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Minutes of the meeting of the **Planning Committee** held in Committee Rooms, East Pallant House on Wednesday 6 September 2023 at 9.30 am

Members Present: Mr S Johnson (Chairman), Mr J Cross (Vice-Chairman), Mr D Betts, Mr J Brookes-Harmer, Mr R Bates, Mr C Todhunter, Mr R Briscoe, Ms B Burkhart, Mrs H Burton, Mrs D Johnson, Mr H Potter and Ms S Quail

Members not present: Mrs S Sharp

In attendance by invitation:

Officers present: Miss N Golding (Principal Solicitor), Miss J Bell (Development Manager (Majors and Business)), Mr M Mew (Principal Planning Officer), Mrs K Stephens (Development Manager (Applications)) and Miss K Taylor (Senior Planning Officer) and Mrs F Baker (Democratic Services Officer)

64 **Chairman's Announcements**

The Chairman welcomed all present to the meeting and read out the emergency evacuation procedure.

He informed the Committee that Agenda Item 7 – SY/23/00881/DOM – Beach House, 1-2 Westcroft, Selsey had been withdrawn from the agenda and would be considered at a future date.

Apologies were received from Cllr Sharp

65 **Approval of Minutes - To Follow**

There were no minutes.

66 **Urgent Items**

There were no urgent items.

67 **Declarations of Interests**

Cllr D Johnson declared a personal interest in;

Agenda Item 5 – CC/21/03421/FUL – as a member of West Sussex County Council
Agenda Item 6 – O/22/02324/FUL – as a member of West Sussex County Council

68 **CC/21/03421/FUL - The Old Church Whyke Road Chichester PO19 8HA**

Miss Haigh introduced the report. She informed the Committee that an additional statement had been received from Ms. Barrie who had originally red carded the application during her time as a Chichester District Councillor. This statement had been circulated and published on the Planning Portal.

Miss Haigh outlined the site application and highlighted how residents would be able to access the property. She explained the application was for a change of use from office to residential.

Miss Haigh informed the Committee that there was no amenity space or parking provided as part of the development. However, the site was in a sustainable location within walking distances to both green space and Chichester City centre. In addition, West Sussex County Council had raised no objection as there was on street parking within the area.

Miss Haigh explained that cycle parking had been included and would be secured through condition if approved.

Miss Haigh showed the proposed floorplans, she explained that the plans had already been approved through Listed Building Consent. She confirmed that there were no external changes proposed as part of the development.

Miss Haigh explained that the building had no current community use, it was an employment site (having been granted permission for such a use in 2000) and had been marketed as available office space in accordance with policy requirements.

Representations were received from;
Ms Helen Fitch – Objector
Mr Simon Dyson – Applicant

Officers responded to members' comments and questions as follows;

Responding to concerns about future access to the adjacent graveyard; Miss Haigh informed the Committee that officers were not aware of any proposal to stop people accessing the graveyard. Access and ownership matters are outside planning control.

With regards to condition 4; Miss Haigh confirmed there were no trees within the red line, however, she advised that the condition should be included.

Responding to concerns over the loss of a community facility; Miss Haigh acknowledged both the Committee's and public concern, however, she reminded

the Committee that the building was not a community facility, it was an office and had no lawful community use which could be protected.

With regards to the development of the internal building; Miss Haigh explained the layout and works had been approved through Listed Building Consent and would be monitored by officers through agreed conditions.

With regards to nitrate mitigation; Miss Haigh informed the Committee that the proposed area of land was within West Ashling, the mitigation proposal had been approved by Natural England. In addition, Ms Bell explained that as the nitrate mitigation site was not within the South Downs National Park, monitoring of the site would be undertaken by officers from Chichester District Council.

Following a vote, the Committee agreed to support the report recommendation to **defer for section 106 then permit**.

Resolved; **defer for section 106 then permit**, subject to the conditions and informatives set out in the report.

69 **O/22/02324/FUL - Land To The South Of Manor Cottages Colworth Lane Colworth West Sussex**

Miss Taylor introduced the report. She drew attention to the Agenda Update sheet which included an additional comment from the applicant and amendments to conditions 8 and 11.

Miss Taylor highlighted the site application; she drew attention to the public right of way which crossed the site following the line of the old canal. She explained that hedging would be planted as part of the proposed soft landscaping measures, to screen the polytunnels from the footpath and minimise any visual impact.

The Committee were shown an aerial photo which highlighted other polytunnels within the area. The polytunnel would be used for the growing of soft fruit, there would be no lighting and it was anticipated that there would be no more than three tractor movements per day during the growing season.

Miss Taylor detailed the proposed landscape measures which would be brought forward as part of the development including; hedgerow, wildflower, and tree planting.

Both the Drainage Engineer and West Sussex County Council as the Local Lead Flood Authority had reviewed the indicative drainage system; both were satisfied with the proposals which would be secured through planning conditions.

The following representations were received;
Mr Phil Henshall – On applicant's behalf

Officers responded to comments and questions as follows;

On the matter of how the polytunnels would be ventilated; Mrs Taylor informed the Committee that she did not have the specific details, but believed the sides would be fully covered with open access at the ends.

With regards to the use of pesticides; Mrs Taylor explained this was outside planning control.

In response to concerns regarding on site sales from the gate; Mrs Taylor agreed that an additional condition could be included to prevent on site sales along Colworth Lane.

Following a vote, the Committee agreed to support the recommendation to **permit**.

Resolved; **permit**, subject to the conditions and informatives set out in the report and the amendments to Conditions 8 and 11 as set out on the Agenda Update Sheet and the inclusion of a condition to prevent the sale of produce from the gate along Colworth Lane.

**Cllr Burton arrived at the start of the item (10.11am)*

70 **SY/23/00881/DOM - Beach House 1 - 2 Westcroft West Street Selsey Chichester West Sussex PO20 9HD**

As announced by the Chairman, the item was deferred and would be considered at a future date.

71 **Chichester District Council Schedule of Planning Appeals, Court and Policy Matters**

The Chairman drew the Committee's attention to page 78 and the decision for 20/02066/OUT; Koolbergen, Kelly's Nurseries and Bellfield Nurseries. He commented that despite the appeal being allowed it was important to note a cost decision had still been awarded against the Council.

The Committee agreed to note the item.

72 **South Downs National Park Authority Schedule of Planning Appeals, Court and Policy Matters**

The Committee agreed to note the item.

73 **Response to Government 'Consultation on additional flexibilities to support housing delivery, the agricultural sector, businesses, high streets and open prisons; and a call for evidence on nature-based solutions, farm efficiency projects and diversification'**

Mr Mew introduced the report.

Mr Mew informed the Committee what the General Permitted Development Order (GDPO) was and what Permitted Development was. He explained that under permitted development planning policies such as; the NPPF, the Local Plan and Neighbourhood Plans could not be applied.

The consultation being considered was on proposed changes to the GDPO and permitted development rights. Mr Mew drew the Committee's attention to Appendix 1 which set out the proposed response to all 88 questions.

Mr Mew advised the Committee that in preparing the responses consideration had been given to the right way in which an application is determined to ensure the necessary level of scrutiny was applied, and that in some cases, for example extending permitted development rights in areas of outstanding natural beauty could be in direct conflict with national planning policy. Planning applications in these areas should be required to allow them to be properly considered and commented upon.

The Chairman thanked Mr Mew for his work in preparing the responses. He acknowledged that whilst a relaxation in permitted development rights may offer a more simplified process it did remove an important level of scrutiny and options for public involvement and objection.

The Chairman asked members of the Committee to forward any specific questions or comments they may have to Mr Mew by Friday 15 September 2023.

Following a vote, the Committee agreed to support the report recommendation.

Resolved; That the Planning Committee has considered and agreed the attached responses to the consultation questions for submission in response to the government 'consultation on additional flexibilities to support housing delivery, the agricultural sector, businesses, high streets and open prisons; and a call for evidence on nature-based solutions, farm efficiency projects and diversification.'

74 **Update to Local Validation List**

Ms Bell presented the report. She explained what the Local List was and why it must be updated. The Local List was for Chichester District Council and did not include areas of the authority which fell within the South Downs National Park.

The Local List is an important tool used to ensure applications are valid, it includes both national and local guidance.

Ms Bell highlighted the following keys updates the Local List;

- The inclusion of biodiversity net gain;

- The inclusion of off-site impacts, including the mitigation of recreational disturbance.
- The inclusion of water neutrality;
- Updates to flood risk and when the sequential test should be applied.

Ms Bell explained that once the consultation process had been completed it would be brought back to the Committee for approval.

The Chairman asked members to contact Ms Bell by Wednesday 13 September if they wished to make specific amendments or comments before the document was put out for consultation.

Following a vote, the Committee agreed to support the report recommendations.

Resolved;

- That the Draft Local List (set out in Appendix 1 to this report) be agreed for consultation as a document to be used in validating planning applications; and,**
- Officers have delegated authority to make minor alterations prior to consultation.**

75 Consideration of any late items as follows:

There were no late items.

76 Exclusion of the Press and Public

There were no part 2 items.

The meeting ended at 11.04 am

CHAIRMAN

Date: