



Minutes of the meeting of the **Planning Committee** held in Committee Rooms, East Pallant House on Wednesday 19 July 2017 at 9.30 am

Members Present: Mr R Hayes (Chairman), Mrs C Purnell (Vice-Chairman), Mr G Barrett, Mr M Dunn, Mr J F Elliott, Mr M Hall, Mrs J Kilby, Mr G McAra, Mr S Oakley, Mr R Plowman, Mrs J Tassell and Mr D Wakeham

Members not present: Mrs J Duncton, Mr L Hixson and Mrs P Tull

In attendance by invitation:

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), Miss L Higenbottam (Democratic Services), Mr J Saunders (Development Manager (National Park)), Mrs F Stevens (Principal Planning Officer) and Mr T Whitty (Development Management Service Manager)

24 **Chairman's Announcements**

The Chairman welcomed everyone to the meeting and drew attention to the emergency evacuation procedure.

Apologies were received from Mrs Duncton, Mr Hixson and Mrs Tull.

25 **Approval of Minutes**

RESOLVED

That the minutes of the meeting held on 21 June 2017 be approved and signed by the Chairman as a correct record.

26 **Urgent Items**

There were no urgent items.

27 **Declarations of Interests**

Mr Barrett declared a prejudicial interest in application E/16/03235/FUL as a friend of the applicant and withdrew to the public seating area during the item.

Mr Dunn declared a personal interest in applications SDNP/16/04519/FUL, SDNP/16/05874/FUL and SDNP/16/03917/FUL as a Chichester District Council appointed member of the South Downs National Park (SDNP).

Mr Oakley declared a personal interest in applications E/16/03235/FUL, TG/17/00468/FUL, WW/16/04141/FUL and SDNP/16/04519/FUL as a member of West Sussex County Council.

Mr Oakley also declared a personal interest in application TG/17/00468/FUL as a member of Tangmere Parish Council.

Mrs Purnell declared a personal interest in applications E/16/03235/FUL, TG/17/00468/FUL, WW/16/04141/FUL and SDNP/16/04519/FUL as a member of West Sussex County Council.

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

Planning Applications

The Committee considered the planning applications together with an agenda update sheet at the meeting detailing observations and amendments that had arisen subsequent to the dispatch of the agenda. During the presentations by officers of the applications, members viewed photographs, plans, drawings, computerised images and artist impressions that were displayed on the screen.

RESOLVED

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

28 E/16/03235/FUL - Earnley Grange, Almodington Lane, Almodington, Earnley, PO20 7JS

Mr Barrett declared a prejudicial interest as a friend of the applicant and withdrew to the public seating area during the item.

The following members of the public addressed the Committee:

- Mrs L Chater – Earnley Parish Council
- Mr M Cornish – Objector
- Mr C Drake - Objector
- Mr I Parker - Applicant

With regard to members' suggestions that the proposed parking area could be screened to reduce its visual impact Mrs Stevens explained that for members to find the application acceptable, significant screening should not be necessary. She indicated the alternative parking areas that had been suggested to the applicant next to the existing cafe building and on an area of hardstanding within the complex.

In response to members' concerns regarding additional use of the car park Mr Whitty clarified that use of the car park by visitors to Medmerry was within the applicant's control. It was confirmed that West Sussex County Council (WSCC) Highways would require provision of 16 parking spaces. In relation to site usage the opening hours would be 8.30am until 10.30pm Monday to Friday, 8.30am until 11.00pm on Saturdays and 8.30am until 5.30pm on Sundays and Bank Holidays.

Members raised concerns relating to additional external lighting and suggested a condition would be required to limit the impact.

Members' agreed that although little concern had been raised relating to the change of use of the buildings, significant concern had been raised regarding the proposed parking area and as such members favoured the officer recommendation to refuse.

Recommendation to **refuse** agreed.

29 **EWB/17/00374/FUL - Land East Of 10 Downview Close, East Wittering, PO20 8NS**

This item was withdrawn from the agenda.

30 **TG/17/00468/FUL - Land West Of Kimkarlo, Church Lane, Tangmere, PO20 2EZ**

Additional information was reported on the agenda update sheet relating to information provided by the agent, an additional comment from the Parish Council, an amendment to the final sentence of section 8.3 of the report to read 'buildings' instead of 'dwellings', clarification that the application site lies within the Strategic Development Location (SDL) for Tangmere and removal of condition five. Further conditions added relating to the development commencement date and landscaping and a further informative relating to the culverted road surface water drainage.

The following member of the public addressed the Committee:

- Mr D Appleton - Agent

Mr Whitty responded to members' questions and points of concern. With regard to development on adjacent sites it remained unknown whether and what form of development would take place to the west and/or south of the site. In relation to whether the properties would be in keeping with the existing character officers considered the character of the area to be varied. With reference to the Tangmere Neighbourhood Plan, it was noted that the examiners views on development form were not part of the Plan and should be given weight accordingly. With regard to privacy, the distance between the dwelling and the western boundary fence would be just under two metres, the distance between the two dwellings would be 1.9 metres with a 1.8 metre privacy fence on two sides and there was a requirement for frosted dormer windows in the bathroom.

Members favoured additional informatives relating to the inclusion of trees in the landscape plans and a request that the Church Lane culvert should not be used for surface water drainage.

Recommendation to **permit** agreed.

31 **WE/17/00670/FUL - Meadow View Stables, Monks Hill, Westbourne, Emsworth, West Sussex, PO10 8SX**

Information was reported on the agenda update sheet detailing an additional condition to clarify that any new permission would run in parallel with the extant permission governing the use of the site as a gypsy and traveller pitch (reference WE/14/04206/FUL).

The following member of the public addressed the Committee:

- Mr R Briscoe – Westbourne Parish Council

Mr Whitty responded to members' questions and concerns. With regard to advertisements, as consent was not sought at this stage, the assessment of impacts from adverts was not a material consideration. An informative would advise the need to apply for advertising consent in a timely manner. With reference to the earlier appeal, the inspector's decision letter which prevented by condition any commercial activity on the site should not be interpreted as the Inspector's definitive view on this matter and in any case, future planning applications needed to be decided by the local planning authority on their own merits. Miss Golding advised that the law allows for applications to be made to change conditions and members should assess whether any harm would be caused by permitting the application. With regard to tree storage it was confirmed that the trees would be stored in the open. The site could also accommodate approximately 10 parking spaces. Mr Frost clarified that confirmation of the capacity and layout of the tree storage would need to be explored further with the applicant. Regarding visibility surrounding the site entrance WSCC Highways were content that the visibility requirements had been met and officers explained that the potential future creep of the development would not be a sustainable reason for refusal.

Mrs Purnell proposed to defer for further information from the applicant. Mr Dunn seconded the proposal which was carried.

Defer for further information from the applicant.

The Committee adjourned for a short break.

32 **WW/16/04141/FUL - The Ark, 35 Marine Drive West, West Wittering, PO20 8HH**

Additional information was reported on the agenda update sheet relating to comments submitted by the applicant's agent.

The following member of the public addressed the Committee:

- Mr N Cosh – on behalf of Sam and Rosie Cosh - objector

Mr Whitty responded to members' questions and concerns. In relation to privacy all windows would be set within an acceptable distance of the neighbouring property. With regard to outlook, the eastern side first floor flank elevation would be set back further in to the site, which would alleviate some of the potential unneighbourly impact. Views from the outside staircase over the neighbouring garden would be minimal. It was confirmed that maintenance access for the neighbouring property was not a planning matter and would need to be agreed privately between neighbours. With regard to the exterior appearance of the property it would be wooden clad.

Recommendation to **permit** agreed.

33 SDNP/16/04519/FUL - Copse Cottage, Norwood Lane, East Lavington, Petworth, West Sussex, GU28 0QG

Additional information was reported on the agenda update sheet relating to comments received from East Lavington Parish Council, the applicant's response to the points raised by Mr Elliott's red card, supporting information from the agent relating to site levels and design and additional representations. A further condition was added relating to site levels and a further informative relating to wildlife affected by the development.

The following members of the public addressed the Committee:

- Mr C Britton – East Lavington Parish Council
- Mr D Stuart Smith – Objector
- Mr T Tinker - Objector
- Mr J Scott-Webb - Applicant

Mr Elliott read a statement referring to the content and publication timing of the Historic Buildings Advisor's report, the style and size of the proposed property and the location within the national park. He requested members refuse the application.

Mr Saunders responded to members' concerns. With regard to the significance of the existing property the Historic Buildings Advisor had not found it to be of listable significance. Mr Saunders explained that the proposed property would fall within Policy 30 of the emerging South Downs Local Plan for replacement dwellings of up to 30% additional floor space. With regard to the character of the area the design incorporated local architecture including clay tiles on the roof, local stone and brick quoin detail to the windows. With regard to the scale of the outbuilding it would be set back at a lower level behind existing vegetation. In relation to the assessment of the application Mr Frost confirmed that officers had used the 1999 Chichester Local Plan.

The officer recommendation to permit was not carried. Mr Oakley proposed the application be refused as the development would result in the loss of a building of some heritage significance and the replacement dwelling would by reason of its scale, massing and design have adverse impact and be out of keeping with the

character and setting of the national park. Mrs Tassell seconded the proposal which was carried.

Refuse for the following reason:

Copse Cottage contributes to the rural character and appearance of the area through its small scale vernacular character and its demolition and replacement with a new dwelling would result in the loss of a building with some heritage significance. Furthermore, the proposed replacement dwelling, by reason of its scale, massing and design, would be out keeping and have a harmful impact on the character and setting of the area. The proposal is therefore considered to be contrary to sections 7, 11 and 12 of the NPPF, policies RE1, BE4, BE11 and H12 of the Chichester District Local Plan First Review 1999, policies SD1, SD4, SD5, SD12 and SD30 of the South Downs National Park - Pre-Submission Local Plan 2017 and would be contrary to the first purpose of designation of the South Downs National Park.

(contrary to officer recommendation).

The Committee adjourned for a lunch break.

34 SDNP/16/05874/FUL - Bury Gate Farm, Bury Gate, Bury, RH20 1HA

Additional information was reported on the agenda update sheet relating to amended condition two detailing the development timeline.

The following members of the public addressed the Committee:

- Mr K Edwards MIMI.,MSAET.,MIRTE.,LAE.,ENG.TEC – objector
- Mr S Rendel – Agent

Mr Saunders responded to members' questions and concerns. In relation to the proximity of the neighbouring property the location was confirmed on a map. With regard to the impact of light the glazing would be set back behind columns and the SDNPA Dark Skies Officer had been content with the proposal. With regard to privacy the siting of the proposed property would not overlook the neighbour's woodland to any greater extent than the currently property. Mr Saunders clarified that ownership of a property does not entitle a person to a view.

Recommendation to **permit** agreed.

35 SDNP/16/03917/FUL - The Hungry Guest, Saddlers Row, Petworth, GU28 0AN

In response to members' comments relating to the colour of the vent roof pipes Mr Saunders explained that condition three required a matt black finish to reduce the visual impact. He confirmed that officers had no concerns relating to noise from the vents.

Recommendation to **permit** agreed.

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

Miss Bell updated the Committee on progress to date on the Section 106 agreement and the commercial land negotiations for Phase two. The Section 106 agreement was expected to be finalised by early August 2017 at which point planning permission would be granted. The commercial land negotiations due to conclude in July 2017 were ongoing but it was envisaged they would be completed by autumn 2017. It was hoped that the delay would not impact the delivery of the southern access due in spring 2020 for construction traffic and early 2021 for residential use.

In response to members' questions about the negotiations Mr Frost explained that the planning service would not usually be involved at this stage of commercial negotiations and could only continue to monitor the situation. Miss Bell confirmed that officers understand that the applicant has commenced preliminary work on the reserved matters applications and all parties would be meeting in August with regard to the commercial land negotiations. The meeting would provide the developers with the opportunity to respond to some of the concerns raised by Bishop Luffa School.

In response to concerns regarding the progress of the foul water disposal options Miss Bell explained that officers understand that it would be likely to be included in the first group of reserved matter applications.

Mr Frost confirmed that a revised timeline would be produced for the October Committee meeting.

37 **Schedule of Outstanding Contraventions**

SY/15/00074/CONHH – 47 Wellington Road, Selsey, Chichester

Mrs Purnell highlighted a current planning application on the same site which Mrs Archer confirmed was yet to be determined. Mrs Archer explained that the enforcement notice required removal of the house in the garden following confirmation of the compliance date.

BI/15/00139/CONSH - Land North West of Premier Business Park, Birdham Road

Mrs Archer confirmed that the enquiry had closed and a decision would be made shortly.

FU/08/00230/EWSTNP – The Old Post Office, Southbrook Road, West Ashling, Chichester, West Sussex, PO18 8DN

Mrs Archer confirmed that the purpose of the visit to the property on 14 June 2017 had been to assess the structural condition and it had been agreed that further work would be required.

FUNT/SDNP/16/00496/OPDEV – Land south of Braefoot, Southbrook Road, West Ashling

Mrs Archer confirmed that the appeal would go ahead.

The Committee noted the schedule of outstanding contraventions.

38 Schedule of Planning Appeals, Court and Policy Matters

O/16/02254/OUT – Land to the South of Oving Road/B2144, Shopwhyke, West Sussex

Miss Bell explained that it was likely that the appeal decision would be received in mid-August.

Variation to a Section 106 Agreement – Land at Park Farm, Selsey

Miss Bell confirmed that work to the cycle route on the Ferry Bends would form part of the WSCC Highways work triggered by the opening of the ASDA store. The cycle route into town remained on a list of projects which would follow the occupation of the first dwelling. WSCC were also awaiting an application inclusive of plans to deliver the additional cycle routes.

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

39 Consideration of any late items as follows:

Mr Hayes took the opportunity to thank Mr Smith, County Highways Manager who would be leaving WSCC in September.

The meeting ended at 2.11 pm

CHAIRMAN

Date: