCOU I (R Hawks) In Progress	Land North Of Fisher Common Nursery Fisher Lane North Mundham West Sussex - Change of use of barn to residential.
O/16/02254/OUT I (J Bushell) Public Inquiry to be held 6&7 June – WSCC at 10am 13&16 June – Chichester Park Hotel at 10am 14&15 June – Chichester District Council at 10am	Land To The South Of Oving Road/B2144, Shopwhyke West Sussex - Outline application for the development of the site to provide 100 no. dwellings (use class C3), with an associated access, parking, outdoor space, landscaping and infrastructure.
PS/13/00015/CONCOU I (R Hawks) In Progress 25 th -28 th April & 3 rd -4 th May 2017	Crouchlands Farm, Rickmans Lane, Plaistow, Billingshurst West Sussex, RH14 0LE. Use of anaerobic digestion tanks and equipment for importation of waste and export of biomethane. Construction of a digestate lagoon without planning permission. Appeal against enforcement notice. Linked to s78 appeal against refusal of planning permission by WSCC.
PS/16/00562/PLD WR (H Chowdhury) In Progress	Newhouse Farm, Shillinglee Road, Shillinglee, Northchapel GU8 4SZ - Construction of single storey outbuilding to be used for purposes incidental to the enjoyment of the dwelling.
SY/15/00371/CONCOU H (R Hawks) In Progress	East Beach Evangelical Church, 6 Marisfield Place, Selsey, Chichester, West Sussex PO20 0PD - Stationing of a portacabin. Appeal against enforcement notice.
SY/15/00376/CONADV WR (S Archer) In Progress	2 Sherrington Mews, Ellis Square, Selsey, Chichester West Sussex, PO20 0FJ - Non-illuminated fascia sign within the front porch pitched roof over the entrance to door to Unit 2. Appeal against a discontinuance notice.
SY/16/00373/FUL WR (M Tomlinson) In Progress	Tidewall Cottage 85 East Street Selsey West Sussex PO20 0BU - Erection of 1 no. dwelling.
SY/16/02694/FUL WR (M Tomlinson) In Progress	47 Gainsborough Drive, Selsey, PO20 0HG - 1 no. dwelling.

Reference/Status	Proposal
WE/15/00363/CONBC H (R Hawks) Hearing to be held on 16 May – City Council at 10am	The Woodlands, Marlpit Lane, Hambrook, Westbourne, Emsworth, West Sussex, PO10 8EQ - Breach of condition 2 to 12/00559/FUL - occupation agricultural. LINKED TO WE/15/03965/FUL
WE/15/03965/FUL H (C Boddy) In Progress	The Woodlands, Marlpit Lane, Hambrook, Westbourne, Emsworth, West Sussex, PO10 8EQ - Retention of 1 no. mobile home to serve the dual purpose of providing a single travelling show persons pitch and a single Gypsy pitch. LINKED TO WE/15/00363/CONBC

4. VARIATIONS TO SECTION 106 AGREEMENTS

NONE.

5. CALLED-IN APPLICATIONS

Reference	Proposal	Stage
NONE		

6. COURT AND OTHER MATTERS

Injunctions		
Site	Breach	Stage
Birdham Farm	Breach of Enforcement Notices and Stop Notices	Court action is being held in abeyance pending the outcome of the appeal/public inquiry process which recommences in March (see above).

Prosecutions		
Site	Breach	Stage
Berryhill, Miggs Lane, Fernhurst GU27 3EZ	Breach of Enforcement Notice	Prosecution in progress. Court date obtained and summons to be sent to the defendant this week. First hearing at Worthing Magistrates' Court on 31 March at 14:00.

Prosecutions		
Site	Breach	Stage
Land west of Hopedene, Common Road, Hambrook, Westbourne	Breach of Enforcement Notice	Prosecution in progress. Court date obtained and summons to be sent to the defendant this week. First hearing at Worthing Magistrates' Court on 31 March at 14:00.

Prosecutions - Continued		
Site	Breach	Stage
Barn North of Hunston Dairy Farm	Breach of Condition Notice	Legal approved proceedings. Waiting for Head of Planning to authorise then obtain court date.
Site	Breach	Stage
37 North Street, Midhurst	Breach of Enforcement Notice	Legal approved proceedings. Waiting for Head of Planning to authorise then obtain court date.

7. POLICY MATTERS

NONE