



Minutes of the meeting of the **Planning Committee** held in Committee Rooms, East Pallant House on Wednesday 14 March 2018 at 9.30 am

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

**Members not present:** Mr G Barrett and Mrs J Duncton

**In attendance by invitation:**

**Officers present:** Mr J Bushell (Principal Planning Officer), Miss N Golding (Principal Solicitor), Miss L Higenbottam (Democratic Services), Mrs A M Pagano (Principal Conservation and Design Officer), Mr D Price (Principal Planning Officer), Mr J Saunders (Development Manager (National Park)), Mrs F Stevens (Principal Planning Officer) and Mr T Whitty (Development Management Service Manager)

### 133 **Chairman's Announcements**

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

Apologies were received from Mrs Duncton.

### 134 **Approval of Minutes**

#### **RESOLVED**

That the minutes for the meeting held on 7 February 2018 be approved and signed by the Chairman as a correct record.

### 135 **Urgent Items**

There were no urgent items.

### 136 **Declarations of Interests**

Mr Dunn declared a personal interest in respect of applications WH/17/03466/FUL, SDNP/16/03326/FUL SDNP/17/05519/FUL, SDNP/17/05520/LIS and SDNP/17/06386/CND as a Chichester District Council appointed member of the South Downs National Park Authority.

Mr Hayes declared a personal interest in respect of application SB/17/02596/FUL as a member of Southbourne Parish Council.

Mr Hixson declared a personal interest in respect of applications CC/17/03357/FUL and CC/98/02043/OUT as a member of Chichester City Council.

Mrs Kilby declared a personal interest in respect of applications CC/17/03357/FUL and CC/98/02043/OUT as a member of Chichester City Council.

Mr Oakley declared a personal interest in respect of applications CC/17/03357/FUL, CC/98/02043/OUT, EWB/17/01259/FUL, SB/17/02596/FUL, WH/17/03466/FUL and SDNP/16/03326/FUL as a member of West Sussex County Council.

Mr Plowman declared a personal interest in respect of applications CC/17/03357/FUL and CC/98/02043/OUT as a member of Chichester City Council.

Mr Plowman also declared a personal interest in respect of application CC/17/03357/FUL as a Chichester District Council appointed member of the Chichester Conservation Area Advisory Committee.

Mrs Purnell declared a personal interest in respect of applications CC/17/03357/FUL, CC/98/02043/OUT, EWB/17/01259/FUL, SB/17/02596/FUL, WH/17/03466/FUL and SDNP/16/03326/FUL as a member of West Sussex County Council.

Mrs Purnell also declared a personal interest in respect of application EWB/17/01259/FUL as the Chair of Manhood Peninsula Partnership.

Mrs Tull declared a personal interest in respect of applications SDNP/16/03326/FUL as a member of the National Trust.

### **Planning Applications**

**(To listen to the full debate of the planning applications follow the to the [link](#) online recording)**

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

### **RESOLVED**

That the following decisions be made subject to the observations and amendments below:

137 **CC/17/03357/FUL - Providence Works, Lyndhurst Road, Chichester, West Sussex, PO19 7PF**

The following member of the public addressed the Committee:

- Mrs K Simmons - Agent

In response to members comments and questions Mrs Stevens confirmed the size of the proposed dwellings; plot 1 – three bed, plots 2 and 3 – four bed and plot 4 – five bed. She explained that the previously approved scheme (15/04201/FUL) had also allowed for 16 bedrooms and therefore although the size of the dwellings differed the number of people that could be accommodated remained the same. With regard to concerns that there could be further building works on the site conditions 18 ensures extensions and alterations would require planning permission. Mrs Stevens clarified that refuse collection would be from the pavement with bin storage on site at other times. With regard to construction management there is no requirement for the developer to cover loads although it is common practice. With regard to the flood risk the Environment Agency had agreed to the standard flood risk condition. Mrs Stevens confirmed that the proposed parking layout was the same as the layout of the approved scheme and officers had received amended garage plans which detailed internal garage measurements of 6 x 6 metres. Mr Oakley queried whether details of levels had been provided and whether the drainage condition should be amended to meet future climate change. Mrs Stevens advised that conditions had been repeated from the previous permission, however a condition requiring levels could be imposed if considered necessary, and that the drainage condition could be amended.

