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Minutes of the meeting of the **Planning Committee** held in Committee Rooms, East Pallant House on Wednesday 1 February 2017 at 9.30 am

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

Members not present:

In attendance by invitation:

Officers present: Mrs S Archer (Enforcement Manager), Mr C Bartlett (Principal Planning Officer), Miss J Bell (Development Manager (Majors and Business)), Miss N Golding (Principal Solicitor), Miss L Higenbottam (Democratic Services), Ms K Rawlins (Senior Planning Officer), Mr J Saunders (Development Manager (National Park)), Mrs F Stevens (Principal Planning Officer) and Mr T Whitty (Development Management Service Manager)

132 **Chairman's Announcements**

The Chairman welcomed everyone to the meeting and drew attention to the emergency evacuation procedure which was displayed on the screens. He introduced the officers present and announced that item five had been withdrawn from the agenda.

Mr Whitty drew attention to the agenda update sheet which explained that from 1 February 2017 a new style of decision notice agreed by members would be used and as such the numbering of conditions printed in the agenda pack are subject to change in the final decision notice.

133 **Approval of Minutes**

RESOLVED

That the minutes of the meeting held on 11 January 2017 be approved and signed by the Chairman as a correct record.

134 **Urgent Items**

The Chairman advised that there were no urgent items.

135 **Declarations of Interests**

Mr Barrett declared a personal interest in respect of application D/16/01468/FUL as a Chichester District Council appointed member of Chichester Harbour Conservancy.

Mr Barrett declared a personal interest in respect of application WI/16/03543/FUL as a Chichester District Council appointed member of Chichester Harbour Conservancy.

Mrs Duncton declared a personal interest in respect of application CC/16/04095/NMA as a member of West Sussex County Council.

Mrs Duncton declared a personal interest in respect of application CH/16/03544/FUL as a member of West Sussex County Council.

Mrs Duncton declared a personal interest in respect of application D/16/01468/FUL as a member of West Sussex County Council.

Mrs Duncton declared a personal interest in respect of application SI/16/02036/FUL as a member of West Sussex County Council.

Mrs Duncton declared a personal interest in respect of application SI/16/03699/FUL as a member of West Sussex County Council.

Mrs Duncton declared a personal interest in respect of application SI/16/03631/FUL as a member of West Sussex County Council.

Mrs Duncton declared a personal interest in respect of application SDNP/16/04212/FUL as a member of West Sussex County Council.

Mr Dunn declared a personal interest in respect of application SDNP/16/04212/FUL as a Chichester District Council appointed member of the South Downs National Park Authority.

Mr Dunn declared a personal interest in respect of application SDNP/16/05176/HOUS as a Chichester District Council member of the South Downs National Park Authority.

Mrs Kilby declared a personal interest in respect of application CC/16/04095/NMA as a member of Chichester City Council.

Mr McAra declared a personal interest in respect of application CC/16/04095/NMA as a member of West Sussex County Council.

Mr McAra declared a personal interest in respect of application CH/16/03544/FUL as a member of West Sussex County Council.

Mr McAra declared a personal interest in respect of application D/16/01468/FUL as a member of West Sussex County Council.

Mr McAra declared a personal interest in respect of application SI/16/02036/FUL as a member of West Sussex County Council.

Mr McAra declared a personal interest in respect of application SI/16/03699/FUL as a member of West Sussex County Council.

Mr McAra declared a personal interest in respect of application SI/16/03631/FUL as a member of West Sussex County Council.

Mr McAra declared a personal interest in respect of application SDNP/16/04212/FUL as a member of West Sussex County Council.

Mr Oakley declared a personal interest in respect of application CC/16/04095/NMA as a member of West Sussex County Council.

Mr Oakley declared a personal interest in respect of application CH/16/03544/FUL as a member of West Sussex County Council.

Mr Oakley declared a personal interest in respect of application D/16/01468/FUL as a member of West Sussex County Council.

Mr Oakley declared a personal interest in respect of application SI/16/02036/FUL as a member of West Sussex County Council.

Mr Oakley declared a personal interest in respect of application SI/16/03699/FUL as a member of West Sussex County Council.

Mr Oakley declared a personal interest in respect of application SI/16/03631/FUL as a member of West Sussex County Council.

Mr Oakley declared a personal interest in respect of application SDNP/16/04212/FUL as a member of West Sussex County Council.

(To listen to the speakers and 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:

136 **BI/16/03354/FUL - Rowan Nursery, Bell Lane, Birdham, Chichester, West Sussex, PO20 7HY**

This item was withdrawn from the agenda.

137 **CC/16/04095/NMA - Plot 12, Terminus Road, Chichester, West Sussex, PO19 8TX**

Miss Bell introduced the item reminding members of their decision at the committee meeting held on 3 February 2016 to grant permission to replace the existing industrial building with a new managed workspace business centre and associated car parking. She explained the non-material amendment to the layout to move the development away from the railway line closer to Terminus Road and amend plans for an area of grass to instead locate two car parking spaces.

Miss Bell confirmed that Chichester District Council (CDC) own the hardstanding to the south west of the site as it is located within plot 12.

Members agreed the amendment to the car parking spaces would have minimal impact on the site.

Recommendation to **permit** agreed.

138 **CH/16/03544/FUL - Land West Of Ticehurst, Broad Road, Nutbourne, West Sussex**

Mr Bartlett introduced the application drawing attention to the proximity of the railway line in relation to the proposed development.

The following members of the public addressed the Committee:

- Mrs L Wilkinson – Chidham and Hambrook Parish Council
- Mr C Towersey – Applicant

Mr Cullen who had red carded the application explained the potential to enhance the undeveloped plot to benefit the street scene.

Members discussed the application falling outside the settlement boundary and considered the noise and vibration impact for future occupants. Some members felt the design to be innovative.

Mr Bartlett and Mr Whitty clarified points made during the Committee's debate including:

- In response to queries over the use of the site it had previously stored railway materials
- In response to concerns that the current site is unattractive officers note that the site currently appears well kept
- To clarify the classification of the site; the location lies within countryside where development must demonstrate a need to be in that location

- Officers maintain concerns regarding noise impact for any future owners
- Network Rail raised no objection

Mr Whitty clarified that as the previously established use of the site had been abandoned it could not be classified as Brownfield. He reminded members of the importance of not deviating from policy without good reason. Some members felt this view to be subjective and maintained the site should be classified Brownfield.

In a vote the officer recommendation to refuse was not carried. Mr Oakley proposed to defer to ensure adequate sound mitigation which was seconded by Mrs Purnell. In a vote members did not support the proposal. Mr Dunn then proposed to permit with suitable conditions and informatives which was seconded by Mr Cullen. In a vote the majority of members supported the proposal.

Permit with suitable conditions and informatives.

(This decision was contrary to the officer's recommendation).

139 **D/16/01468/FUL - Windmill Bungalow, Queens Avenue, Donnington, PO19 8QB**

Ms Rawlins introduced the item and drew attention to the agenda update sheet detailing three corrections to the report, five additional representations and a further objection from Donnington Parish Council.

The following members of the public addressed the Committee:

- Mrs H Glossop – Donnington Parish Council
- Mr B Smith – Objector
- Mr S Mackley - Applicant

Mr Whitty and Miss Bell replied to points made during the Committee's debate including:

- In response to concerns that access to Waterside Drive would be difficult if Queens Avenue were closed off, Highways England objected in principle to additional vehicle movements onto the A27
- In response to concerns regarding queuing traffic WSCC Highways raised no concerns about the implications of the queue onto the A27
- To clarify a refusal on the grounds of future plans for the A27 would be difficult to sustain as any pre-approved development should be considered in future development plans
- In response to concerns regarding air quality and pollution the CDC Environment Health Officer had no objections
- Following concerns a number of revisions had to be made to accommodate refuse vehicles on site Waste Officers are happy that turning spaces are adequate
- In response to queries about pedestrianised access to the site amendments to plans were made following an objection from the Police proposing to install

a locked gate for pedestrian access onto Queens Avenue (subsequently the Police removed their objection)

- In response to whether the development would include cycle access no cycle link has been proposed between Waterside Drive and Queens Avenue
- In response to concerns that the site does not provide affordable housing or starter homes the application has been subject to a viability appraisal and assessed by the District Valuer. A commuted sum of £250,000 towards off-site affordable housing equivalent to 2.3 units would be secured. Mr Whitty confirmed that a Registered Provider would not manage two units on site.
- In response to concerns about the density of the site Ms Rawlins clarified that the density of 38 dwellings per hectare was lower than surrounding development on Waterside Drive of 50 dwellings per hectare and officers had negotiated a lower density following revisions to the scheme
- In response to a query by Mr Oakley regarding foul drainage Mr Whitty confirmed that owing to limited headroom capacity at Apuldram Waste Water Treatment Works the officer recommendation was to defer for s106 Agreement and permit provided the s106 Agreement is completed within three months

Mr Oakley requested an amendment to condition 16 on page 64 of the agenda pack to change 'building' to 'buildings'. He also requested a Traffic Regulation Order (TRO) onto Waterside Drive to maintain adequate access for refuse vehicles. Mr Whitty agreed to explore the possibility of a TRO with WSCC.

Recommendation to defer for section 106 agreement then **permit** agreed.

140 SI/16/02036/FUL - Greenacres Nursery, Keynor Lane, Sidlesham, PO20 7NG

Miss Bell drew attention to the agenda update sheet detailing a minor correction to a quotation from previous Planning Committee minutes. She reminded members of their decision at the committee meeting held on 11 November 2016 to defer the application for further negotiations. Miss Bell outlined the amendments as indicated in the report and explained that although officers acknowledge improvements to the form and layout of the development the site lies in countryside where the proposal has not demonstrated an essential small scale or local need and therefore consideration should be given to the impact of the development on the character of the countryside.

The following member of the public addressed the Committee:

- Mr J Horsley - Applicant

Members discussed the benefit of holiday lets, office space and associated employment.

Members acknowledged that consulted organisations had raised no objections and the applicant had amended the plans as requested by the committee. Some members were concerned that permitting the development would go against policy guidance.

Miss Bell clarified points made during the Committee's debate including:

- A section 106 would be required for recreation disturbance mitigation
- In response to members queries regarding the long term management of the orchard and maintenance of the drainage ditch along the Keynor Lane frontage conditions could be added
- In response to concerns that the site could be converted to residential dwellings in the future a condition could be added requiring the four business buildings to be retained in business use

Mrs Tassell proposed to permit which was seconded by Mrs Tull. In a vote the majority of members supported the proposal.

Defer for section 106 agreement then **permit** with suitable conditions and informatives.

(This decision was contrary to the officer's recommendation).

141 **SI/16/03699/COU - Land At St James Farm, Mapsons Lane, Sidlesham, Chichester, West Sussex, PO20 7QJ**

Miss Bell drew attention to the agenda update sheet detailing an amendment to condition three and additional conditions 11 and 12.

The following member of the public addressed the Committee:

- Mr B Hull - Agent

Miss Bell and Mr Whitty replied to points made during the Committee's debate including:

- In response to the request for a definition of a Shepherds Hut officers agreed to add an informative
- In response to concerns surrounding the wildlife habitat condition 10 outlines the mitigation measures for ecology
- In response to concerns of unauthorised use of the site visitors would only be able to stay between Easter and October (it was also agreed that no static caravans should be brought onto the site)
- In response to concerns about the existing boundaries officers agreed to secure details of landscaping to boundaries
- Although officers agreed that some specimen trees to provide shade would enhance the site it is not possible to condition
- In response to queries surrounding car parking on site officers agreed a condition to prevent parking beyond the designated parking areas

Miss Golding informed the committee that a definition of a Shepherds Hut would be required for the purposes of this planning permission.

Recommendation to defer for section 106 agreement then **permit** agreed with conditions and informatives.

142 **SI/16/03631/FUL - Enborne Business Park, Selsey Road, Sidlesham, West Sussex, PO20 7NE**

Mr Bartlett drew attention to the agenda update sheet referring to the deletion of condition one. He explained that the application only concerned the side extension of the building.

Some members were confused as to why the application was before them. Mr Whitty clarified that if the new dwelling had been completed and occupied the proposal could be submitted as a domestic extension. However as the application was submitted as a 'full application' and the Parish Council had raised objection referral to the Planning Committee is required.

Recommendation to **permit** agreed.

143 **WI/16/03543/FUL - Inglewood, Itchenor Road, West Itchenor, Chichester, West Sussex, PO20 7DA**

Mr Bartlett drew attention to the agenda update sheet confirming the officer recommendation to refuse.

The following members of the public addressed the Committee:

- Mr J Dunn – Applicant
- Mrs E Hamilton – Chichester District Council Member

Members discussed the design and style of the proposed dwelling. Mr Whitty explained officers were concerned that the position of the new dwelling flanks the field. He clarified that any proposed dwelling deemed to cause visual harm to the environment would be contrary to policy guidance. Some members felt the building size would be too large for the surroundings. Other members suggested that the property would not be out of character with the area. Mr Whitty confirmed that following pre-application advice the size of the dwelling had not been reduced (only an associated outbuilding). He confirmed that the site visualisation had been supplied by the applicant.

Mr Barrett shared the Chichester Harbour Conservancy's (CHC) support for the application.

Mr Hixson proposed that as not all members were familiar with the area the application should be deferred for a site visit. There was no seconder for the proposal. In a vote the officer recommendation to refuse was not carried. Mr Barrett then proposed to permit with appropriate conditions which was seconded by Mrs Tassell. In a vote the majority of members supported the proposal.

Permit with suitable conditions.

(This decision was contrary to the officer's recommendation).

144 **SDNP/16/04212/FUL - Land West of 41 Parsonage Estate, Rogate, West Sussex**

Mr Saunders drew attention to the agenda update sheet detailing an amendment to condition 12 and additional comment from the Arboriculture Officer. He provided an additional update that the site would provide 13 car parking spaces rather than the 10 stated in the report.

The following members of the public addressed the Committee:

- Mrs E Brown – Rogate Parish Council
- Mr N King-Smith - Agent

Members discussed parking on site and the possibility of informal spaces as well as those indicated on the plans. Some members saw the removal of garages as a reasonable compromise given the need for affordable housing in rural areas of the district.

Mr Saunders explained there would be informal laid to grass open space with access to the adjacent open countryside. He clarified there were no plans to adopt the disabled parking. Mr Hayes clarified that as such it would not be enforceable.

Mr Saunders confirmed that the proposed affordable housing would not be secured in perpetuity. The principle of the development would be provision of acceptable market or affordable housing. Agreement would be required between the applicant and CDC to secure nomination rights for the dwellings. The properties could be sold on the open market but the applicant had put them forward for affordable housing. Members discussed right to buy and concluded that the applicant runs a voluntary right to buy scheme but that was not relevant to the determination of the application.

Members discussed the applicant and the parish council seeking mutual agreement on the proposals.

Some members commented that due to the rural nature of the development wood burning stoves could have been integrated in the property design.

Recommendation to **permit** agreed.

145 **SDNP/16/05176/HOUS - 5 Mitchmere, Wildham Lane, Stoughton, PO18 9JW**

Mr Saunders introduced the application through a series of site plans, photographs and floorplans.

Mrs Tassell who had red carded the application explained that following a visit to the neighbouring property she had concerns regarding how the proposed extension would impact on the neighbours light. Mr Saunders showed additional photographs of the immediate neighbouring property indicating where the extension would be located. He also showed photographs of the location of the kitchen, sunroom, study

and cloakroom drawing attention to the internal window from the kitchen to the sunroom. Mr Saunders explained that a loss of view from the window could not be considered a reason for refusal and loss of light could be mitigated by other windows. Mrs Tassell expressed concerns that the neighbouring property would lose the southern sun.

Members discussed the benefit of a site visit to understand the impact of light on the neighbouring property. Mrs Tassell proposed to defer for a site visit which was seconded by Mr Dunn. In a vote the majority of members supported the proposal.

Defer for site visit.

(Mrs Tassell left and did not return for the remainder of the meeting).

146 **Schedule of Outstanding Contraventions**

The Committee noted the schedule of outstanding contraventions.

Mrs Archer explained that documentation relating to the Birdham Road enquiry (starting 7 February 2017) would be made available on the CDC website shortly. CDC had challenged the Planning Inspectorate regarding the original 10 January 2017 timetable. Mrs Archer hoped to have a clearer understanding of the appellant, witnesses and how the enquiry will be taken forward on 7 February 2017. Mr Barrett added that CHC had also expressed concerns that documentation had only just been made available.

Mr Barrett asked if Mrs Archer had a response regarding access to the Birdham Road site for WSCC to remove the existing culvert. Mrs Archer confirmed that WSCC had issued final warnings to the land owner and a request for an update had been made.

Mr Plowman asked for an update on the Guildhall, Priory Park. Mrs Archer explained that CDC had submitted a heritage statement to Historic England for retrospective permission to paint the Guildhall building.

Mrs Tull informed members that the business referenced on page 167 of the agenda pack had now closed. Mrs Archer explained that the matter would still be referred to the relevant authorities.

Mrs Archer announced a new member of staff would be joining the Planning Enforcement team on 6 February 2017. Members wished the team well.

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

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

Mr Oakley asked for clarification of the 'noise from aircraft' on page 193 of the agenda pack. Mr Whitty clarified the reference related to the path of the Goodwood runway which was aligned with the position of the proposed dwelling.

Mr Plowman asked for advice regarding the procedure to register concern that red cabinets had been installed whilst cabling works take place to the north of the city. Mr Whitty explained that CDC had been consulted and has provided feedback on the proposals including suggestions that some of the cabinets would be more suitable in green. However Virgin Media is under no obligation to take the advice.

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

There were no late items.

149 **Exclusion of the Press and Public**

The Planning Committee did not resolve to exclude the press and public during any part of this meeting.

The meeting ended at 2.56 pm

CHAIRMAN

Date: