



Minutes of the meeting of the **Planning Committee** held in Committee Rooms, East Pallant House on Wednesday 7 December 2022 at 9.30 am

**Members Present:** Mrs C Purnell (Chairman), Mr B Brisbane (Vice-Chairman), Mr G Barrett, Mrs D Johnson, Mr G McAra, Mr S Oakley, Mr H Potter, Mr D Rodgers and Mrs S Sharp

**Members not present:** Rev J H Bowden, Mr R Briscoe, Mrs J Fowler and Mr P Wilding

**In attendance by invitation:**

**Officers present:** Miss J Bell (Development Manager (Majors and Business)), Miss N Golding (Principal Solicitor), Mr D Price (Principal Planning Officer), Mr J Saunders (Development Manager (National Park)), Mrs F Stevens (Divisional Manger for Planning), Ms J Thatcher (Senior Planning Officer, Majors and Business), Mr C Thomas (Senior Planning Officer), Mr T Day (Environmental Coordinator) Mr D Henly (Senior Engineer (Coast and Water Management)), Mr T Townsend (WSCC Highways) and Mrs F Baker (Democratic Services Officer)

### 31 **Chairman's Announcements**

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

Apologies were received from Cllr Bowden, Cllr Briscoe, Cllr Fowler and Cllr Wilding.

### 32 **Approval of Minutes**

Following a vote, the minutes of the meeting held on 9 November 2022 were agreed as a true and accurate record.

### 33 **Urgent Items**

There were no urgent items.

### 34 **Declarations of Interests**

Mrs Johnson declared a personal interest in;

- Agenda Item 5 – SB/21/01910/OUT- Member of West Sussex County Council
- Agenda Item 6 – CH/21/02303/OUT – Member of West Sussex County Council

Mr Oakley declared a personal interest in;

- Agenda Item 5 – SB/21/01910/OUT- Member of West Sussex County Council
- Agenda Item 6 – CH/21/02303/OUT – Member of West Sussex County Council

Mr Potter declared a personal interest in;

- Agenda Item 7 – SDNP/22/04375/FUL – CDC External Appointment to South Downs National Park
- Agenda Item 8 – SDNP/22/03304/HOUS – CDC External Appointment to South Downs National Park

Mrs Sarah Sharp declared a personal interest in;

- Agenda Item 5 – SB/21/01910/OUT- Member of West Sussex County Council
- Agenda Item 6 – CH/21/02303/OUT – Member of West Sussex County Council

35 **SB/21/01910/OUT - Willowbrook Riding Centre, Hambrook Hill South, Hambrook, Chidham PO18 8UJ**

The Chairman invited Ms Stevens to address the Committee. Ms Stevens read out the following statement;

‘... As some present today may already be aware the Government very recently announced changes to the way in which housing supply will be calculated. In particular, in a ministerial statement published last night the government announced that local authorities who are at an advanced stage in their Local Plan making will be subject to new transitional arrangements that make these places less at risk from speculative developments, by reducing the amount of land which they need to show is available for housing from five years supply to four years.

The Council recently published our 5-year supply position, which shows we have a supply of 4.74 years.

In addition to the change in housing supply requirements it is also understood that amendments to the NPPF will be consulted upon before Christmas.

At this time, there are no specific details of the proposed changes, or the transitional arrangements. It is not clear, for example, what the government define as an advanced stage of plan making, therefore officers can't advise members whether or not they need to apply the tilted balance to the application at this time.

It is therefore the officer's recommendation that the application is deferred from this meeting to allow officers time to seek clarification on this matter. It will come back to planning committee once details of how the transitional arrangements will affect the consideration of this application are known.'

To clarify Ms Stevens confirmed the recommendation was amended to defer.

Following Ms Stevens statement, the Chairman proposed the Committee moved straight to the vote to defer the item, in line with the officer recommendation.

Following a vote, the Committee voted in favour of the amended officer recommendation to **defer for further clarification**.

Resolved; **defer for further clarification**

*\*Cllr Oakley joined the meeting at 9.38am*

*\*Members took a five minute break.*

36 **CH/21/02303/OUT - Caravan And Camping Site Orchard Farm Drift Lane Bosham Chichester West Sussex PO18 8PP**

The Chairman invited Ms Stevens to address the Committee ahead of the report presentation.

Ms Stevens explained the report being considered was a windfall development site and was covered by a policy within the Chidham & Hambrook Neighbourhood Plan which states; '*...that development of 10 or fewer units on windfall sites will be acceptable*', therefore any decision made would not need to take into account the tilted or non-tilted balance (which officers were currently unable to advise on following the publication of a recent Ministerial Statement on planning).

Mr Thomas presented the report. He drew attention to the Agenda Update Sheet which included an amendment to the recommendation – Defer for S106 then permit; and an amended description.

Mr Thomas outlined the application site and explained that it was located within the Parish of Chidham & Hambrook; between the settlements of Nutbourne and Broadbridge. He drew attention to the site access which would be via Drift Lane on the western side of the site.

Mr Thomas showed that the site was well enclosed, particularly to the south of the site where there was existing tree planting and neighbouring residential developments. He highlighted the proximity of the proposed development to the Chaswood Nursery site, which would adjoin on the eastern boundary edge. The Chaswood Nursery site had recently had an appeal allowed for the outline permission of 26 dwellings.

Mr Thomas showed the Committee the proposed access arrangements and internal road layout, along with an indicative layout of the proposed nine bungalows and the tree planting that would be provided to screen the site.

Mr Thomas explained the measures proposed to achieve nitrate neutrality and confirmed they had been reviewed by Natural England who raised no objections.

Mr Thomas explained the site would be enclosed by residential development.

The following representations were made;

- Cllr Jane Towers – Chidham & Hambrook Parish Council
- Mr Stephen Johnson – Objector
- Cllr Adrian Moss – CDC Member

Officers responded to comments and questions as follows;

In response to concerns regarding the proposed wildlife corridor; Mr Thomas confirmed the development site was located within the proposed wildlife corridor. In addition, Ms Stevens reminded the Committee that the Strategic Wildlife Corridor was a proposed policy within the emerging Local Plan and as such carried limited weight at this time. However, the proposed policy did not prevent development from taking place within the corridors, applications were carefully considered on an individual basis, taking into account any potential impact on the species known to be using the corridors. She assured the Committee no precedent would be set if they permitted development within the corridor.

On the matter of local services; Mr Thomas informed the Committee the nearest services were located in Nutbourne and Broadbridge. Ms Stevens acknowledged that not all services were within walking distance of the site, however, she advised the Committee if they chose to refuse the application on the grounds of insufficient access to services, they would have to demonstrate what made the development being considered different from the adjoining Chaswood Nursery site. The Planning Inspector had considered access to services as part of the Chaswood Nursery appeal and allowed the appeal, as it did conform with Policy 8 of the Local Plan.

On the matter of marketing the site; Mr Thomas drew the Committee's attention to the report (para 8.38 P.126). He confirmed a B8 use would normally be required to undertake a marketing campaign, however, as there was no third-party employment at the site officers did not believe it was necessary for the purpose of Policy 26.

Ms Stevens explained in further detail the use of the land and what was permitted on site. If the application was refused it would not mean the use and storage currently offered would remain.

On the matter of flood risk; Ms Stevens confirmed the current information available had been used to assess the flood risk at the site.

With regards to any current traffic limit on site; Mr Thomas explained there was a condition which limited the number of caravans stored on site to 90, but there was

no condition to limit vehicle movements. In addition, West Sussex County Council Highways had raised no objection to the application.

In response to concerns regarding sewage capacity; Ms Stevens confirmed the Planning Policy team were working closely with Havant Borough Council and therefore the figures provided included development coming forward from Havant. Southern Water had confirmed there was capacity for this development.

On the proposed nitrate neutrality measures; Mr Thomas explained the scheme proposed mitigation measures. The calculations had been assessed by an independent assessor and reviewed by Natural England who raised no objections. Trees would be planted at a density of 100 trees/ha.

With regards to the proposed floorspace; Mr Thomas explained this matter would be determined as part of the Reserved Matters application, along with any relevant developer contributions such as affordable housing.

Mr Thomas agreed that if the application were permitted an additional condition to ensure the road could accommodate a refuse vehicle would be included.

On the matter of the proposed housing mix; Mr Thomas confirmed the Council's housing officer had reviewed the application and was content that the proposal was in line with the required housing mix and did satisfy local need.

For clarification Ms Stevens and Mr Thomas confirmed the area of land which was included within the application site and outlined areas of land which would be used for the nitrate neutrality mitigation, also in the applicant's ownership, which would be secured through condition.

Following debate, the Committee remained concerned about the detrimental impact the development would have the proposed wildlife Corridor; the capacity of sewage network and the loss of an employment site.

Noting officer advice, Cllr McAra proposed the application be refused, against officer recommendation, due to the loss of the commercial enterprise on site, without any evidence to demonstrate it was no longer viable enterprise contrary to Local Plan policy 26.

Cllr Potter seconded the proposal.

Following a vote, the Committee voted in favour of Cllr McAra's proposal to **refuse** the application.

Resolved; **Refuse**, due to the loss of the commercial enterprise on site, without any evidence to demonstrate it was no longer a viable enterprise, contrary to Local Plan policy 26.

*\*Members took a ten minute break.*

**SDNP/22/04375/FUL - Greenacres Farm Trotton Road Elsted West Sussex GU29 0JT**

Mr Price presented the report. He outlined the site location and highlighted its proximity to the neighbouring settlement of Elsted Marsh. The site was visible from a nearby public right of way (footpath 879) which passed to the north of the proposed development.

Mr Price highlighted the proposed development site in red, access to the site would be from an existing entrance.

Mr Price explained the existing bungalow had been removed and work had commenced on the development which received permission in 2017. He outlined the plans of the original bungalow and drew members attention to its footprint, which was 140sqm. The scale of the existing footprint was a critical part of the consideration when applying SD Policy 30.

Mr Price outlined the proposed ecological and planting enhancements which would be included as part of the development.

The Committee were shown proposed elevations and how they differed from the 2017 application. In officer opinion the design and materials proposed were of a high standard.

The following representations were made;

- Cllr Andrew Shaxson – Elsted & Treyford Parish Council

Officers responded to comments and questions as follows;

Mr Price explained the technical guidance note which accompanied SD Policy 30 was very clear in how the policy should be applied in terms of dwelling size. Dwellings of up to 120sqm and/or 1, 2 or 3 bedrooms should be classed as small to medium sized dwellings. The starting point for the application being considered was the size of the original bungalow which exceeded the aforementioned parameters. Mr Price explained the intention of the applicant must also be considered and it was officer opinion the applicant did not intend to abandon development on the site as the bungalow had been removed and work started on the 2017 application. He drew the Committee's attention to paragraph 8.3 on page 148 which gave further detail on the Technical Guidance Note and its application (which had been tested and supported at appeal).

With regards to how many bedrooms the bungalow had; Mr Price informed the Committee there had been 3 bedrooms and a small utility area of a size which could have been classed as a fourth bedroom. In addition, Mr Saunders clarified why a utility room could be classed as fourth bedroom.

On the matter of water neutrality; Mr Saunders explained there was no net increase in the number of bedrooms, therefore there was no requirement for any mitigation measures.

Following a vote, the Committee voted in favour of the report recommendation to **permit**.

Resolved; **permit**; subject to the conditions and informatives set out in the report.

*\*Members took a 5-minute break.*

*\*Cllr Rodgers left the meeting at 11.40am*

38 **SDNP/22/03304/HOUS - Hurstfield House B2146 Ditcham Lane To Hurst Mill Lane Hurst South Harting West Sussex GU31 5RF**

Mr Price presented the report. He outlined the site location which was located approximately 2.5 kilometres to the west of South Harting. It was a predominately rural location.

The original annexe was relatively small comprising of one bedroom. The proposed replacement was slightly further south of the principle dwelling but would be developed over part of the footprint of the existing annexe. Mr Price explained the proposal was for a single storey structure comprising of two bedrooms, a living and dining area, a kitchen, two bathrooms and basement for plant/machinery and storage.

Mr Price showed the Committee the proposed elevations and outlined the increase in size and scale. He explained the applicant proposed to remove an existing summer house and greenhouse, floorspace from both being added to the original floorspace GIA and footprint.

The following representations were made;

- Mr Stephen Liddle – Owner
- Cllr O'Kelly – CDC Ward Member (statement read by Mrs Fiona Baker)

Officers responded to comments and questions as follows;

With regards to limiting occupancy of the building; Mr Price explained there were occasions where conditions regarding use could be added to an application. However, he advised the Committee they must first consider whether the development proposed was truly ancillary to the principal building, and what it was replacing in terms of size and scale.

On the matter of water neutrality; Mr Saunders clarified there was a proposed increase in bedrooms, and therefore assumed occupancy. There had been no supporting evidence to demonstrate how water neutrality would be achieved as result of the uplift. Members could defer the application to allow the applicant to provide the necessary information, however, it would not change the principle of whether the application was acceptable or not.

With regards to the basement; Mr Price highlighted the proposed entrance to the basement and explained it would be for plant, utilities and storage.

With regards to the definition of an annexe; Mr Price confirmed they could be detached but they maintained a very close relationship with the main house.

On the matter of the existing annexe; Mr Price explained it had been subject to an lawful development certificate in 2011 and read out the terms under which the certificate had been issued, which defined the extent of its use at that time.

Following a vote, the Committee voted in favour of the report recommendation to **refuse**.

Resolved; **refuse**, for the reasons set out in paragraph 10 of the report.

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

Cllr Oakley drew the Committee attention to p.177; Littlemead Business Centre and encourage members to read the report in full.

The Committee agreed to note the item.

40 **South Downs National Park Authority Schedule of Planning Appeals, Court and Policy Matters**

The Committee agreed to note the item.

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

There were no late items.

42 **Exclusion of the Press and Public**

There were no part two items.

The meeting ended at 12.15 pm

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CHAIRMAN

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Date: