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A meeting of **Planning Committee** will be held in Committee Rooms, East Pallant House on **Wednesday 14 June 2023 at 9.30 am**

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

SUPPLEMENT TO AGENDA

15 **Agenda Update Sheet - 14.06.23** (Pages 1 - 5)

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Agenda Update Sheet

Planning Committee
Wednesday 14 June 2023

ITEM: 5

APPLICATION NO: 23/00086/FUL

COMMENT:

Paragraph 8.40 to read

The following contribution shall be obtained via the S106 agreement:

- **4 x** (£ 938) + Monitoring and Obligation fee (£130)

Paragraph 8.41 to read

Subject to the completion of a Unilateral Undertaking, securing the required recreational disturbance fee of **£3882.00** the proposal would comply with Policy 50 and 51 of the CLP and the requirements of the Habitat and Protected Species Regulations 2017, and the proposal would be acceptable in this respect

ITEM: 6

APPLICATION NO: 21/01910/OUT

COMMENT:

CDC Planning Policy Comment

Southbourne Parish Neighbourhood Plan

Southbourne Parish Council undertook a review of the 'made' neighbourhood plan and an examination of the Southbourne Parish Neighbourhood Plan Review 2019-2037 was undertaken including a hearing held on 14 January 2022. The Examiner's report was published recommending the proposal for the plan was refused and did not proceed to referendum. At its meeting held on 12 April 2022, Southbourne Parish Council agreed to withdraw the plan. Following the Parish Council's withdrawal of the Southbourne Parish Neighbourhood Plan Review, the Parish Council has subsequently prepared the draft Southbourne Parish Neighbourhood Plan Pre-Submission Modified Plan 2014-2029. This plan completed the regulation 14 (Parish Council) consultation on 16 December 2022 and

the draft Submission Modified Neighbourhood Plan was published formally under regulation 16 for consultation by Chichester District Council between 2 March and 14 April at which point the plan began to gain weight. An independent examiner is currently being appointed with the examination anticipated to start in July; at this stage it may be considered to have moderate weight, depending upon the policies to be applied. At this time, therefore, the 'made' Southbourne Parish Neighbourhood Plan 2014 to 2029 remains in place.

Chidham and Hambrook Neighbourhood Plan

The Chidham and Hambrook Neighbourhood Plan was made in September 2016 and work to review the neighbourhood plan in relation to the emerging new Local Plan is now underway by the Parish Council. This work remains in the early stages and therefore attracts no weight.

CDC Drainage Engineer Comment

The Council's Drainage Engineer has reviewed the comments submitted with respect to Operation Watershed by Southbourne Parish Council.

The site in question is not covered by the WSP report, but the proposed development is upstream of the study area, which has unfortunately suffered with flooding in recent years. In the opinion of the Council's Drainage Engineer, this should not be a reason to refuse this application, but a reminder of the importance of ensuring all this, and all new development does not increase flood risk, which in this instance will be achieved by attenuating and restricting run-off to greenfield rates.

The Willowbrook site is in tidal/fluvial flood zone 1 (low risk). There is a small portion of the site shown to be at significant surface water flood risk but this will all correctly be retained within open space (no dwellings).

32 Additional Third Party Representations

- a) Impact on ecology, bats, the Ham Brook, the wildlife corridor and Chichester Harbour.
- b) Increased risk of flooding.
- c) Sandwiched between two building sites.
- d) Increased noise/light/air pollution, traffic, congestion and roadworks.
- e) Insufficient amenities and services in the area to support additional development
- f) Services are already stretched and unable to cope.
- g) The exiting road infrastructure cannot accommodate the level of traffic this site would generate.
- h) Hambrook cannot ensure anymore large new housing sites.
- i) Increased risk of road traffic accidents.
- j) Loss of the riding centre.
- k) The site is in a rural setting.
- l) Empty housing and 'change of use' should be used to deliver housing.
- m) Loss of agricultural land.
- n) Overdevelopment and increased urbanisation.
- o) More engagement with local community is required.

- p) Within the strategic gap between Southbourne Parish and Hambrook Parish and would result in coalescence between Southbourne and Hambrook.
- q) The proposal is not part of a neighbourhood plan.
- r) The number of houses would not count against any parish quota for housing and yet all the traffic will have to come through Chidham and Hambrook.
- s) Thornham WwTW is already overloaded and this development will add further strain.
- t) Further pollution and sewage entering the harbour.
- u) Lack of public transport.
- v) Disagree with the Natural England's advice.
- w) The development does not relate well to Southbourne of Hambrook.
- x) Further bat surveys and ecology studies are required.
- y) Hambrook is the bridge between the AONB and the National Park.
- z) There are no footpaths on Hambrook Hill South road.

Addendum to paragraph 8.57

The S106 Monitoring fee quoted £5,106 is and it should be £6,638.

Officer comment

Since publication of the report, the Council's Policy Team have provided further comments regarding the status of the Neighbourhood Plans that are relevant to the proposal. The emerging Southbourne Parish Neighbourhood Plan Pre-Submission Modified Plan 2014-2029 has not yet been examined and therefore for the purposes of making decisions at this time, it is considered to have moderate weight.

ITEM: 7

APPLICATION NO: 22/03137/FUL

COMMENT

Additional reason for refusal

The site is located within Environment Agency Flood Zones 2 and 3. Within such areas, development should not be permitted if there are reasonably available alternative sites appropriate for the proposed development in areas with a lower probability of flooding. The evidence submitted by the applicant does not demonstrate, to the satisfaction of the Local Planning Authority (LPA), that there are no sequentially preferable sites capable of accommodating the proposal. Consequently, the LPA considers that the proposed development fails the Sequential Test, and that permission should be refused on the grounds that the development and its occupants would be placed at an unacceptable risk of flooding. The proposal is therefore contrary to the aims and objectives of Local Plan Policy 42 and guidance set out within Section 14 of the NPPF.

ITEM: 11

APPLICATION NO: Planning Appeal APP/L3815/W/23/3319434

COMMENT:

Addendum to paragraph 6.43

The S106 Monitoring fee quoted £5,106 is and it should be £6,638.

Further update in respect of drainage

There is currently no headroom at Sidlesham WWTW but Southern Water (SW) are currently undertaking a programme of infiltration investigation and reduction work to address this. In addition, SW has just published their Drainage and Wastewater Management Plan for the period 2025-30, which identifies a number of capital projects which will aim to increase capacity at Sidlesham and elsewhere. Following publication of the Drainage and Wastewater Management Plan, the next stage is for these capital projects to go into SW's business plan to submit to OFWAT for funding.

Additional Third-Party Representations

There have been a further 20 letters of objection from local residents reiterating the concerns of the wider community, already set out in Appendix 1.

Update from the Appellant

The appellant has confirmed in writing that they are willing to provide a financial contribution towards the coordinated package of highway works on the A27 Chichester bypass, in accordance with the formula set out in the Chichester Local Plan 2021-2039: Proposed Submission (Regulation 19) calculated at the time of granting any permission. The current estimate is £1159,200 (150 x £7,728 per dwelling). This is subject to final confirmation of CIL compliance.

Recommendation Update

Recommendation included in Paragraph 2.1 ii) is incorrect and should read:

ii) agrees to contest appeal APP/L3815W/23/3318548, only in respect of:

- **Lack of financial contribution of the scale envisaged in the draft Policy T1 of the Local Plan 2021-2039: Proposed Submission to enable the Council to secure the identified A27 highway improvements.**
- **Lack of infrastructure provision (affordable housing, off site highways works, recreation disturbance mitigation, public open space, ecological buffer to eastern boundary of the site, public right of way contribution and travel plan monitoring) until a S106 Legal Agreement is agreed.**

ITEM: 12

APPLICATION NO: Planning Appeal APP/L3815/W/22/3311285

COMMENT:

Additional Representations Westbourne Parish Council

We are still very strongly opposed to the application and wish you all the best in resisting the appeal.

Paragraph 4.19 to read

Whilst Policy OA3 of the NP remains an important, criterion-based policy to assess Gypsy and Traveller proposals within Westbourne. It is important to note the policy was written at the time when the Council could demonstrate a five-year supply, which is no longer the case. The Council can only demonstrate a **0.54**-year supply of pitches. Consequently, in accordance with Paragraph 27 of the Planning Policy for Traveller Sites (PPTS), the absence of a five-year supply 'should be a significant material consideration in any subsequent planning decision when considering applications for the grant of temporary planning permission'. It is therefore Officers view that it is unlikely, conflict with a single criterion with Policy OA3 would be sufficient to outweigh the significant unmet need within Chichester.

Recommendation to read

That the Planning Committee:

- i) notes the information within the report,**
 - ii) agrees that the Council contests the appeal (APP/L3815/W/22/3311285), subject to conditions and the secured S106 agreement.**
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