Recommendation to **Permit** with Section 106 agreed.

138 **CC/98/02043/OUT - Warrendell, Adjacent To Centurion Way Off Plainwood**

The following members of the public addressed the Committee:

- Mr B Aldridge – Objector
- Mr C Beazley – Objector
- Mr I Oliver (on behalf of Ms L Bye) - Objector
- Mrs S Sharp (on behalf of Chicycle) - Supporter

Mr Bushell explained that the application was referred back to Committee both to advise it of the agreement now reached with the applicant and WSCC to provide a sustainable pedestrian/cycleway link from the site to Centurion Way, and for members to endorse this as an amended clause in the section 106 agreement. In response to members comments and questions he clarified that he could not confirm the precise location of the proposed combined pedestrian/cycleway link or the open space until the reserved matters application with the proposed layout of the site had been submitted. Given the site's constraints it was likely that the pedestrian/cycleway link would be in the north-west corner of the site adjacent to the end of Plainwood Close. He explained that the open space was likely to be located north of the retained pond in the centre of the site. He clarified that the pedestrian/cycleway link would be open to the public not just the residents of the

proposed development and that a management company would be established to carry out any maintenance. With regard to concerns about a sinkhole on the site Mr Bushell confirmed that this would be a construction consideration for the developer rather than the Committee. With reference to the recently agreed Solent Recreation Mitigation Strategy he confirmed that if the agreement is not signed before 1 April 2018 the new higher rate would be applied.

Mr Whitty agreed that it would be appropriate to amend the flood risk condition to mirror the new standard condition. Mr Bushell also agreed to address the repetition of conditions 24 and 33.

Mr Oakley proposed that the second sentence of the officer recommendation be amended to read 'if the Section 106 agreement is not complete within 6 months of the resolution then return to Committee' rather than delegating the application to officers. Mrs Tassell seconded the proposal which was carried.

Recommendation to **Defer for a Section 106** agreement then **Permit** agreed. If the Section 106 agreement is not complete within 6 months of the resolution then return to Committee.

The Committee took a short break.

139 **EWB/17/01259/FUL - Billy's On The Beach Kiosk, Bracklesham Lane, Bracklesham Bay, Chichester, West Sussex, PO20 8JH**

This application had been deferred at the Planning Committee meeting held on 11 October 2017 for a site visit and for officers to further address concerns raised by the Foreshores Officer. The site visit took place on 12 March 2018.

Information was reported on the agenda update sheet setting out further comments from WSCC Highways and the council's Health and Safety Manager. Mr Whitty drew attention to additional conditions regarding outdoor seating, the orientation of the catering van and the size and style of the gate. A further update had been received from the Foreshores Officer following publication of the agenda update sheet. The information included a new tracking plan (shown on screen) demonstrating the movement of a 7 metre trailer down the slipway track. Mr Whitty confirmed that the plan demonstrated the correct route around the car park and it would be unreasonable to request the applicant to track alternative routes that did not follow the car park's directional flow. Mr Whitty also confirmed that the potential alterations to the barriered access to the slipway to the north west of the foreshores office, viewed by the Committee on the site visit, did not form part of the application.

The following members of the public addressed the Committee:

- Mr B Reeves – East Wittering and Bracklesham Parish Council
- Ms J Gayfer – Objector
- Mr I Grant – Objector
- Mr N Ellis - Agent

In response to members comments and questions Mr Whitty confirmed that temporary planning permission would not be appropriate for operational development of this scale. With regard to safety concerns he clarified that the application could not be expected to address and solve existing problems. He confirmed that the catering van is subject to separate permissions but the additional condition could improve its orientation. He clarified that the disabled car parking spaces had been laid out incorrectly (in the wrong position) and would need to be addressed by the parking services team.

The Committee raised concerns that contrary to policy 42 the drainage would be compromised due to the access track covering the gully. Officers confirmed that the applicant had yet to address a solution, but that it was likely the gully would be moves southward, with the access track.

The Committee also considered a number of difficulties that had been experienced with the disabled access and parking on site and a number of safety concerns including the tight turning angle for tractors, boats and trailers. Some of the Committee considered the additional safety issues contrary to Policy 39.

The Committee then discussed the economic impact of expansion plans and whether the business had outgrown the site which is also used for a number of water based leisure activities.

Mr Hixson proposed that the application be refused due to the likelihood to exacerbate public safety issues on site, contrary to Policy 39 and the insufficient information regarding drainage, contrary to Policy 42. Mrs Purnell seconded the proposal which was carried.

**Refuse** (contrary to officer recommendation).

140 **SB/17/02596/FUL - Land At 5 Barnfield Close, Southbourne, Emsworth, Hampshire, PO10 8NH**

Information was reported on the agenda update sheet setting out a revised plan and amendment to the recommendation and conditions 2 and 9.

The following member of the public addressed the Committee:

- Mr S Bromley - Agent

Mrs Stevens confirmed that the parking allocation complies with the West Sussex County Council Highways requirement for one space per two bedroom dwelling plus a single unallocated space.

Recommendation to **Permit** with Section 106 agreed.

The Committee took a short break.

141 **WH/17/03466/FUL - Land East of Claypit Lane, Adjacent to Rolls Royce Motor Cars, Maudlin, Westhampnett, West Sussex**

Information was reported on the agenda update sheet setting out amendment to the recommendation and conditions 4 and 9 and further comment from Highways England and the council's Environmental Health team.

The following member of the public addressed the Committee:

- Mr A Ball - Applicant

In response to members comments and questions Mr Bushell assured the Committee that if it were resolved to delegate the determination of the application to officers it would only be approved if the issues relating to noise and the impact on the A27 were satisfactorily resolved. With regard to car park barriers he confirmed that the entrance/exit of The March School car park and the Rolls Royce car park would be controlled to prevent unauthorised access. With reference to air pollution concerns, the council's Environmental Health Officer had raised no objection following a detailed air quality report submitted by the applicant which included appropriate mitigation measures.

With regard to landscaping concerns Mr Bushell explained that if the car park screening were to mirror the rest of the Rolls Royce site it would be suitable and effective. He agreed to amend the proposed landscaping condition to require tree planting between November and late February to ensure that the trees and plants were provided with the best opportunity to become established.

Recommendation to **Delegate decision to officers** to resolve outstanding issues relating to noise and A27 traffic impacts and then determine agreed.

142 **WW/17/03316/OUT - Merston Cottage, Chichester Road, West Wittering, PO20 8QF**

Information was reported on the agenda update sheet setting out amendment to the planning application number and addendum to condition 2.

The following member of the public addressed the Committee:

- Mr R Shrubbs - Objector

In response to members comments and questions Mr Whitty clarified that for a building to be ancillary use only it must have a functional connection to the associated house. With regard to concerns that the building could become a commercial let he advised condition 2 as stated on the update sheet could be amended to add 'for no commercial purposes' to limit the use. Mrs Stevens clarified that there are no separate bedrooms shown on the plans but a bathroom is proposed and it would be unreasonable to restrict the number of people permitted.

Mrs Kilby proposed that the officer recommendation to permit be agreed with 'for no commercial purposes' added to the end of condition 2. Mr Hayes seconded the proposal which was carried.

Recommendation to **Permit** agreed.

Mrs Kilby left the meeting.

143 **SDNP/16/03326/FUL - Garden of 1 Stone Pit Cottages, Marleycombe Road, Camelsdale, Linchmere, West Sussex**

The following members of the public addressed the Committee:

- Mrs S McCallum – Lynchmere Parish Council
- Mrs S Ord – Objector
- Mr D Keep – Objector
- Mr T Scrivens - Objector

In response to members comments and questions Mr Price confirmed that a section of the pathway is owned by the applicant with the remainder owned by a third party (who had been given appropriate notice by the applicant). He clarified that the application site covers an area across the back of 1 and 2 Stone Pit Cottages but neither property is a designated heritage asset.

With regard to surface water drainage concerns Mr Price set out condition 4 which outlines the drainage scheme and condition 7 which requires use of porous materials. The Committee discussed whether conditions 4 and 7 would be adequate for the water run-off from the site.

The Committee also discussed the location of the proposed dwelling within the National Park and the impact of its size and scale on neighbouring properties. The Committee agreed it would be difficult to reach a decision without viewing the site.

Mrs Tassell proposed that the application be deferred for a site visit to give the Committee opportunity to view the site in context with the neighbouring properties and address concerns relating to size, scale and drainage. Mr Dunn seconded the proposal which was carried.

**Defer** for a site visit.

The Committee took a lunch break.

144 **SDNP/17/05519/FUL and SDNP/17/05520/LIS - Foresters Arms, The Street, Graffham, Petworth, West Sussex, GU28 0QA**

The Chairman welcomed Mrs Pagano, Principal Conservation and Design Officer.

The following members of the public addressed the Committee:

- Mr J Uphill – Graffham Parish Council

- Mr P Bradley - Applicant

Mr Elliott was invited to share his reasons for issuing a red card.

In response to members comments and questions Mr Saunders highlighted (by the use of presentation slides) the current location of the functioning kitchen. He indicated the area adjacent to the kitchen that could be extended and explained that a further option would be to create a kitchen extension by amending the more modern lean-to which already houses the cooker and vent hood, and renovating this area instead. He clarified that the back of the building remained a highly significant feature of the Listed Building being a Georgian rear wing. It also has an important visual aspect being constructed of 18<sup>th</sup>-century “chequer-board” red and blue brickwork, which is highly visible to customers due to the location of the car park. He confirmed that a number of unauthorised works had taken place to the back wall which were subject to ongoing enforcement action.

Mrs Pagano clarified that the officers are supportive of the use of the building as a public house but emphasised the importance of advance consideration and negotiation to find the best location for the kitchen extension. She confirmed that a number of the unauthorised works especially the grit-blasting of the original 400-year old timber beams had caused irreversible damage to the buildings heritage. Also, old casements were removed without consent and replaced which did not match the remaining Georgian windows (with Lambs’-tongue glazing bars).

Mr Saunders explained that unauthorised works at first floor also need to be applied for and resolved in order to make sense of why floor-space and doors for the pub were blocked off recently without consent.

The Committee discussed the harm caused by the current proposal to extend from the rear Georgian wall and the need for a compromise to be reached to ensure the proposed new works will respect the Listed Building’s features of special interest. Mrs Pagano explained that the owner should make good any unauthorised changes and submit amended plans, following further negotiation. If a revised plan is made this spring that avoids altering or harming sensitive features it is likely the case could be resolved and the pub could be reinstated for active use.

Mr Hayes proposed the application be deferred for negotiations to achieve a development that did not interfere with the rear historic Georgian wall (possibly by way of extension of the existing 20<sup>th</sup> century lean-to) and then delegated to officers for decision. This would allow for the applicant to address the committee’s concerns without causing unnecessary delay through a refusal and necessary resubmission. Mr Plowman seconded the proposal which was carried.

Mrs Golding confirmed that Mr Elliott would be required to withdraw his red card. Mr Elliott agreed.

SDNP/17/05519/FUL

**Defer** for negotiations and then **delegate to officers**.



SDNP/17/05520/LIS

**Defer** for negotiations and then **delegate to officers**.

145 **SDNP/17/06386/CND - Land at Homes of Rest, Graffham Street, Graffham, Petworth, West Sussex, GU28 0NW**

The following member of the public addressed the Committee:

- Mr S Mcqueen – Graffham Parish Council

In response to members comments and questions Mr Price confirmed that the construction plan suggests that the development would take approximately 18 months to complete. He clarified that revision is required to condition 17 of planning permission SDNP/15/06327/CND to allow the developer access to the site and for existing occupants to access their properties.

Recommendation to **Permit** agreed.

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

The Committee considered and noted the schedule of outstanding planning appeals, court and policy matters that had been circulated with the agenda.

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

There were no late items.

The meeting ended at 3.14 pm

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CHAIRMAN

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Date: