



Minutes of the meeting of the **Planning Committee** held in Committee Rooms, East Pallant House on Wednesday 16 August 2017 at 9.30 am

Members Present: Mr R Hayes (Chairman), Mrs C Purnell (Vice-Chairman), Mr G Barrett, Mrs J Duncton, 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 and Mr D Wakeham

Members not present: Mrs P Tull

In attendance by invitation:

Officers present: Miss J Bell (Development Manager (Majors and Business)), Mr A Frost (Head of Planning Services), Miss N Golding (Principal Solicitor), Mrs K Jeram (Member Services Officer) and Mr T Whitty (Development Management Service Manager)

40 **Chairman's Announcements**

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

41 **Approval of Minutes**

That the minutes of the meeting held on 19 July 2017 be approved and signed by the Chairman as a correct record.

42 **Urgent Items**

There were no urgent items.

43 **Declarations of Interests**

Mr Barrett declared a personal interest in respect of application SB/16/03751/FUL as a Chichester District Council appointed member of Chichester Harbour Conservancy.

Mrs Duncton declared a personal interest in respect of applications TG/17/01348/FUL, SY/17/00951/FUL, SB/17/00589/FUL and FB/16/03464/FUL as a member of West Sussex County Council.

Mr Hayes declared a personal interest in respect of applications SB/17/00589/FUL and SB/16/03751/FUL as a member of Southbourne Parish Council.

Mr Hixson declared a personal interest in respect of application CC/17/01158/FUL as a member of Chichester City Council.

Mrs Kilby declared a personal interest in respect of application CC/17/01158/FUL as a member of Chichester City Council.

Mr Oakley declared a personal interest in respect of applications TG/17/01348/FUL, SY/17/00951/FUL, SB/17/00589/FUL and FB/16/03464/FUL as a member of West Sussex County Council.

Mr Oakley declared a personal interest in respect of planning application CC/17/01158/FUL as he had attended meetings of the Friends of Priory Park.

Mr Plowman declared a personal interest in respect of application CC/17/01158/FUL as a member of Chichester City Council.

Mr Plowman declared a personal interest in respect of application CC/17/01158/FUL as a Chichester District Council appointed member of Chichester Conservation Area Advisory Committee.

Mrs Purnell declared a personal interest in respect of applications TG/17/01348/FUL, SY/17/00951/FUL, SB/17/00589/FUL and FB/16/03464/FUL as a member of West Sussex County Council.

Mr Plowman declared a prejudicial interest in respect of application CC/17/01158/FUL as he was the Chairman of Friends of Priory Park.

Planning Applications

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

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 following decisions be made subject to the observations and amendments as set out below:-

44 **TG/17/01348/FUL - Land On The East Side Of Meadow Way, Tangmere**

Recommendation to **Permit** agreed.

45 **SY/17/00951/FUL - Selsey Regeneration, 53A High Street, Selsey**

The following information was reported on the agenda update sheet relating to additional supporting information regarding the storage and removal of food waste received from the agent, the substitution of paragraph 8.10, the amendment of condition 3 and the deletion of condition 5.

The following members of the public addressed the Committee:

- Mr C Alden – Parish representative; and
- Mr L Weymes – Agent.

Mr Whitty responded to members' questions and comments. He advised that it could not be presumed that customers would park on double yellow lines outside the premises, which were controlled by civil enforcement. It was noted that the Highways Authority had no objection to the proposal and were satisfied that the nearby public car park was within a sufficient distance not to deter customers from parking there. Whether the waste collection took place daily or weekly, other than the highway impact, was not strictly a planning consideration as other legislation was in place to control this. The Council's Estates team had agreed to include a requirement in the lease that dealt with waste storage and the frequency of collections. He suggested that whether the waste was wheeled to the collection point once a day or once a week it would be unlikely to result in a significant problem with the footfall using the shared access. Condition 4 required details of the final location of collection and servicing of waste collection to be approved. The issue of internal smells from the internal waste storage area was not a planning matter and would be dealt with under food licensing requirements. Condition 6 could be amended to include the final closing times for the clean-up and close down of the premises. The Council's Environmental Health team was satisfied that the proposed ventilation system would not to cause any odour or noise issues to the neighbouring properties. The purpose of the ventilation system proposed was to control odours whilst food was being cooked. Condition 3 could be amended to require that the system was turned off once the cooking of food had finished and that no further mechanical extraction was operated unless approved by the Planning Authority.

In order to obtain a better understanding of the proposed development and its impact on the surrounding area, including the shared access and, in light of the concerns raised in particular about the potential for illegal parking, waste storage and collection, the emission of food and waste smells members favoured a site visit.

Mr Frost advised that during the deferral period officers would request further details regarding the proposed storage and collection of waste, and would establish the intended frequency of the waste collection with the applicant. Officers would also investigate if there was a need for the mechanical ventilation of internal stored waste.

Defer for a Site Visit.

46 **SB/17/00589/FUL - South Barn, Brook Farm, Priors Leaze Lane, Hambrook**

The following information was reported on the agenda update sheet relating to further information provided by the applicant in support of the proposed use and the

consultation response received from Chichester District Council's Economic Development Section.

The following members of the public addressed the Committee:

- Mrs C Hindle – Supporter;
- Mr S McDade – Supporter;
- Ms C Allen – Supporter;
- Mr A Sabin – Applicant; and
- Mr J Brown – CDC Member.

A vote to defer the application for a site visit was not carried.

On balance, the majority of the Committee supported the officer's conclusion that the application should be refused. They considered the proposed live/work building was unacceptable in terms of its proposed scale, mass, height and form; the location could not be supported being in an unsustainable rural location without public transport; the lack of screening and the adverse visual impact that would result; and were of the opinion that the sequential test in relation to flood risk had not been satisfied.

Recommendation to **Refuse** agreed.

47 **SB/16/03751/FUL - Nutbourne Farm Barns, Farm Lane, Nutbourne**

The following information was reported on the agenda update sheet relating to the amendment of the application description and amended condition 3.

Mr Whitty reported the following further updates: The amendment of the recommendation to "Defer for a Section 106 agreement then Permit" to require a recreational disturbance contribution, and the addition of a flood zone condition to secure a sustainable surface water system.

The following members of the public addressed the Committee:

- Mr T Money – Objector; and
- Mr G Potter – Agent.

In a vote the officer recommendation to defer the application for a Section 106 agreement was not carried.

Members expressed a number of concerns about the application for the change of use of the current building to holiday accommodation. Some members expressed concern about the impact on the existing farm operations and the safety of holiday makers. However, the majority of members were not satisfied that the applicant had demonstrated the building could be reused without the need for substantial reconstruction and reinforcing, and considered therefore that the proposal did not involve the re-use of the original building and was in conflict with Policy 46 of the Chichester District Council Local Plan. They did not, therefore, favour allowing this application.

Mr Frost advised that a further reason for refusal should be added, which was of a technical nature, to mitigate the impact of recreational disturbance, which he expected the applicant would address if the application became the subject of an appeal.

Refuse

Note: (this decision was contrary to the officer's recommendation)

48 **FU/17/00535/FUL - Rookmore Riding and Carriage Driving School, Scant Road, East Hambrook**

The following information was reported on the agenda update sheet relating to the substitution of paragraph 8.5.

Miss Bell reported an amendment to the recommendation to read as follows: "Defer for a Section 106 agreement then Permit".

Defer for a Section 106 agreement then Permit.

49 **FB/16/03464/FUL - Avalon 22 Halfrey Road, Fishbourne**

The following information was reported on the agenda update sheet relating to the amendment of paragraphs 6.3 and 6.4 to include the number of representations.

Defer for a Section 106 agreement then Permit.

50 **CC/17/01158/FUL - Priory Park, Priory Lane, Chichester**

Mr Plowman withdrew from the meeting and sat in the public seating area.

The following member of the public addressed the Committee:

- Mr R Plowman – Supporter.

Recommendation to **Permit** agreed.

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

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

3. Outstanding Appeals

The following information was reported on the agenda update sheet relating to decision having been received in respect of the appeal decisions for BI/15/00139/CONSH, BI/15/00194/CONTRV, BI/15/01288/FUL - Land North West of Premier Business Park, Birdham Road, Birdham.

4. Variations to Section 106 Agreements

Miss Bell confirmed that members were consulted during the consideration of all variations to Section 106 agreements in their wards.

6. Court and Other Matters

The following information was reported on the agenda update sheet relating to the following injunctions:

- The removal of Birdham Farm from the Court list following the appeal decision; and
- The grant of an interim injunction by the Court in respect of land at Newells Lane, Funtington.

RESOLVED

That the report be noted.

The meeting ended at 12.20 pm

CHAIRMAN

Date: