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A meeting of **Planning Committee** will be held in Committee Rooms, East Pallant House on **Wednesday 7 July 2021 at 9.30 am**

MEMBERS: Mrs C Purnell (Chairman), Rev J H Bowden (Vice-Chairman),
Mr G Barrett, Mr R Briscoe, Mrs J Fowler, Mrs D Johnson, Mr G McAra,
Mr S Oakley, Mr R Plowman, Mr H Potter, Mr D Rodgers, Mrs S Sharp
and Mr P Wilding

SUPPLEMENT TO AGENDA

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Agenda Update Sheet

Planning Committee
Wednesday 7 July 2021

ITEM: 5

APPLICATION NO: CC/01164/REM

Correction to report

Page 40, para 8.9, line 8 should read '*...formal link to be re-sited to the SW corner...*'

Amended plans received (01.07.2021 and 02.07.2021)

Amended plans have been received which show the internal roads widened to 5.5m. This is to ensure compliance with Condition 29 attached to the Outline Permission (CC/98/02043/OUT). In addition, updated highways plans detail the removal of the chicane across the Access Link to Centurion Way.

The amended plans are as follows:

- Proposed Block Plan - 0022/RevP07
- Proposed Site Plan (Southern) – 0023/RevP05
- Proposed Site Plan (Northern) – 0024/P05
- Proposed Ridge Levels Plan – 0043/RevP02
- Visibility Splays and Dimensions – 2020-6194-001/RevD
- Refuse Vehicle and Estate Car Swept Path Analysis – 2020-6194-002/RevD
- Site Overview – 2020-6194-003/RevE
- Refuse Vehicle Swept Path Analysis – 2020-614-004/RevF
- Car Parking Swept Path Analysis – 2020-6194-005/RevD
- Fire Tender Vehicle Swept Path Analysis – 2020-6194-006/RevC

WSSC Highways further comment (received 02.07.2021)

1. WSSC are satisfied with the width of the access road which is now confirmed at 5.5m throughout the development, with 2m footways either side, and internal footpaths of 1.2m.

2. Swept path diagrams show the access road can be used safely by different sized vehicles, and they are able to enter and exit in forward gear.

3. Details of a chicane at the end of the link scheme will need to be removed. This was not approved as part of the original outline application. WSSC are happy for this to be conditioned. [*Amended plans have since been received removing the chicane from the plans – see above*].

4. The cycle link as per (18-200_0024_p05_Proposed Site Plan 2 of 2) is shown to provide an overall width of 4m from fence to fence. This is in line with guidance in LTN 1/20 Table 5.3 which provides details of the additional width which should be provided where there are fixed objects next to cycle routes. This table states that where a vertical feature above 600mm is adjacent to a cycle track the width should be extended by 500mm. LTN 1/20 advises that this route should be widened due to the proximity of the proposed fences. Widening has been achieved to the north of the link with a section of grass verge providing an overall width of 4m which WSSC are satisfied with.

5. In addition LTN 1/20 states in Table 6.3 on page 66 that the minimum width for shared use routes with flows up to 300 cyclists per hour is 3m. WSSC consider flows to be under this so the additional width of 4m is above the requirement and will provide ample space for all users.

6. The guidance also states that the width of routes should ensure that users feel safe, can see each other and can avoid each other when passing.

7. Consideration has been given to point 7. WSSC initially asked for the section between the link and the driveway on plot 1 to be segregated with a railing. However as this would introduce another fixed object along the link and would reduce the width WSSC would like to see an alternative solution here.

8. WSSC would recommend removal of the railing and the inclusion of a change in surfacing or low level kerb to make the change between link and driveway clear to users. This change would provide better conditions for passing in line with LTN 1 /20. Condition wording could include something along these lines:

'No part of the development shall be first occupied until plans and details showing the intended means of demarcating the car parking serving plot 1 and the pedestrian/cyclists route to Centurion Way have been provided to and approved in writing by the Local Planning Authority.'

Reason: In the reasons of safety and to ensure the pedestrian/cyclist route remains clear from parked vehicles.'

Amendment to condition

9) Notwithstanding the submitted details, prior to first occupation of the dwellings hereby permitted the associated boundary treatments shall be provided in accordance with a scheme that shall first have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- (a) scaled plans showing the location of the boundary treatments and elevations, and
- (b) details of the materials and finishes.

The applicant is advised that the details shall include all proposed boundary treatments. ~~The details must include a railing between plot 1 and the formal Centurion Way pedestrian and cycle link and all publically visible rear / side garden boundaries will be expected to be brick built walls rather than close boarded fencing.~~ Thereafter the boundary treatments shall be maintained as approved in perpetuity.

Reason: In the interests of visual amenity and protecting the amenity of neighbours.

Additional conditions

17) Notwithstanding the submitted details, no development shall commence above ground level, until plans and details showing the intended means of demarcating the car parking serving Plot 1 and the Access Link to Centurion Way have been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved scheme shall be provided and maintained as approved in perpetuity.

Reason: In the reasons of safety and to ensure the Access Link remains clear from parked vehicles.

18) Notwithstanding the submitted details, no development shall commence above ground level, until full details of the Access Link to Centurion Way have been submitted to and approved in writing by the Local Planning Authority. The Access Link shall make provision for a 3m wide shared surface with 0.5m grass verges either side of the shared surface. Thereafter the approved Access Link shall be provided and maintained as approved in perpetuity.

Reason: In the reason of safety.

Further representations

1 additional Third Party Objection has been received following the publication of the Committee Report.

- Unable to determine the relative height of adjacent properties in relation to the proposed development.
 - The more important objections to the plans are located in the middle of the long list at 6.14 of the Committee Report.
 - Committee Report is astonishingly complacent and dismissive regarding many of the serious flaws and unknowns in these geriatric plans.
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ITEM: 6

APPLICATION NO: 20/01897/FUL

Addendum to the report

The recommendation is amended to read: Defer for S106 then permit.

Additional consultation response

Natural England further comment (received 01.07.2021)

Summarised:

No objection subject to appropriate mitigation being secured

We consider that without appropriate mitigation the application would:

- Financial contribution to the agreed strategic solution for recreational disturbance.
- Measures to ensure that the proposed change of land-use is secured in perpetuity, and that the tree planting scheme is undertaken at an appropriate density.

We advise that an appropriate planning condition or obligation is attached to any planning permission to secure these measures.

Having reviewed the revised Nutrient Neutrality Assessment and newly proposed location for off-site mitigation, Natural England is satisfied that subject to the woodland planting being at a density of 100 trees p/hectare and to the mitigation being secured in perpetuity; then the application can achieve nutrient neutrality.

Your appropriate assessment concludes that your authority is able to ascertain that the proposal will not result in adverse effects on the integrity of any of the sites in question. Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects that could potentially occur as a result of the proposal, Natural England advises that we concur with the assessment conclusions, providing that all mitigation measures are appropriately secured in any planning permission given.

ITEM: 8

APPLICATION NO: 21/01391/FUL

Amended Description

Redevelopment of the existing industrial estate, including demolition of the existing buildings. The scheme provides approximately 4448m² (47877ft) of lettable industrial space, use classes E(g)(ii) and E(g)(iii) (formally known as use classes B1(b), B1(c)) and use class B8 with 5 no. replacement buildings - Variation of Condition 1 of planning permission CC/20/01914/FUL - changes to Block 1 from one single large unit into 10 smaller units and associated works.

Amended Condition

37) Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended), and the Town and Country Planning (General Permitted Development) Order 2015, or any other statutory instrument amending, revoking and re-enacting the Order, the building hereby permitted shall not be used other than for purposes in Use Classes E(g)(ii) and E(g)(iii) and B8.

Reason: To ensure the use of the site does not have a harmful environmental effect in the interests of amenity and protecting residential amenity.

Item: 10

APPLICATION NO's SDNP/20/04510/FUL & SDNP/04511/LIS

Applicants further supporting information

The agricultural buildings have long been under-used, with the management of the farm undertaken on a contracting basis and farming carried out on a much more intensive level.

The applicant is intending to pursue a strategy of organic, regenerative agriculture which has a higher requirement for skilled labour than conventional farming and will provide for a more sustainable approach to farming for the future.

The main elements of regenerative agriculture which contribute to a higher workload are:

- more diverse farms with mixed systems;
- varied crop rotations;
- careful soil management;
- rearing farm animals outdoors to high welfare standards; and,
- maintaining habitats for wildlife.

A mixed farm increases the number of jobs on the farm as well as the sensitivity and complexity of these jobs and requires a larger number of work hours and skills to fulfil a diversity of tasks – including management of the grass, soil, woodland, cattle, pigs and chickens and additional monitoring.

Item: 11.

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

APPEAL DECISIONS:

APP/L3815/W/20/3263528 – Hundredsteddle Farm, Hundredsteddle Lane, Birdham PO20 7BL

Decision: Costs partially allowed

The application for an award of costs is partially allowed..... My decision, which accompanies this costs decision and should be read in conjunction with it, explains why I have found that the Council's first and second reasons for refusal do not relate to matters which are for consideration as part of the appeal,..... As such, I find that the Council's first and second reasons for refusal constitute unreasonable behaviour, which has resulted in expense incurred by the appellant in contesting these aspects of the appeal. Although I have allowed the appeal, the accompanying decision explains why I have found that there is scope for exercising planning judgement in respect of how the matter of highway safety may affect the determination of the siting of the proposed building, and that, having regard to the particular circumstances of the appeal scheme, the Council did not act unreasonably in taking this factor into account in the determination of the siting of the building..... Chichester District Council shall pay to Mr A Strange (Somerley Agricultural Contractors), the costs of the appeal proceedings described in the heading of this decision limited to those costs incurred in contesting the Council's first and second reasons for refusal, which concerned alleged conflict with the GPDO.

COURT AND OTHER MATTERS

High Court Cases.

Site - Plot A, Land north of Premier Business Centre, Birdham.

Matter - Application for a Judicial Review of the Council's decision to decline to determine application BI/21/00977/FUL

Stage – proceedings issued on 22nd June 2021.

Site – Hundredsteddle Farm, Hundredsteddle Lane, Birdham

Matter – Council's challenge of the PINS decision letter and costs letter both dated 25th March 2021.

Stage – proceedings issued on 5th July 2021.