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Minutes of the meeting of the **Planning Committee** held in Committee Rooms - East Pallant House on Wednesday 19 September 2018 at 9.30 am

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

Members not present: Mr M Dunn, Mr J F Elliott, Mrs J Tassell and Mrs P Tull

In attendance by invitation:

Officers present: Mr J Bushell (Principal Planning Officer), Miss K Davis (Member Services Officer), Mrs N Langford (Senior Planning Officer), Mr J Saunders (Development Manager (National Park)), Mrs F Stevens (Development Manager (Applications)) and Mr T Whitty (Divisional Manager for Development Management)

207 **Chairman's Announcements**

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

Apologies were received from Mr Dunn, Mr Elliott, Mrs Tassell and Mrs Tull.

Item 5 (EWB/18/00753/OUT – South Downs Holiday Village, Bracklesham Lane, Bracklesham Bay) had been withdrawn from the agenda.

208 **Approval of Minutes**

RESOLVED

That the minutes of the meeting held on 15 August 2018 be approved and signed by the Chairman as a correct record.

209 **Urgent Items**

The Chairman announced that an urgent item would be considered under item 11(b) to discuss the decision of the High Court to dismiss the Council's application in respect of Breach Avenue, Southbourne.

210 **Declarations of Interests**

Mrs Duncton declared a personal interest in respect of planning applications WH/18/01024/REM, CH/18/00810/FUL, FU/17/02187/FUL and SDNP/17/03764 as a member of West Sussex County Council.

Mrs Duncton declared a personal interest in respect of planning application SDNP/17/03764 as a West Sussex County Council member of South Downs National Park Authority.

Mr Hayes declared a personal interest in respect of item 11(b) (Breach Avenue, Southbourne) as a member of Southbourne Parish Council's Neighbourhood Plan Steering Group.

Mr Oakley declared a personal interest in respect of planning applications WH/18/01024/REM, CH/18/00810/FUL, FU/17/02187/FUL and SDNP/17/03764 as a member of West Sussex County Council.

Mr Plowman declared a personal interest in respect of planning application WH/18/01024/REM as a member of the Goodwood Motor Circuit Consultative Committee.

Mr Hall declared a personal interest in respect of planning application WH/18/01024/REM as a member of the Goodwood Airfield Consultative Committee.

Mrs Purnell declared a personal interest in respect of planning applications WH/18/01024/REM, CH/18/00810/FUL, FU/17/02187/FUL and SDNP/17/03764 as a member of West Sussex County Council.

Planning Applications

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.

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:

211 **EWB/18/00753/OUT - South Downs Holiday Village, Bracklesham Lane, Bracklesham Bay, Chichester, West Sussex, PO20 8JE**

This item was withdrawn from the agenda.

212 **WH/18/01024/REM - Land North Of Stane Street, Madgwick Lane, Westhampnett, West Sussex**

Additional information was reported on the agenda update sheet relating to an amendment to the applicant's name, additional comments received from Westhampnett Parish Council, Southern Water, West Sussex County Council Highways, Chichester District Council Environmental Health (Contaminated Land and Air Quality), one further third party objection, officer comments, amended conditions 2 (plans), 7 (bins and recycling), 8 (electric car charging) and 15 (contamination), deletion of condition 6 (travel plan) to avoid duplication of a S106 obligation, and 3 additional conditions for the pedestrian link to the bridleway, delivery of the allotments and restricting tanker access overnight.

Attention was also drawn verbally to an additional late third party comment received from Goodwood.

The following members of the public addressed the Committee:

- Mr S Barnes – Objector;
- Mr I Smith (Chichester District Cycle Forum) – Making comment;
- Mr S Goodwill - Applicant

During the discussion Mrs Langford and Mr Whitty replied to members' questions as follows:

- Impact on Goodwood – approximately 20 properties would be located within the 400m buffer zone – technical solutions in place to bring noise levels down to an acceptable level as set out in both national and local planning policy. Informative proposed advise applicant of the need make prospective buyers aware of the proximity of the Goodwood Airfield and Motor Circuit.
- The dwellings would be located in Flood Zone 1 and were set back some distance from the primary SUDS pond located in Flood Zone 2.
- The majority of the roads on the site would be adopted and all were proposed to be suitable for use by refuse vehicles.
- Sewerage tankering – first occupation is predicted to be Spring 2019 and it was expected that 60-90 properties would be occupied by 2020, requiring 2-3 tanker visits each day.
- Noise mitigation included double glazing and alternative ventilation when windows were closed. The dwellings themselves formed a buffer to other parts of the site.
- It was likely that Westhampnett Parish Council would take on the responsibility for the allotments. The additional condition proposed on the agenda update sheet dealt with this matter and that included the requirement for a phasing plan.
- A range of materials would be used so as to result in enough variety and consistency across the site and officers would ensure that any flintwork was of good quality.
- The WSCC Highways Officer considers that the proposed pedestrian crossing, visibility splays and access to the sports and green infrastructure

site opposite is acceptable in planning terms. Technical consents will additionally apply. With regard to the issue of the pedestrian crossing and the concern raised by one of the public speakers concerning traffic and sharp bend along Madgwick Lane, This had been further reviewed with WSCC who now considered that there was a solution to achieve a safe pedestrian crossing to the playing fields.

- Further discussions had taken place concerning access to the Stocks Lane bridleway. Condition 5 dealt with the requirement for the submission of full details to ensure pedestrians could cross safely. It was agreed that with reference to the 'David Wilson Homes' element of the development condition 5 should be amended to be more generic in case when the time came David Wilson homes were no longer the developer.
- Officers were of the view that it was unlikely that rat running through the site would take place on Goodwood event days, as only a short strength of Madgwick Lane would be avoided and traffic may have difficulty re-joining the northbound queue of traffic.
- The speed limits within the site would be subject to agreement with WSCC when the roads are proposed for adoption. With regard to the provision of street lighting etc, the applicant would be asked to have regard to the dark night skies status of the South Downs when proposing streetlighting.
- Details were provided of the tree planting proposed and it was agreed that Condition 5 should be amended to ensure the provision of a variety and mix of trees (including those of a more substantial and long lived nature) along the Madgwick Lane frontage.
- With regard to the garage sizes, an informative was agreed to ensure the implementation of 6x3m size garages.

Defer for a **Section 106 agreement** then **Permit** with conditions as per recommendation as amended by the update sheet, with additional amendments to condition 5 (landscaping) and one additional informative (garage size) agreed.

213 **CH/18/00810/FUL - The Nest, 13 The Avenue, Hambrook, Chichester, West Sussex, PO18 8TZ**

The following information was reported on the agenda update sheet relating to an amendment to condition 2 and the receipt of the financial contribution for mitigation.

The following member of public addressed the Committee:

- Mr P Barry - Agent

Mrs Stevens advised that with regard to the comments of the District Council's Waste Services regarding refuse vehicle access, an informative could be added recommending the removal of the telegraph pole. The informative could also recommend hatching or no parking signs in the turning area. A condition could require the access road surface to be constructed to take the weight of refuse vehicles. The District Council's Drainage Engineer was satisfied that maintenance of the watercourse as possible and this requirement was dealt with as part of Condition 8.

The Committee favoured a site visit in order to obtain a better perspective of the proposed development and its impact in light of the amended scheme, following the refusal of the previous scheme for six dwellings, which proposed a reduction in the number of dwellings.

Defer for a Site Visit

214 **FU/17/02187/FUL - Land South Of Osiers, Clay Lane, Funtington, West Sussex**

The following information was reported on the agenda update sheet relating to an amendment to the application description.

The following member of public addressed the Committee:

- Mrs Ward - Applicant

Mrs Stevens advised that requirement for a Section 106 agreement was due to the need to mitigate the impact of the proposed permanent stationing of the dwelling on the Chichester and Langstone Harbour Special Protection Area.

Defer for a Section 106 agreement then Permit

215 **SDNP/17/03764/FUL - 1 Barnetts Cottage, Fitzlea Wood Road, East Lavington, GU28 0QN**

The following information as reported on the agenda update sheet relating to the receipt of further comments from Lodsworth Parish Council.

The following members of the public addressed the Committee:

- Mr P Sherratt – Supporter
- Mr D Jones/Mr J Fox – Applicant/On applicant's behalf

In response to members' questions, Mr Saunders provided details of where the proposed new bridleway would link to the highway, hard surface areas, drainage, screening and visibility of the access. Stock fencing would be located on the west side of the bridleway.

Mr Day addressed the ecology concerns of the Council's Environmental Strategy in respect of the impact on protected species, healthland, SNCI and tree removal proposals. He reported that the evidence produced by the applicant for the surveys was lacking and although further surveys had been requested they had not been received.

The Committee favoured a site visit to enable them to fully understand the proposals and see the current and proposed bridleway access onto the highway in terms of safety, visibility splays and current vegetation.

Defer for a Site Visit

216 **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.

217 **Exclusion of the Press and Public**

RESOLVED

That in accordance with Section 100A of the Local Government Act 1972 the public and the press be excluded from the meeting during consideration of the following items on the Agenda for the reason that it was likely in view of the nature of the business to be transacted that there would be disclosure to the public of "exempt information" being information of the nature described in Paragraph 5 (Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings) of Part I of Schedule 12A to the Act and the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

218 **Land at Breach Avenue, Southbourne**

The Committee was asked to consider as a late item following the ruling of the High Court to dismiss the Council's challenge following the Planning Inspector's decision to allow the appeal in respect of Breach Avenue, Southbourne and to decide if the Council should apply for permission to be heard at the Court of Appeal and if successful to defend the Council's case.

RESOLVED

That permission to apply to be heard at the Court of Appeal and if successful to defend the Council's case agreed.

The meeting ended at 12.30 pm

CHAIRMAN

Date: