



Minutes of the meeting of the **Planning Committee** held in Committee Rooms, East Pallant House on Wednesday 1 March 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 S Oakley, Mr R Plowman, Mrs C Purnell, Mrs J Tassell and Mrs P Tull

Members not present: Mr G McAra

In attendance by invitation:

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

150 **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.

He advised that agenda item 5 had been withdrawn from the agenda.

Apologies were received from Mr Barrett.

151 **Approval of Minutes**

RESOLVED

That subject to the amendment of 'red' to read 'grey' in respect of Minute 147, paragraph 3, first sentence, the minutes of the meeting held on 1 February 2017 be approved and signed by the Chairman as a correct record.

152 **Urgent Items**

There were no urgent items.

153 **Declarations of Interests**

Mr Barrett declared a personal interest in respect of applications O/16/02321/OUT and BO/16/03641/FUL as a Chichester District Council appointed member of Chichester Harbour Conservancy.

Mrs Duncton declared a personal interest in respect of applications TG/16/02190/FUL, O/16/02321/OUT, NM/15/02356/FUL, NM/16/03948/FUL, CC/16/03149/FUL, BO/16/03641/FUL, SDNP/16/05176/HOUS and SDNP/16/06049/CND as a West Sussex County Council member.

Mrs Duncton declared a personal interest in respect of applications SDNP/16/05176/HOUS and SDNP/16/06049/CND as a West Sussex County Council appointed member of the South Downs National Park.

Mr Dunn declared a personal interest in respect of applications SDNP/16/05176/HOUS and SDNP/16/06049/CND as a Chichester District Council appointed member of the South Downs National Park.

Mrs Kilby declared a personal interest in respect of application CC/16/03149/FUL as a member of Chichester City Council.

Mr Oakley declared a personal interest in respect of application TG/16/02190/FUL as a member of Tangmere Parish Council.

Mr Oakley declared a personal interest in respect of applications TG/16/02190/FUL, O/16/02321/OUT, NM/15/02356/FUL, NM/16/03948/FUL, CC/16/03149/FUL, BO/16/03641/FUL, SDNP/16/05176/HOUS and SDNP/16/06049/CND as a West Sussex County Council member.

Mr Plowman declared a personal interest in respect of application CC/16/03149/FUL as a member of Chichester City 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 the observations and amendments that had arisen subsequent to the dispatch of the Agenda (copy of both documents attached to the official Minutes).

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:

154 **TG/16/02190/FUL - Hazelhurst Chestnut Walk Tangmere Chichester West Sussex PO20 2HH**

This application was deferred.

155 **O/16/02321/OUT - Portfield Quarry and UMA House Oving Chichester West Sussex PO19 7UW**

Additional information was reported on the agenda update sheet relating to an amendment to the description of the proposed development, a correction to 'Planning Officer Comments' at paragraph 6.2, amended proposed conditions 7, 15, 18, 21 and 25, additional condition 30 (fire hydrant location), an amendment to the Section 106 agreement and access clarification with Shopwyke Lakes.

The following members of the public addressed the Committee:

- Mrs A Elliott on behalf of Mr L Sheavyn, Mr J Matcham - Objectors; and
- Mr C Wojtulewski - Agent

Mr Bushell presented the item and responded to members' questions and comments:

- With regard to the loss of existing employment land that would result from the application, he referred to paragraph 8.8 that provided details of the extensive marketing campaign which had been carried out by the applicant but which had not generated any interest for continued employment uses. Existing and approved employment uses elsewhere within the Shopwyke Lakes strategic development site meant that there was sufficient provision nearby to address the loss. He referred to the changed use of the land adjoining the site, which was now the Shopwyke Lakes housing development, where previous uses had included gravel extraction works and B2 general industrial uses. Within the now changed context at Shopwyke Lakes to residential uses it was considered that student accommodation was a more appropriate use.
- Although the intention was for the student accommodation to be provided for Chichester University students only, the development was not restricted in this way and could offer potential accommodation for students at the Bognor University campus or to Chichester College students.
- With regard to foul water drainage, the development would discharge to Tangmere Wastewater Treatment Works, as Apuldram Wastewater Treatment Works did not have the capacity. The applicant would need to go through a Section 98 Sewer Requisition procedure with Southern Water to commission and provide the necessary off-site infrastructure, which may be in conjunction with the adjoining housing development at Shopwyke Lakes.
- With regard to the need for student accommodation, the Local Plan encouraged students to be housed in managed, purpose built accommodation instead of the existing ad-hoc arrangement of students being pepper potted throughout Chichester City in HMO's occupying family accommodation.

- He advised that the restriction regarding construction times had not originally been included due to an oversight but that the construction management condition would be amended to include this.
- With regard to lighting on the development and the potential impact on the dark night skies objectives of the South Downs National Park, a condition would be in place to control lighting.
- At the requirement of Highways England the toucan crossing over the A27 at the Oving traffic lights, would be widened to accommodate groups of students waiting to cross. The sequencing of the lights at the crossing would be set to work with the traffic lights on the A27 to reduce any adverse impact on overall traffic flows. A requirement of the Shopwyke Lakes development was that a combined footbridge/cycle way would be constructed over the A27 at the occupation of the 125th dwelling.
- Officers considered that the separation distances from the Shopwyke Lakes development were acceptable to avoid overlooking or overbearing impacts and further control over these matters could be exercised as part of the subsequent reserved matters application dealing with the external appearance of the buildings.
- The triggers contained in proposed standard conditions 19 (external lighting) and 28 (bat and bird boxes) were based on the Council's standard conditions and were considered appropriate by officers.
- To control possible congestion at the site, student arrivals and departures at the beginning and end of term time would be managed with allocated time slots. He provided details of the two pedestrian and cycle links to be provided between the proposed development and the Shopwyke Lakes development. However, these would be closed off until the new bridge over the A27 was open.

Recommendation to **Defer** for a **Section 106 Agreement** with amended conditions 7, 15, 18, 21 and 25, and additional condition 30 (fire hydrant location) then **Permit** agreed.

156 **NM/15/02356/FUL - Lakeside Holiday Park Vinnetrow Road Runcton West Sussex PO20 1QH**

Additional information was reported on the agenda update sheet relating to a revised consultation response received from North Mundham Parish Council withdrawing their objection, an amendment to proposed condition 15 and the deletion of condition 10 due to duplication.

The following member of the public addressed the Committee:

- Mr I Butter - Agent

An explanation was given by the Chairman and Mrs Tull why North Mundham Parish Council was not able to be in attendance at today's meeting.

Miss Bell responded to members' questions and comments. Condition 5 would require details of the surface water drainage scheme including the required capacity. The capacity will required an allowance for 1 in 100 year storm event plus 40% climate change allowance, which followed changes in the guidance. There was no concern that there would not be adequate space to deliver the proposed site layout. Both touring and static caravans, are covered under the Caravan Site and Control of

Development Act, with the Planning Authority only having control of change of use of the land. Vehicular movements would be similar to those under the current use. Officers had considered the visual amenity impact of the proposed lodge style static caravans and were satisfied the proposal was acceptable in terms of both the local and the wider impact. The current site licence allowed occupation for 50 weeks of the year and the proposed lodges would have the same restriction.

Mr Frost responded to members' concerns about issues in respect of the length of occupancy and whether or not there could be restrictions on occupation. The Government's advice on holiday occupation now discouraged councils from imposing seasonal occupancy conditions. They could only be used where there was justification, such as in a flood risk area. Discussions about the proposed conditions had taken place with the applicant's agent, particularly condition 15 (holiday use), as updated further on the agenda update sheet. It was appropriate to limit the use to holiday occupation only and ensure that the conditions were sufficiently robust to ensure that occupiers lived elsewhere as their main residence for the remaining part of the year. The applicant was fully aware of their obligations to ensure there was no breach as far as holiday use was concerned.

Recommendation to **Defer** for a **Section 106 Agreement** then **Permit** with the amendment of condition 15, and the deletion of condition 10 agreed.

157 **NM/16/03948/FUL - Camic Cottage South Mundham Road South Mundham PO20 1LU**

Additional information was reported on the agenda update sheet relating to the receipt of additional comments from North Mundham Parish Council withdrawing their objection made in error, the receipt of revised plans and amendments to proposed condition 2.

With regard to rainwater runoff from the proposed dwelling, the Committee favoured the avoidance of a large number of downpipes on the proposed dwelling. An amendment to condition 3 to include a requirement for details of rainwater goods to be used was agreed as well as an additional informative in respect of the siting and design of the rainwater goods.

Recommendation to **Permit** with amended conditions 2 and 3, and an additional informative (rationale to amended condition 3) agreed.

158 **D/16/04057/DOM - 43 Graydon Avenue Donnington Chichester West Sussex PO19 8RG**

Recommendation to **Permit** agreed.

159 **CC/16/03149/FUL - Garage Compound South Of 39 To 45 Cleveland Road Chichester West Sussex**

Additional information was reported on the agenda update sheet relating to a correction to the recommendation to read 'Defer for Section 106 then Permit', the receipt of a bin collection point plan, additional consultation responses received from

West Sussex County Council – Strategic Planning and Chichester District Council – Contract Services, one further third party letter of objection, amended proposed condition 2 and one further proposed condition (vehicular turntable).

The following members of the public addressed the Committee:

- Mrs S Sharp on behalf of Mrs C Sitwell - Objector; and
- Mr W Moore - Applicant.

Mr Whitty responded to members' questions and comments. With regard to the suitability of the access these issues had been raised by neighbouring occupiers at the planning inquiry in respect of the previous application CC/14/02201/FUL granted on appeal. Bedroom numbers for the proposal compared to the previous application had increased from 9 to 10 based on the number of proposed occupants. Although the number of dwellings proposed since the previous planning application had doubled, the overall floor space and the number of bedrooms were comparable. Arising from the two previous planning appeals both planning inspectors had concluded that the site was suitable for development. The applicant proposed to provide six unallocated car parking spaces, one more than the minimum required by West Sussex County Council. Parking on Cleveland Road was subject to parking restrictions. Officers expressed the following views during the debate, namely that occupiers of small flats were more likely to be carless or have one car only than those living in the previously proposed family dwellings on the site. The first floor courtyards would feature glazing to openings on the southern elevations to deflect noise from the railway. With regard to the refuse bin collection point, Chichester Contract Services had stated their preference was for the bin collection point to be closer to the road, than the one proposed halfway down the driveway. However, on this constrained site, the committee should weigh up whether it was appropriate for the bin collection point to be located at the roadside, which might be unsightly, or halfway along the driveway, which was more inconvenient for the refuse collectors but not unacceptable. Mr Whitty confirmed that the number of bins compared to the previous application would not double, as Chichester Contract Services (CCS) were in agreement for the largest household bins, three in total, to be shared between two properties. He agreed that the construction method statement should include the hours of construction 8am to 6.00pm weekdays and Saturday morning. With regard to the provision of adequate cycle storage the condition could be amended to require additional space, which he suggested could be provided in the large courtyard garden.

Mr Whitty referred to comments made by the objector regarding the flank wall to 46 Cleveland Road and advised that this was a private civil matter under the Party Wall Act. However, a temporary sign could be included in the construction method statement during the construction process to warn reversing vehicles to be careful.

A vote on a proposal to defer the application for further consideration of the bin and cycle storage facilities in relation to the parking and access arrangements and requiring that any amendments should be reported back to the Committee was not carried.

Notwithstanding a number of concerns raised by members, the Committee favoured granting the application subject to the amendment of Condition 7 to include details

of days and hours of construction and reference to signage to warn construction traffic to ensure protection of the flank wall to 46 Cleveland Road; reference to parking provision contained in condition 11 to be amended to 'unallocated parking'; and that officers to further liaise with CCS to ensure that the bin storage arrangements were in the most suitable location and of an appropriate size. Officers also undertook to discuss cycle provision further with the applicant to ensure there was adequate provision.

Recommendation to **Defer** for a **Section 106 Agreement** then **Permit** with amended conditions 2, 4, 7 and 11, and additional condition (vehicular turntable) agreed.

(The Committee adjourned for lunch)

160 **BO/16/03641/FUL - White Lodge Harbour Way Bosham PO18 8QH**

Additional information was reported on the agenda update sheet relating to additional comments received from Bosham Parish Council and The Harbour Way Trust, and further planning officer assessment in relation to the Bosham Village Design Statement.

The following members of the public addressed the Committee:

- Mr A Hearne - Objector;
- Mr C Bartscht - Applicant; and
- Mrs P Plant - Ward Member.

In response to members' questions and comments, Mr Whitty advised that regarding comments made by one of the speakers, views from side windows were not a material planning consideration. It was not possible to protect the current dwelling in its existing form as it was not a listed building, nor did it have any other form of statutory protection. Two side balcony privacy screens were required to protect overlooking from neighbours to the east and west. Although Harbour Way was a private road, there would be an inferred right of access for service vehicles and therefore views of the site from Harbour Way could be considered public. Officers were of the view that the proposal was not highly visible from the wider Area of Outstanding Natural Beauty. Although the Chichester Harbour Conservancy's guidelines set a maximum footprint increase of 50%, in this instance the Conservancy considered that the proposed 70% increase would not have a significant adverse impact. The mixture of materials proposed fitted in with the different types of dwellings in the street. The proposed use of the basement was for a plant room, storage, wine cellar and hobby room. The site was in a low flood risk area and whilst a condition could be placed to not allow habitable accommodation in terms of sleeping quarters in the basement officers doubted that it would pass the reasonableness test of a planning condition.

Recommendation to **Permit** agreed.

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

This application had previously been considered by the Planning Committee on 1 February 2017 when it was deferred for a site visit by members, which took place on 27 February 2017.

Additional information was reported on the agenda update sheet relating to the receipt of an email sent to the Committee members and a further letting addressed to Mrs Tassell.

The following members of the public addressed the Committee:

- The Chairman read out the comments of Mr C Gardener - Objector, who had left the meeting earlier; and
- Mrs K Sindihakis - Applicant.

Recommendation to **Permit** agreed.

(Mrs Duncton left the meeting following consideration of this application and did not return for the remainder of the meeting)

162 **SDNP/16/06049/CND - Rats Castle Cottage Burton Park Road Barlavington GU28 0JR**

The following member of the public addressed the Committee:

- Mr S Harvey - Agent.

Mr Saunders confirmed that the new access road was the subject of an enforcement investigation. The impact of the proposed orangery on the dark night skies objectives of the South Downs National Park had been assessed and he confirmed that there would not be a significant amount of light spillage.

Recommendation to **Permit** agreed.

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

2 Decisions Received

FU/15/02504/FUL: Land South of the Stables, Scant Road East, Hambrook - Mr Frost drew attention to this appeal for a gypsy and traveller site that had been allowed. The Planning Inspector did not agree with the Planning Authority's concerns that the development would dominate the settled community. The Planning Inspector had also given weight to the fact that the Council did not have a five year supply of traveller sites.

WE/16/01529/FUL: The Meadow, Cemetery Lane, Woodmancote – Mr Frost drew attention to this appeal for a gypsy and traveller site that had been allowed. The Planning Inspector did not agree with the Planning Authority's concerns that the development would extend the proposal beyond the edge of the built area and considered that a single pitch would have a minimal impact on the surrounding countryside and also that there would be minimal impact on Westbourne Cemetery as a heritage asset.

However, as a consequence of the above decisions the Council now had a five year supply of sites. Whether or not the Council would fare better when defending any further appeals of this kind was at this stage not known, but this was a further consideration for Inspector's to take into account.

In responding to a member's question, he advised that national planning policy relating to gypsy and traveller sites stated that they should not be in the open countryside or in designated areas.

Members paid tribute to the Council's enforcement officers in dealing with the above matters.

3 Outstanding Appeals

SY/16/02694/FUL: 47 Gainsborough Drive, Selsey – A member thought that this appeal had been decided.

SY/15/00371/CONCOU: East Beach Evangelical Church, Selsey – Miss Golding confirmed that this case had been settled without going to appeal.

The Chairman advised that updates on the two above outstanding appeals would be provided by email or reported to the Committee at the next meeting.

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

165 **Exclusion of the Press and Public**

The meeting ended at 2.20 pm

CHAIRMAN

Date: