



Minutes of the meeting of the **Planning Committee** held in Committee Rooms - East Pallant House on Wednesday 2 October 2019 at 9.30 am

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

Members not present: Mr G McAra

In attendance by invitation:

Officers present: Mrs S Archer (Enforcement Manager), Miss J Bell (Development Manager (Majors and Business)), Mr T Day (Environmental Coordinator), Miss N Golding (Principal Solicitor), Miss S Hurr (Democratic Services Officer), Mr J Saunders (Development Manager (National Park)), Mrs F Stevens (Development Manager (Applications)) and Mr T Whitty (Divisional Manager for Development Management)

1 **Chairman's Announcements**

The Chairman welcomed everyone to the meeting and read out the emergency evacuation procedure.

Apologies for absence had been received from Mr McAra.

The Chairman then announced a late item had been received and would be dealt with at item number 15 on the agenda. The press and public would be excluded for this item.

2 **Approval of Minutes**

RESOLVED

That the minutes of the meeting held on 4 September 2019 be approved and signed by the Chairman as a correct record.

3 **Urgent Items**

The Chairman then announced a late item had been received and would be dealt with at item number 15 on the agenda. The press and public would be excluded for this item.

The Chairman announced that the Committee would receive a Part II update relating to Land North West of Premier Motor Homes, Main Road, Birdham: Continued use of land as a Gypsy Encampment 15.

4 **Declarations of Interests**

Rev. Bowden declared personal interests in respect of applications CC/19/1134/REM and CC/19/01568/ADC as a member of Chichester City Council.

Mr Oakley declared a personal interest in respect of application CC/19/01134/REM as a member of West Sussex County Council.

Mr Potter declared a personal interest in respect of application SDNP/19/01996/FUL as a Member of Boxgrove Parish Council.

Mrs Purnell declared a personal interest in respect of application CC/19/01134/REM as a member of West Sussex County Council.

Mrs Sharp declared personal interests in respect of applications CC/19/1134/REM and CC/19/01568/ADC as a member of Chichester City Council.

Mr Wilding declared personal interests in respect of applications SDNP/19/02646/HOUS & SDNP/19/2647/LIS as a Member of Lurgashall Parish Council.

5 **CC/19/01134/REM - Land West Of Centurion Way and West Of Old Broyle Road, Chichester, West Sussex, PO19 3PH**

CC/19/01134/REM – Land West of Centurion Way and West of Old Broyle Road, Chichester, West Sussex, PO19 3PH

Miss Bell introduced the application.

Additional information was on the agenda update sheet relating to the correction of a drawing number.

The following members of the public addressed the Committee:

- Mr R Collett – Applicant
- Mr M Edis – Applicant

During the discussion members sought clarification on a number of points. With regards to the road, footpaths, comments from the Highways authority, number of solar panels, additional car charging points and whether the additions made by the

developers in response to climate change were sufficient. Following the discussions of previous meeting Mr Whitty reminded the Committee that although it was accepted that the declared climate change emergency required appropriate response, policy had not yet changed and this must be considered first. Mr Whitty drew the Committees attention to Policy 40 of the Local Plan and the report which cited the issues relating to climate change, how they had been addressed by the developers, and the information provided by the presentations at the public meeting two days previously. The Highway Authority had agreed that all necessary requirements had been addressed. Mr Whitty added that the addition of a third solar panel had been raised with the developers but this would add a cost and was over and above the requirements of Policy 40 of the Local Plan. Future occupants could add further panels and similarly occupants could install car charging points in their properties.

During the discussion, Members sought further clarification in regards to plot 29, bat and bird boxes, lack of vehicle access to the north, road width(4.6m/4.8m), water provision and the Architectural Design Strategy. Mr Whitty reminded the Committee that they could not create a 'wish list', or redesign the development at committee. Miss Bell responded that plot 29 would now be constructed with flint on all sides, requirements regarding bat and bird boxes were included in condition 12, condition 4 provided information in relation to access, and condition 11 provided information regarding bollards, restrictions and emergency access. Miss Bell confirmed the road widths were 4.8m (rather than 4.6 as previously stated), and explained that the most desirable routes of footpaths were difficult to predict but future established desire lines could be formalized in to footpaths at a later date by the management company. With regards to water Miss Bell drew the Committees attention to condition 13 which detailed the provision of water 'fit for consumption'. Miss Bell added that the orientation of the roofs for solar panels had been agreed by the developers.

Members sought further clarification in regards to hedgehog routes, the robustness of trees to be planted, whether a car club space could be positioned in the first phase pending relocation following further phased construction, the future status of gas boilers, if a noticeboard could be installed, and access for construction traffic. Miss Bell confirmed hedgehog routes could be investigated and trees of an appropriate maturity would be planted, secured through conditions. Mr Shaw from the Highways authority advised that it would not be possible to insist on the installation of a car club space but this may be led by the 'market' for such provision. Mr Whitty responded that Chichester City Council could choose to install a noticeboard. Mr Shaw confirmed that concerns regarding construction traffic was not an issue for this parcel and that a Construction Management Plan would be established. Mr Shaw further added that the Highways authority had not objected to highways related matters but would always highlight any potential improvements. Mr Day confirmed that the solar panels would provide sufficient energy for lighting and items such as televisions, but not for example to boil a kettle. In the future the national aim was to eliminate gas boilers, but this would not affect phase 1.

Recommendation to amendment to plan numbers, amendment to condition 12, for officers to discuss with developer the potential for safeguarding hedgehog corridors,

and two informatives to encourage developer to provide a noticeboard and allow off-plan purchasers to purchase further solar panels **agreed**.

Mr Oakley left the meeting

6 EWB/19/01724/FUL - Longacre, Bracklesham Lane, Bracklesham, PO20 8JF

Mrs Stevens introduced the application.

Additional information was on the agenda update sheet relating to the timing of the commencement of the development should approval be granted.

The following member of the public addressed the Committee:

Mr J O'Sullivan – Parish Representative

During the discussion members sought clarification regarding whether it would be possible to ensure that the development is not used as a separate dwelling. Mrs Stevens responded that a condition could be added which could be monitored, although there was no indication that this would be used as a separate dwelling.

RESOLVED

Recommendation to **permit** agreed.

7 EWB/19/00934/FUL - Unit J Hilton Park, East Wittering, Chichester, West Sussex, PO20 8RL

Mr Barrett gave an apology prior to the introduction of the application: 'I would like to offer my sincere apologies for the mis-informed remark that I made about the Harbour Way Country Club, that it was "just a drinking club for its members". I understand that the Club provides a range of sports and fitness facilities, including two gyms, for its members.'

Mrs Stevens introduced the application.

The following members of the public addressed the Committee:

Mr E Knott – Parish Representative

Mr T Bennett – Objector

Mr M Green – Supporter

Mr B Price – Applicant

During the discussion members expressed support for the application and sought clarification regarding the demand for the premises for B1 use and the hours of operation. Mr Whitty reminded the Committee that they may be setting a precedent for the future by supporting the application. Mr Whitty confirmed the times proposed were 6.45am until 7.45pm on Mondays to Fridays, and 7.00am until 7.00pm on Saturdays, Sundays and bank holidays.

In regards to a personal permission, Mr Whitty responded that would not be reasonable. As only half the building was being used by the applicant, whether the other half could then be let for B1 use was discussed. Mr Whitty confirmed the description, if agreed by the applicant, could be amended to include use of the premises in B1 or D2. Mr Barrett proposed subject to applicant agreement to change of description to 'change of use to B1 or D2 fitness facility' which was seconded by Mr Potter.

RESOLVED

Recommendation overturned. Amendment of description to include B1 or D2 use with additional conditions to be drafted and agreed **permit**.

8 CC/19/01568/ADV - 52 East Street, Chichester, PO19 1JG

Mrs Stevens introduced the application.

Additional information was on the agenda update sheet relating to further comments from the City Council with regards to withdrawing their objection as the hanging sign had been removed from the application, and reduced profile trough lighting confirmed. The plans had been amended in line with these changes.

RESOLVED

Recommendation to **permit** agreed.

9 SDNP/19/00775/FUL - 9 Knockhundred Row (Groundfloor), Midhurst, West Sussex, GU29 9DQ

Mr Saunders introduced the application.

Additional information was on the agenda update sheet revising the description of change of use from A1 (retail) use to as either a an A1 use or as a contact centre for 4Sight vision support.

RESOLVED

To update description to change of use of a building from A1 retail use to either A1 retail or contact centre 4sight vision support and **permit**.

Mr Oakley returned to the meeting

10 SDNP/19/02646/HOUS & SDNP/19/02647/LIS - The Village Shop, High Hamstead Lane, Lurgashall, GU28 9ET

Mr Saunders introduced the applications.

The following members of the public addressed the Committee:

Miss S Matthews – Objector
Mrs J Lawson – Objector
Mrs S Tucker – Applicant

During the discussion members sought clarification regarding whether the development should follow vernacular design and make provision to observe the Dark Skies policy. Mr Saunders responded that appropriate weight should be given to the Village Design Statement (VDS) and confirmed that the design was considered to follow vernacular design, and that it was appropriate for an extension to be defined in design as an addition. Mr Whitty added that the VDS was a material consideration, although not part of the development plan, and the quality of materials described was considered appropriate. Mr Whitty also explained it was the usual practice for an extension to historic buildings to appear different from the original building and it was important not create a pastiche by simply mimicking the original form.

During the discussion members sought further clarification on the matter of the extension overlooking a neighbouring property. Mr Saunders advised that the area in discussion had always been an amenity space and garden, which an owner could use as they wished, and that this could not be considered to have a harmful impact, adding that pre-application advice had been given at an early stage in the process. With regards to bats, Mr Saunders drew the Committee's attention to condition 5 which related to the Bat Survey.

RESOLVED

Recommendation to **permit** agreed for both applications.

11 SDNP/19/01996/FUL - Eartham Sawmill, Brittens Lane, Eartham, Chichester, West Sussex, PO18 0LS

Mr Saunders introduced the application.

Additional information was on the agenda update sheet regarding amendments to two conditions that the building was permitted for the use of storage and drying of timber in the lawful use of Eartham Sawmill and for no other purpose and that within one month of the building ceasing to be used for this purpose in association with the lawful use of Eartham Sawmill, it shall be demolished and permanently removed from the site.

The following members of the public addressed the Committee:

Mrs A Hobson – Parish Representative
Mr O'Callaghan - Objector
Mr P Darby – Applicant
Mr A Darby – Applicant

During the discussion members sought clarification regarding the design of the building, use of mechanical equipment, control of operating hours, and views from the valley. Mr Saunders responded that the sawmill has lawful so therefore hours of use cannot be imposed, although it is possible to control how the building is used and how machinery is used within the building, but that it may be difficult to enforce. With regards to the appearance of the buildi and long distance views of it, the roof slopes away from imporant vantage points and would be painted matt black. Mr Whitty added that it would be possible to restrict the operation of the machinery to move wood within unsociable hours. The Committee suggested restricting the hours of use of this machinery to 8.00am to 6.00pm Mondays to Fridays, Saturdays 8.00am to 1.00pm and no use on Sundays and bank holidays.

RESOLVED

Recommendation to **permit** agreed with additional condition restricting the use of operation of machinery to move and stack timber in the proposed building outside the hours of 8.am and 6pm Mondays to Friday, 8am-1pm Saturdays and not on Sundays or bank holidays.

Members took a thirty-minute lunch break.

12 Chichester District Council - Schedule of Planning Appeals, Court and Policy Matters between 16 August 2019 and 16 September 2019

Additional information was presented on the agenda update sheet. Application 14/00292/CONBC and enforcement notice for Paddock View Drift Lane Bosham, which had been withdrawn. Appeals against the refusal of planning applications 17/02640/FUL & 18/01173/FUL regarding Land South of the Recreation Ground at junction of Keynor Lane, Sidesham had been allowed and summary of the decision provided.

Mrs Archer confirmed an enforcement notice had been issued for reference 18/00100/CONCOU, Northshore Yacht Limited, The Street, Itchenor and a successful enforcement had been secured for reference 19/0046/CONCOU, Kellys Farm, Bell Lane, Birdham.

13 South Downs National Park - Schedule of Planning Appeals, Court and Policy Matters between 16 August 2019 and 16 September 2019

Additional information was on the agenda update sheet regarding planning application SDNP/15/00492/COU – Laundry Cottage, Dangstein Road, Rogate, which had been adjourned with a Public Inquiry taking place from 28 October 2019.

14 Exclusion of the Press and Public

Further to the Chairman's earlier announcement she proposed to take the meeting into Part II. Which was seconded by Mr Potter and the proposal carried.

RESOLVED

That the public including the press should be excluded from the meeting on the following ground of exemption in Schedule 12A to the Local Government Act 1972 namely Paragraph 5 (Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings) and because, in all the circumstances of the case, the public interest in maintaining the exemption of that information, outweighs the public interest in disclosing the information.

15 Consideration of any late items as follows:

Rev. Bowden withdrew due to predetermination for the item 15.

Mrs Archer introduced the item and drew the Committees attention to the Part II agenda update sheet relating to Land North West of Premier Motor Homes, Main Road, Birdham. Mrs Archer answered Member's questions relating to points of detail.

The Committee voted in favour of making resolutions set out below.

RESOLVED

That the Council seeks a Mandatory Injunction under Section 187b of the Town and Country Act 1990 (as amended) to require persons unknown and existing owners and occupiers to cease the residential use of the land and remove the caravans and associated paraphernalia from the land; and that

Any further decision to seek injunctive proceedings in relation to the unauthorised use of this site for Gypsy Pitches, is delegated to the Councils Divisional Manager Democratic Services

The meeting ended at 2.13 pm

CHAIRMAN

Date: