

# Public Document Pack

## JOHN WARD

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A meeting of **Planning Committee** will be held in Committee Rooms, East Pallant House on **Wednesday 5 October 2022 at 9.30 am**

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

## SUPPLEMENT TO AGENDA

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## Agenda Update Sheet

Planning Committee  
Wednesday 5<sup>th</sup> October 2022

**ITEM: 5**

**APPLICATION NO: BI/22/01497/FUL**

**COMMENT:**

**Applicant**

Premier Marinas Ltd.

**Additional Consultation Responses:**

WSSC PROW:

No objection.

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**ITEM: 6**

**APPLICATION NO: BI/22/01498/FUL**

**COMMENT:**

**Applicant**

Premier Marinas Ltd.

**Additional Consultation Responses:**

WSSC Highway Authority:

Confirms that the applicant is correct in stating 'There is no existing bus stop on-site and no public buses serve the site. The closest bus stop servicing the site is on the main A286 - Birdham Road, approximately 0.80km to the east of the site' and there is also a bus stop near the Crown and Anchor pub.

WSSC PROW:

Looking at the plans this proposal does impact the PROW as there are barriers and ticket machines proposed within the width of the public footpath. These barriers would restrict the lawful user access over this footpath therefore would be considered an obstruction. Whilst there appears to be access around the barriers this looks to be limited and for any new structure to be introduced to the highway it would require our consent as Highway Authority. West Sussex County Councils public rights of way team are able to give advice on the introduction of new structures on a public right of way and for new structures to be consented to they must meet strict legal tests. I understand that there are currently barriers on site. At the short notice I have been provided I have not had opportunity to do the necessary research into the existing structure and whether any work was done to consent those but so far I've not found any evidence of these being consented to.

I am accepting of condition 3 and the informatives set out in your email that make clear further consent from the PROW team is required and if you can keep me updated on the progress of this application it would be appreciated.

**Additional Informative:**

7) The applicant is advised that notwithstanding this planning permission, any new structure across a PROW will require permission from the Highways Authority under Section 115B and 115E of the Highways Act 1980. The onus is on the applicant to ensure all necessary permissions are obtained. Further information can be found here: <https://www.westsussex.gov.uk/land-waste-and-housing/public-paths-and-the-countryside/public-rights-of-way/request-a-change-to-a-public-path/add-a-structure-to-a-public-right-of-way/>

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**ITEM: 7**

**APPLICATION NO: 21/02849/FUL**

**COMMENT:**

Addendum to the report

Paragraphs 6.48 – 6.56 should read **8.48-8.56**

Paragraph 6.13 to read

The applicants water consultants have provided the following summary of the water neutrality measures deployed within the proposed development.

- Total water demand for The Loxwood Site without onsite measures = 762,850 litres/annum
- Total water demand for The Loxwood Site **with** onsite measures = 554,800 litres/annum
- Total water saving at The Slinfold Site =1,030,000 litres/annum

This means we are not only proposing our site to be water neutral but that it will save some 475,200 litres/annum being abstracted from the local water course. In addition, to

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ensure the proposal achieves a 35-day drought storage (20,000 litres) the on-site tanks have been increased to 5,000 litres (standardised sizes) to provide the necessary drought storage plus additional on-site drought protection.

#### Additional Condition

The dwellings hereby permitted shall not be first occupied until the on-site water neutrality, rainwater harvesting mitigation measures as detailed within the submitted Water Neutrality Report produced by Aqua Analytics version 003-B and amending email from Ben Evans dated 22 September 2022 to include tanks of no less than 5000 litres have been fully implemented, are operational and a verification report for all the onsite water neutrality mitigation measures has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the water neutrality measures shall be retained and maintained to an operational standard, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that the necessary mitigation measures to ensure an alternative water supply is in place prior to occupation of the development. In the interests of biodiversity.

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### **Item 9**

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

#### **6. COURT AND OTHER MATTERS**

##### High Court Hearings

**Site: Land at Flat Farm, Broad Road, Hambrook, West Sussex PO18 8FT**

Matter: Appellant's challenge of Planning Inspectorate's decision letter dated 14<sup>th</sup> January 2022.

Stage: Application lodged 24<sup>th</sup> February 2022 and Grounds of Defence lodged on behalf of the Planning Inspectorate on 25<sup>th</sup> March 2022. Permission to proceed with the claim granted on 11<sup>th</sup> April 2022. A further Consent Order (signed by all parties) agreeing to a stay of proceedings for a further eight weeks from 8<sup>th</sup> September 2022 has been issued by the court.

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