



Minutes of the meeting of the **Planning Committee** held in The Assembly Room - The Council House (Chichester City Council), North Street, Chichester on Wednesday 26 April 2017 at 9.30 am

Members Present: Mr G Barrett, Mrs J Kilby (Vice-Chairman), Mr R Hayes (Chairman), Mrs J Duncton, 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

Members not present: Mr M Dunn and Mr J F Elliott

In attendance by invitation: Mr D Smith (West Sussex County Council)

Officers present: Mrs S Archer (Enforcement Manager), Miss J Bell (Development Manager (Majors and Business)), Mr A Frost (Head of Planning Services), Miss N Golding (Principal Solicitor), Mrs K Jeram (Member Services Officer), Mr J Saunders (Development Manager (National Park)), Mr T Whitty (Development Management Service Manager), Mr D Price (Principal Planning Officer) and Ms K Rawlins (Senior Planning Officer)

182 **Chairman's Announcements**

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

He advised that agenda item 5 had been withdrawn from the agenda.

Apologies were received from Mr Dunn and Mr Elliott.

183 **Approval of Minutes**

RESOLVED

That the minutes of the meeting held on 29 March 2017 be approved and signed by the Chairman as a correct record.

184 **Urgent Items**

There were no urgent items.

185 **Declarations of Interests**

Mr Barrett declared a personal interest in respect of application CC/16/03791/OUT as a Chichester District Council appointed member of Chichester Harbour Consultancy.

Mrs Duncton declared a personal interest in respect of applications CC/16/03791/OUT, SY/17/00447/FUL, HN/17/00314/FUL, CC/17/00599/FUL, EWB/16/00492/FUL, SDNP/16/05104/FUL and CC/16/03791/OUT as a member of West Sussex County Council.

Mrs Duncton declared a personal interest in respect of applications CC/16/03791/OUT, SDNP/16/05499/HOUS, SDNP/16/05500/LIS, SDNP/16/05104/FUL, SDNP/16/04284/FUL and SDNP/16/03715/FUL as a West Sussex County Council appointed member of the South Downs National Park Authority.

Mr Dunn declared a personal interest in respect of applications CC/16/03791/OUT, SDNP/16/05499/HOUS, SDNP/16/05500/LIS, SDNP/16/05104/FUL, SDNP/16/04284/FUL and SDNP/16/03715/FUL as a Chichester District Council appointed member of the South Downs National Park Authority.

Mrs Kilby declared a personal interest in respect of application CC/16/03791/OUT as a member of Chichester City Council.

Mr McAra declared a personal interest in respect of applications CC/16/03791/OUT, SY/17/00447/FUL, HN/17/00314/FUL, CC/17/00599/FUL, EWB/16/00492/FUL, SDNP/16/05104/FUL and CC/16/03791/OUT as a member of West Sussex County Council.

Mr Oakley declared a personal interest in respect of applications CC/16/03791/OUT, SY/17/00447/FUL, HN/17/00314/FUL, CC/17/00599/FUL, EWB/16/00492/FUL, SDNP/16/05104/FUL and CC/16/03791/OUT as a member of West Sussex County Council.

Mr Plowman declared a personal interest in respect of application CC/16/03791/OUT as a member of Chichester City Council.

Mr Plowman declared a personal interest in respect of application CC/16/03791/OUT as a member of Goodwood Motor Circuit Consultative Committee.

Mrs Duncton declared a disclosable pecuniary interest in respect of application SDNP/16/03715/FUL as she had an interest in the land.

Planning Applications

(TO LISTEN TO THE SPEAKERS AND FULL DEBATE OF THE PLANNING APPLICATIONS FOLLOW THE [LINK](#) TO THE ONLINE AUDIO RECORDING).

The Committee considered the planning applications together with an agenda update sheet at the meeting detailing the observations and amendments that had

arisen subsequent to the dispatch of the Agenda (copy of both documents attached to the official Minutes).

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

RESOLVED

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

- 186 **CC/16/03791/OUT - Phase 2 Of The Westhampnett/North East Chichester SDL, Land North East Of Graylingwell Park, Chichester, West Sussex**

Application withdrawn from agenda.

- 187 **WH/17/00014/FUL - Wherstead Coach Road(North), Westhampnett, PO18 0NX**

Additional information was reported on the agenda update sheet relating to a change to the description of the planning application.

Recommendation to **Permit** agreed.

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

Additional information was reported on the agenda update sheet relating to the replacement of the site plan on page 56 of the agenda, clarification by officers of the comments received from Westbourne Parish Council set out on pages 58-60, and appendix one to the agenda update sheet that set out the comments of the Parish Council in full.

The following members of the public addressed the Committee:

- Mr R Briscoe – Objector; and
- Dr Murdoch - Agent

Mr Frost and Mr Whitty responded to members' questions and comments. Policy 36 (*Planning for Gypsies, Travellers and Travelling Showpeople*) of the Chichester Local Plan: Key Policies set out the criteria for assessing suitable sites. Evidence that the effect of the development would be so significant that it overwhelmed the nearest settled communities for which finding the evidence on planning grounds to convince a planning inspector was difficult. With regard to cumulative impact, planning inspectors in recent years had taken this matter into account when considering the neighbouring sites and had concluded that the proportion of gypsy and traveller development to settled development was no more than a few percent. The Committee report set out the context of the competing issues including the emerging Westbourne Neighbourhood Plan, which was progressing, but the

examination stage which was key, was yet to take place and therefore less weight should be given to it at its present stage.

The majority of the Committee, whilst taking into account the concerns of the local community, considered that the application now addressed the Committee's previous concern in respect of application (WE/16/01078/COU) and was now a more efficient and acceptable use of the land.

Recommendation to **Defer** for a **Section 106 agreement** then **Permit** with the deletion of condition 1 agreed.

189 **SY/17/00447/FUL - Home Farm, Chichester Road, Selsey, Chichester, West Sussex, PO20 9DX**

Additional information was reported on the agenda update sheet relating to a further consultation response from the Council's Drainage Engineer, one further third party response, and amended conditions 3 and 8.

The following member of the public addressed the Committee:

- Mr C Aldn – Parish Council representative

The Committee favoured a deferral of the application for a member site visit to take place, following a number of concerns raised by members about the proposed change of use from agricultural workers' accommodation to residential dwellings and inadequate highway access arrangements and the lack of amenity space proposed.

Mr Frost advised that officers would reflect on the comments made by members during the deferral to see if there was a way of addressing them. He advised that the Planning Inspector's decision, in respect of application (SY/15/00320/FUL), that concluded the occupancy condition was neither reasonable nor necessary was a material consideration to be taken into account by the Committee. Officers undertook to negotiate with the applicant regarding the lack of amenity space proposed, re-location of the refuse store, the number of units and access. Officers were also asked to provide up to date figures about the need for agricultural workers when the application was re-considered following the site visit.

Defer for a member **Site Visit**.

190 **HN/17/00314/FUL - Brook Lea, Selsey Road, Hunston, PO20 1NR**

Additional information was reported on the agenda update sheet relating to one further third party comment, the removal of condition 1.

The following members of the public addressed the Committee:

- Mr S Baker – Parish representative;
- Miss B Foster – Objector;
- Mr P Marshall – Objector;
- Mrs K Simmons – Agent.

The Committee noted that replanting alongside the canal would take place. They considered that protection should be in place in the long term to prevent encroachment past the boundaries of the dwellings and requested an additional condition to specifically exclude the hedgerow along the Canal front from domestic curtilages. A further condition was favoured by the Committee that would require the details of a surface water drainage scheme to be submitted to the Planning Authority.

Recommendation to **Permit** with removal of condition 1 and two additional conditions (exclusion of buffer planting from domestic gardens and surface water drainage scheme) agreed.

191 **CC/17/00599/FUL - Land To The North Of Jubilee Gardens, Priory Road, Chichester, West Sussex**

Additional information was reported on the agenda update sheet relating to further third party comments received from the West Sussex County Council Highways Authority.

Recommendation to **Permit** agreed.

192 **EWB/16/00492/FUL - Ashbury, Kimbridge Road, East Wittering, West Sussex, PO20 8PE**

Additional information was reported on the agenda update sheet relating to 10 further third party letters of objection, and further consultation responses from West Sussex County Council Highways and Natural England.

The following members of the public addressed the public:

- Mr G Breeze – Parish representative;
- Mrs K Simmons on behalf of neighbours – Objector;
- Mr B Powell – Objector; and
- Mr R Harden – Applicant

The Committee favoured a site visit to enable members to view the surrounding area to assess whether the proposed size of the development was acceptable and to assess the parking issues in Kimbridge Road.

Defer for a member **Site Visit**.

193 **SDNP/16/05499/HOUS - 2 Sutton Hollow, The Street, Sutton, RH20 1PY**

The following information was reported on the agenda update sheet relating to the deletion of condition 6.

Recommendation to **Permit** with condition 6 deleted agreed.

194 **SDNP/16/05500/LIS - 2 Sutton Hollow, The Street, Sutton, RH20 1PY**

The following information was reported on the agenda update sheet relating to an additional condition requiring brick sample panel.

Recommendation to **Permit** with one additional condition (brick sample panel) agreed.

(The Committee adjourned for lunch from 12.45pm until 1.15pm)

195 **SDNP/16/05104/FUL - Church Farm, Wildham Lane, Stoughton, PO18 9JL**

The following information was reported on the agenda update sheet relating to an amendment to condition 4 and one additional informative regarding the unauthorised area of hard standing.

The following members of the public addressed the Committee:

- Mr P White – Objector on behalf of Dr J Sherling;
- Mr G Christie – Objector; and
- Mrs K Christie – Objector on behalf of Mr and Mrs I Buckley, Mr and Mrs Lamont, and other residents.

Mr Saunders responded to members' questions and comments. He referred to paragraph 8.3 of the report and confirmed that the activities taking place were relatively low-key and that proposed condition 6 (use limitation) would limit the buildings use to the current use for the assembly, testing, packing, storage and distribution of centrifuges. It was noted that no complaints had been received by the Council's Enforcement Team in respect of any noise created by the activities. Proposed condition 2 restricted the hours of use to after 8.00am Monday to Friday and it was reasonable to expect that employees may arrive at the site before this time. It was noted that proposed condition 3 required the proposed delivery hours to be the same as the hours of use. The type of delivery vehicles that would visit the site were long wheel based vans with one to three movements per week and 18 tonne lorries several times a month.

Recommendation to **Permit** with amended condition 4 and one additional informative (unauthorised area of hardstanding) agreed.

196 **SDNP/16/04284/FUL - Osiers Farm, London Road, Petworth, GU28 9LX**

Mrs Duncton withdrew from the meeting table and sat in the public seating area for the duration of this application.

The following information was reported on the agenda update sheet relating to the receipt of the correct certificate of ownership details, the agent's further comments and further assessment by officers removing condition 4.

The committee favoured an additional condition prohibiting the servicing of vehicles/trailers and associated ancillary paraphernalia.

Recommendation to **Permit** with the removal of condition 4 and one additional condition (ancillary paraphernalia) agreed.

197 **SDNP/16/03715/FUL - Orchard Barn, Common Road, Funtington, Chichester, West Sussex, PO18 9LG**

Additional information was reported on the agenda update sheet relating to three further third party responses, an update to the plans schedule and one additional condition (foul water disposal).

The following members of the public addressed the Committee:

- Mr G Keech (speech read out by Ms A Foulton) – Parish representative;
- Dr M Goodhart – Objector;
- Ms A Foulton – Objector; and
- Mr D Roycroft – Agent

In response to members comments' and questions, Mr Smith explained that visibility from the existing access to the site was restricted and advised that West Sussex County Council Highways had indicated in their initial response that intensification in use of the existing access would not be acceptable. The applicant had therefore put forward a second access point using the DfT Manual for Streets guidance. Due to the average vehicle speeds recorded along that section of road being higher than the speed limit, the opportunity was taken to extend the visibility splays in excess of the required standards to ensure the second access was as safe as possible. A recommendation by the Local Highway Authority that temporary access arrangements should be considered during the development stage would be added to condition 15, to ensure adequate highway safety and safe access to the site during the construction phase of the development. A temporary access may need to be accompanied by traffic management. Mr Price added that the loss of hedgerow would be nine metres along the roadside, which included allowing for the provision of suitable visibility splays.

With regard to a recreational disturbance contribution, Mr Whitty advised that officers would check if such a contribution was required in respect of this development. He therefore suggested that the recommendation should be amended to read 'Defer for Section a 106 Agreement if necessary then Permit'.

Defer for Section 106 Agreement if necessary then **Permit** with amended condition 15 and one additional condition (foul water disposal) agreed.

198 **Land west of Centurion Way and west of Old Broyle Road, Chichester - Progress of the S106 agreement and commercial negotiations update**

The Committee noted the above report (copy attached to the official Minutes).

Miss Bell updated the Committee on progress to date on the Section 106 agreement and the commercial land negotiations for Phase 2. The timetable for the completion of the Section 106 agreement had slipped and would not be completed by April 2017. It was anticipated that it would now be completed by June 2017 and the

permission issued for Phase 1 on its completion. The reserved matters application was expected to be received during September 2017. With regard to Phase 2 and the commercial land negotiations, the developer was of the view at this stage that an agreement in principle on the commercial terms relating to the implementation of the southern access road could be reached by July 2017. Bishop Luffa and West Sussex County Council had confirmed they were content with the broad specification of the proposed southern access. The developer had indicated that work on the Phase 2 outline application could start earlier to assist in closing the time gap between Phase 1 and the delivery of the southern access. Officers had attended a number of meetings with the developer to receive updates on the land negotiations taking place.

Mr Frost responded to members' questions and comments. He confirmed that the timeline demonstrated that there would be no more than approximately 125 dwellings served potentially before the phase 2 access was available, however this could not be secured as a requirement by a planning condition or legal agreement. He added that the land negotiations by their nature were lengthy and were outside the control of the Local Planning Authority and inevitably there would be some departure from the agreed timeline. With regard to foul drainage disposal, the developer had not yet committed to a solution. Southern Water were in discussions with the developer, facilitated by the Local Planning Authority, regarding the two options for which the preferred option by all the parties was for a mains connection to the new pipeline which would drain to Tangmere Waste Water Treatment Works.

With regard to the archaeological studies that had uncovered Bronze Age remains, Miss Bell advised that further studies would take place but they were not expected to have a significant impact on the development's timescales.

It was agreed that the Committee would receive quarterly updates on progress.

Resolved

That the contents of the report be noted.

199 Schedule of Outstanding Contraventions

The Committee considered and noted the schedule of outstanding contraventions (copy attached to the official minutes).

Mrs Archer updated members on the latest position. She reported that now that the Enforcement Team was fully staffed work would begin to conclude a large number of old cases.

RESOLVED

That the report be noted.

200 Schedule of Planning Appeals, Court and Policy Matters

2. Decisions Received

SY/16/00373/FUL – Tidewell Cottage, 85 East Street, Selsey: In noting the comments that the Planning Inspector had made in his decision letter concerning the provision of the vehicle turntable and his view that the prohibition of reversing manoeuvres by vehicles would not be enforceable, officers undertook to raise the implications of this issue with West Sussex County Council Highways.

CH/16/01087/FUL – Moola House, Main Road, Nutbourne: Mr Whitty summarised the findings of the Planning Inspector who had allowed the appeal.

3. Outstanding Appeals

SY/16/02694/FUL – 47 Gainsborough Drive, Selsey: The decision had now been received and the appeal dismissed. The Committee would be updated at the next meeting on the Planning Inspector's reasons.

RESOLVED

That the report be noted.

201 Mr M Cullen

The Committee gave their sincere thanks to Mr Cullen who had recently resigned from the Council as a District Councillor and expressed their thanks for his time served on the Committee for a number of years.

The meeting ended at 3.25 pm

CHAIRMAN

Date: